



**Real Attorneys
Professional Defenders**

ASSIGNED COUNSEL PROGRAM

Michelle Parker, Executive Director/Chief Defender

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Officers 2023-2024

Peter P. Vasilion
President

Joseph Terranova
Vice President

Pamela Thibodeau
Secretary

Ayoka Tucker
Treasurer

Kevin Stadelmaier
First Deputy Defender
Criminal Division

Yvonne Vertlieb
Second Deputy Administrator
Family Division

Lori A. Hoffman
Deputy for Quality Assurance

David Heraty
Deputy for Litigation Support
And Appellate Bureau

Matthew Powers
Deputy for Legal Education
Director of the
John R. Nucherano
Center for Legal Excellence

Kevin Condon
Deputy for Child Welfare

Mission Statement

We strive to help those who cannot help themselves; who face steep odds against the power of the State; and who struggle with poverty, mental issues, helplessness, and dread. We save lives and we save families. We are the first line of defense for the freedoms granted to us by the U.S. Constitution and the Bill of Rights.

[REDACTED]

City Court Judge
Hornell City Court
119 Main Street
Geneseo, New York 14454

Re: People v. [REDACTED]
Case No. [REDACTED]

Your Honor:

Enclosed please find two applications for a certificate of relief from disabilities. Feel free to contact me with any questions.

Respectfully yours,

[REDACTED]

STATE OF NEW YORK
APPLICATION BY AN ELIGIBLE OFFENDER FOR
CERTIFICATE OF RELIEF FROM DISABILITIES

Reset all fields

Learn More

1. Applicant's Last Name First Name Middle Initial 3. NYSID (if known)

2. Address (house number and street, city, state and zip code)

4. Sex Female 5. Race White 6. Height 5 ft. 0 in. 7. Date of birth (mm/dd/yyyy)

8. Conviction Charge Criminal Possession of a Hypodermic Instrument (Penal Law § 220.45) 9. Date of arrest (mm/dd/yyyy) 10. Date of sentence (mm/dd/yyyy)

11. Court where sentenced (name, address, judge/part) NOTE: you can find the court's address online using the Court Locator at: <https://ww2.nycourts.gov/courtlocator>
Hornell City Court
82 Main Sreet
Hornell, New York 14843

12. I am requesting a certificate from the (select one):
 Court (in box 11)
 Parole Board (STOP! This form is only used to request a certificate from the Court. To request a certificate from the Parole Board, download their application form at: <https://docrs.ny.gov/certificate-relief-good-conduct-restoration-rights>)

13. I am asking to replace an existing certificate, issued on: (mm/dd/yyyy)
 Not applicable

14. I am making this application for a Certificate of Relief from Disabilities that will (select one):
 a. relieve me of all forfeitures, disabilities, and bars to employment, except the right to hold or be eligible to hold public office (must be issued at sentencing).
 b. relieve me of all disabilities and bars to employment, except the right to be eligible to hold public office.
 c. relieve me of the following forfeitures, disabilities, or bars to employment (specify):

15. I agree to allow an investigation to be made to determine my fitness for a certificate of relief from disabilities pursuant to Correction Law Article 23

Applicant's Signature _____ Date _____

16. State of New York)
County of ERIE) ss.:

_____, being duly sworn, states the following:
I am the applicant.
I have read my application, and I know what it says.
The information in my application is true, accurate, and complete to the best of my knowledge and belief.

Sworn to before me this 20th day of _____, 20____

affix stamp / seal



STATE OF NEW YORK
STEUBEN COUNTY . HORNELL CITY COURT

THE PEOPLE OF THE STATE OF
NEW YORK

v.

**AFFIRMATION IN SUPPORT OF
APPLICATIONS FOR CERTIFICATE OF
RELIEF FROM DISABILITIES**

Case Nos. [REDACTED]

STATE OF NEW YORK)
COUNTY OF ERIE) ss.
CITY OF BUFFALO)

[REDACTED] an attorney licensed to practice in the courts of this State, affirms the truth of the following statements under penalties of perjury.

