

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

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KA 23-02119

PRESENT: LINDLEY, J.P., CURRAN, BANNISTER, NOWAK, AND HANNAH, JJ.

THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT,

V

MEMORANDUM AND ORDER

JOEL F. SANTOS, DEFENDANT-APPELLANT.

D.J. & J.A. CIRANDO, PLLC, SYRACUSE (JOHN A. CIRANDO OF COUNSEL), FOR DEFENDANT-APPELLANT.

KRISTYNA S. MILLS, DISTRICT ATTORNEY, WATERTOWN (MORGAN R. MAYER OF COUNSEL), FOR RESPONDENT.

Appeal from a decision of the Jefferson County Court (David A. Renzi, J.), rendered January 4, 2023. The decision determined that defendant is a level two risk pursuant to the Sex Offender Registration Act.

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

Memorandum: Defendant purports to appeal from a bench decision of County Court adjudicating him to be a level two risk pursuant to the Sex Offender Registration Act (Correction Law § 168 *et seq.*). The court did not issue a written decision, order, or judgment. Because no appeal lies from a mere decision (*see Gunn v Palmieri*, 86 NY2d 830, 830 [1995]; *Kuhn v Kuhn*, 129 AD2d 967, 967 [4th Dept 1987]), we must dismiss the appeal. We also note that the court, in its oral decision, did not set forth its findings of fact and conclusions of law (*see* Correction Law § 168-d [3]).

Entered: December 20, 2024

Ann Dillon Flynn
Clerk of the Court