

*State of New York*  
*Supreme Court, Appellate Division*  
*Third Judicial Department*

Decided and Entered: December 14, 2017

524768

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THE PEOPLE OF THE STATE OF  
NEW YORK ex rel. TIMOTHY  
BAILEY,

Appellant,

v

MEMORANDUM AND ORDER

BRUCE YELICH, as Superintendent  
of Bare Hill Correctional  
Facility,

Respondent.

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Calendar Date: October 24, 2017

Before: Garry, J.P., Devine, Clark, Rumsey and Pritzker, JJ.

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Timothy Bailey, Malone, appellant pro se.

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Appeal from a judgment of the Supreme Court (Feldstein, J.), entered January 9, 2017 in Franklin County, which denied petitioner's application for a writ of habeas corpus, in a proceeding pursuant to CPLR article 70, without a hearing.

Judgment affirmed. No opinion.

Garry, J.P., Devine, Clark, Rumsey and Pritzker, JJ.,  
concur.

ORDERED that the judgment is affirmed, without costs.

ENTER:

A handwritten signature in black ink that reads "Robert D. Mayberger". The signature is written in a cursive, slightly slanted style with a prominent "R" and "M".

Robert D. Mayberger  
Clerk of the Court