

Fordham Law School

## FLASH: The Fordham Law Archive of Scholarship and History

---

Art. 78 Orders to Show Cause

Court Litigation Documents

---

February 2022

### Art. 78 Order to Show Cause - Byrdsong, Tracy (2020-12-07)

Follow this and additional works at: [https://ir.lawnet.fordham.edu/art78\\_order](https://ir.lawnet.fordham.edu/art78_order)

---

#### Recommended Citation

"Art. 78 Order to Show Cause - Byrdsong, Tracy (2020-12-07)" (2022). Parole Information Project  
[https://ir.lawnet.fordham.edu/art78\\_order/3](https://ir.lawnet.fordham.edu/art78_order/3)

This Parole Document is brought to you for free and open access by the Court Litigation Documents at FLASH: The Fordham Law Archive of Scholarship and History. It has been accepted for inclusion in Art. 78 Orders to Show Cause by an authorized administrator of FLASH: The Fordham Law Archive of Scholarship and History. For more information, please contact [tmelnick@law.fordham.edu](mailto:tmelnick@law.fordham.edu).

At the IAS Part \_\_ of the Supreme Court of the State of New York, held in and for the County of Dutchess, held at the Courthouse, 101 Market Street, Poughkeepsie, New York, 12601 on the 7<sup>th</sup> day of December, 2020

CHRISTI J. ACKER  
SUPREME COURT JUSTICE

PRESENT: HON. \_\_\_\_\_, J.S.C.

Tracy Byrdsong,

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

ORDER TO SHOW  
CAUSE

Index No. 2020-54062

Upon the reading and filing of Martha Rayner's Affirmation in Support of an Order to Show Cause, dated December 3, 2020, and the annexed verified petition of Martha Rayner, Esq., sworn to on December 3, 2020, LET the respondents Anthony J. Annucci and Tina M. Stanford, or their counsel, SHOW CAUSE BEFORE THIS COURT, at the courthouse thereof, located at 101 Market Street, Poughkeepsie, New York, 12601, at 9:30 a.m. on the 20<sup>th</sup> day of ~~December, 2020~~ January, 2021 (P) on submission only, why an order should not be made and entered:

CJA  
J.S.C.

1. Directing Tina M. Stanford and Anthony J. Annucci to hold a *de novo* parole review consistent with this Court's order, and that it take place within 20 days after entry of the order; and
2. Granting such other and further relief as the Court may deem just and equitable;

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 made pursuant to CPLR §312-a BY OVERNIGHT MAIL to:

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, 1 Civic Center Plaza #401, Poughkeepsie, NY 12601

on or before the 9<sup>th</sup> day of December, 2020, and shall be deemed sufficient service; and

IT IS FURTHER ORDERED, that any responses by Respondents shall be filed and served by Electronic Court Filing (ECF) on Petitioners' counsel on or before January 6, 2021 SEVEN DAYS after service of this Order, the Verified Petition and Exhibits in support.

IT IS FURTHER ORDERED, that Petitioner by ECF shall file and serve a reply on Respondents' counsel January 19, 2021 ONE DAY after receipt of Respondents' response.

ENTERED:

Christi J. Acker  
Justice, Supreme Court  
CHRISTI J. ACKER  
SUPREME COURT JUSTICE

CJA  
J.S.C.