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CPLR Article 78 Orders to Show Cause

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CPLR Article 78 Order to Show Cause - Bolarinwa, Senora (2020-05-06)

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E

At the IAS Part 59 of the Supreme Court of the State of New York, held in and for the County of New York, held at the Courthouse, 60 Centre Street, NY NY 10007, on the 6th day of May, 2020

DAQ
JSC

PRESENT: HON. **HON. DEBRA A. JAMES**, J.S.C.

Senora Bolarinwa,

Petitioner,

- against -

NEW YORK STATE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION, ANTHONY J. ANNUCCI, ACTING COMMISSIONER and TINA M. STANFORD, CHAIRWOMAN, NEW YORK STATE BOARD OF PAROLE,
Respondents

For Judgment Pursuant to Article 78 of the Civil Practice Law and Rules

~~PROPOSED~~ ORDER TO SHOW CAUSE
DAQ
JSC

Index No. 451231-2020

Upon the reading and filing of Martha Rayner's Affirmation in Support of an Order to Show Cause and the annexed verified petition of Martha Rayner, Esq., LET the respondents Anthony J. Annucci and Tina M. Stanford, **SHOW CAUSE BEFORE THIS COURT**, at the courthouse thereof, located at 60 Centre Street, New York, NY 10007, at 11:30 a.m. on the 15th day of May, 2020, why **a judgment** should not be made and entered:

1. Directing Tina M. Stanford and Anthony J. Annucci to hold a *de novo* Limited Time Credit Allowance early release parole hearing; and
2. Granting such other and further relief as the Court may deem just and equitable;
3. Sealing Doc. #13, Exhibit E of the Petition, against public disclosure

SUFFICIENT CAUSE THEREFOR APPEARING, it is FURTHER ORDERED that

service of a copy of this Order to Show Cause and papers upon which was it was based, shall be
pursuant to CPLR § 312-a
made **BY OVERNIGHT MAIL** to:
A

DAQ
JSC

New York State Department of Corrections and Community Supervision, The
Harriman State Campus, 1220 Washington Avenue, Building 2, Albany NY
12226-2050, attn.: Anthony J. Annucci, Acting Commissioner

New York State Board of Parole, The Harriman State Campus, Building #2, 1220
Washington Avenue, Albany, NY 12226, attn: Tina M. Stanford, Chair

New York State Office of the Attorney General, 28 Liberty Street, 16th Floor,
New York, NY 10005

on or before the 8th day of May, 2020, and shall be deemed sufficient service; and

IT IS FURTHER ORDERED that this action be designated as an "Essential
Proceeding" under Exhibit A, Section C.6 of Administrative Order 78, entered by the Chief
Administrative Judge of the Courts on March 22, 2020;

DAQ
JSC

IT IS FURTHER ORDERED that a Temporary Restraining Order be issued sealing Doc.
#13, Exhibit E of the Petition, against public disclosure, ^{pending} until a hearing can be held on this
matter;

DAQ
JSC

IT IS FURTHER ORDERED, that any responses by Respondents shall be filed and
by Electronic Court Filing (ECF)
served on Petitioners' counsel ~~THREE DAYS~~ after service of this Order, the Verified
Petition and Exhibits in support.
on or before the 13th day of May, 2020.

DAQ
JSC

IT IS FURTHER ORDERED, that Petitioner shall file and serve a reply on

Respondents' counsel ~~ONE DAY~~ after receipt of Respondents' response.
on or before the 15th day of May, 2020

Enter

~~ENTERED:~~

Oral Argument
Directed
DAG
JSC

[Signature]
Justice, Supreme Court
DEBRA A. JAMES
May 6, 2020

Index No 451231/2020