

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

879

**KAH 10-00962**

PRESENT: SCUDDER, P.J., SMITH, CARNI, LINDLEY, AND MARTOCHE, JJ.

---

THE PEOPLE OF THE STATE OF NEW YORK EX REL.  
CHRIS APPLEWHITE, PETITIONER-APPELLANT,

V

ORDER

HAROLD D. GRAHAM, SUPERINTENDENT, AUBURN  
CORRECTIONAL FACILITY, RESPONDENT-RESPONDENT.

---

KATHLEEN WALSH INFANTI, WEEDSPORT, FOR PETITIONER-APPELLANT.

CHRIS APPLEWHITE, PETITIONER-APPELLANT PRO SE.

ERIC T. SCHNEIDERMAN, ATTORNEY GENERAL, ALBANY (KATE H. NEPVEU OF  
COUNSEL), FOR RESPONDENT-RESPONDENT.

---

Appeal from a judgment (denominated decision and order) of the Supreme Court, Cayuga County (Mark H. Fandrich, A.J.), entered March 4, 2010 in a habeas corpus proceeding. The judgment denied the petition.

It is hereby ORDERED that the judgment so appealed from is unanimously affirmed without costs for reasons stated in the decision at Supreme Court.

Entered: September 30, 2011

Patricia L. Morgan  
Clerk of the Court