

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

487

CA 19-00497

PRESENT: CARNI, J.P., LINDLEY, CURRAN, TROUTMAN, AND BANNISTER, JJ.

IN THE MATTER OF THE APPLICATION FOR DISCHARGE
OF WAYNE J., CONSECUTIVE NO. 127873, FROM CENTRAL
NEW YORK PSYCHIATRIC CENTER, PURSUANT TO MENTAL
HYGIENE LAW SECTION 10.09, PETITIONER-APPELLANT,

V

MEMORANDUM AND ORDER

STATE OF NEW YORK, NEW YORK STATE OFFICE OF
MENTAL HEALTH, AND NEW YORK STATE DEPARTMENT OF
CORRECTIONS AND COMMUNITY SUPERVISION,
RESPONDENTS-RESPONDENTS.
(APPEAL NO. 2.)

DAVISON LAW OFFICE, PLLC, CANANDAIGUA (MARK C. DAVISON OF COUNSEL),
FOR PETITIONER-APPELLANT.

LETITIA JAMES, ATTORNEY GENERAL, ALBANY (FRANK BRADY OF COUNSEL), FOR
RESPONDENTS-RESPONDENTS.

Appeal from an order of the Oneida County Court (Walter W.
Hafner, Jr., A.J.), entered February 13, 2019. The order denied the
motion of petitioner pursuant to CPLR 4404.

It is hereby ORDERED that said appeal is unanimously dismissed
without costs.

Same memorandum as in *Matter of Wayne J. v State of New York*
([appeal No. 1] - AD3d - [June 12, 2020] [4th Dept 2020]).

Entered: June 12, 2020

Mark W. Bennett
Clerk of the Court