

SUPREME COURT OF THE STATE OF NEW YORK
Appellate Division, Fourth Judicial Department

642

KAH 09-00211

PRESENT: MARTOCHE, J.P., SMITH, FAHEY, PERADOTTO, AND GREEN, JJ.

THE PEOPLE OF THE STATE OF NEW YORK EX REL.
NAPOLEON QUINN, PETITIONER-APPELLANT,

V

ORDER

JAMES MORRISSEY, SUPERINTENDENT, BUTLER
CORRECTIONAL FACILITY, RESPONDENT-RESPONDENT.

TYSON BLUE, MACEDON, FOR PETITIONER-APPELLANT.

ANDREW M. CUOMO, ATTORNEY GENERAL, ALBANY (KATHLEEN M. ARNOLD OF
COUNSEL), FOR RESPONDENT-RESPONDENT.

Appeal from a judgment of the Supreme Court, Wayne County
(Stephen R. Sirkin, A.J.), entered December 11, 2008 in a habeas
corpus proceeding. The judgment denied the petition.

It is hereby ORDERED that said appeal is unanimously dismissed
without costs as moot (*see People ex rel. Hampton v Dennison*, 59 AD3d
951, *lv denied* 12 NY3d 711).

Entered: April 30, 2010

Patricia L. Morgan
Clerk of the Court