

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

621.1

KAH 20-01420

PRESENT: WHALEN, P.J., CENTRA, PERADOTTO, LINDLEY, AND DEJOSEPH, JJ.

THE PEOPLE OF THE STATE OF NEW YORK EX REL.
STEFEN R. SHORT, ESQ., ON BEHALF OF JOHN FRATESCHI,
ALBERT JACKSON, THOMAS JACKSON, RICARDO LOPEZ
AND MICHAEL YANCY, PETITIONER-APPELLANT,

V

ORDER

WILLIAM FENNESSY, SUPERINTENDENT, MID-STATE
CORRECTIONAL FACILITY, PATRICK REARDON,
SUPERINTENDENT, MARCY CORRECTIONAL FACILITY,
AND ANTHONY ANNUCCI, ACTING COMMISSIONER,
NEW YORK STATE DEPARTMENT OF CORRECTIONS AND
COMMUNITY SUPERVISION, RESPONDENTS-RESPONDENTS.

THE LEGAL AID SOCIETY PRISONERS' RIGHTS PROJECT, NEW YORK CITY (STEFEN
R. SHORT OF COUNSEL), AND KASOWITZ BENSON TORRES LLP, FOR PETITIONER-
APPELLANT.

LETITIA JAMES, ATTORNEY GENERAL, ALBANY (SARAH L. ROSENBLUTH OF
COUNSEL), FOR RESPONDENTS-RESPONDENTS.

Appeal from a judgment (denominated order and judgment) of the
Supreme Court, Oneida County (David A. Murad, J.), entered May 11,
2020 in a habeas corpus proceeding. The judgment granted the motion
of respondents to dismiss the petition and dismissed the petition.

Now, upon reading and filing the stipulation of discontinuance
signed by the attorneys for the parties on April 26 and 30, 2021,

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

Entered: June 11, 2021

Mark W. Bennett
Clerk of the Court