1. I am counsel to Ms. [REDACTED] who has two criminal convictions out of this Court from many years ago. Under Case No. [REDACTED] she was convicted of driving while intoxicated (Vehicle and Traffic Law § 1192[3]), an unclassified misdemeanor, on [REDACTED]. Under Case No. CR13-0663, she was convicted of criminal possession of a hypodermic instrument (Penal Law § 220.45), a class A misdemeanor, on [REDACTED].
2. I make this affirmation in support of Ms. [REDACTED] applications for two certificates of relief from disabilities. Unless otherwise stated, this application is made upon information and belief, the sources of which are my review of Ms. [REDACTED] criminal history (attached, Exhibit A), several conversations with Ms. [REDACTED] and a review of letters submitted by Ms. [REDACTED] and her former supervisor, [REDACTED] (attached, Exhibits B and C).
3. A certificate of relief from disabilities may be granted "to relieve an eligible offender of any forfeiture or disability, or to remove any bar to his employment, automatically imposed by law by reason of his conviction of the crime or of the offense specified therein" (Correction Law § 701[1]).

4. An eligible offender is a person "who has been convicted of a crime or of an offense, but who has not been convicted more than once of a felony" (Correction Law § 700[1][a]).
5. Ms. [REDACTED] who has been convicted of three misdemeanors but no felonies, is an eligible offender.
6. A court may "issue a certificate of relief from disabilities to an eligible offender for a conviction that occurred in such court, if the court either (a) imposed a revocable sentence or (b) imposed a sentence other than one executed by commitment to an institution under the jurisdiction of the state department of corrections and community supervision" (Correction Law § 702[1]).
7. Because Ms. [REDACTED] was not sentenced to state prison, this Court may issue her certificates of relief from disabilities on both cases.
8. Such certificate may be issued either (i) at the time sentence is pronounced or "(ii) at any time thereafter, in which case it shall apply only to disabilities," and not forfeitures (Correction Law § 702[1]).
9. Such certificate shall not be issued by the court unless the court is satisfied that:
 - a. The person to whom it is to be granted is an eligible offender;
 - b. The relief to be granted by the certificate is consistent with the rehabilitation of the eligible offender; and
 - c. The relief to be granted by the certificate is consistent with the public interest (Correction Law § 702[2]).

The relief is consistent with the rehabilitation of Ms [REDACTED]

10. Ms. [REDACTED] troubles with the law arose from a substance abuse problem, one which she has worked hard to overcome.
11. She is the mother of three young children.

12. She is currently enrolled in training to be a sterile processing technician.
13. [REDACTED] who had been Ms. [REDACTED] direct supervisor at TruGreen, wrote that "she has proven to be of fine and responsible character" and "a dedicated mother and worker" (attached, Exhibit C). He wrote that Ms. [REDACTED] has shown "her willingness to overcome her past mistakes and move forward as an upstanding citizen in her community" (*id.*).
14. We are hopeful that a certificate of relief from disabilities will assist Ms. [REDACTED] in obtaining gainful employment, which is important to her ongoing rehabilitation.

The relief is consistent with the public interest.

15. Ms. [REDACTED] crime did not involve direct harm to anyone but herself, and it does not reflect on her honesty or character.
16. It is in the public interest for Ms. [REDACTED] to be gainfully employed and not to relapse into addiction.

We respectfully ask the Court to sign the enclosed certificate of relief from disabilities, forward a copy to the New York State Department of Criminal Justice Services (DCJS), and return a copy to the defense.

[REDACTED]

[REDACTED]



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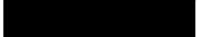
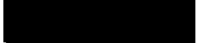
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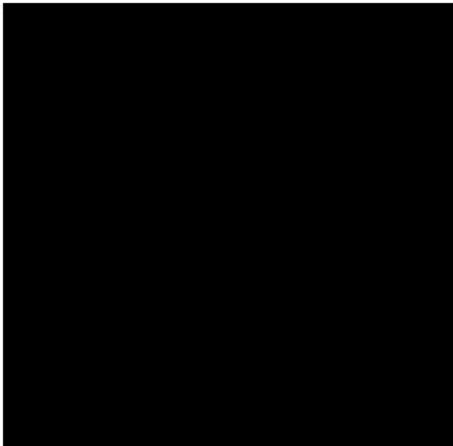
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Geneseo Town Court
119 Main Street
Geneseo, New York 14454

Re: People v. 
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Applicant's Signature _____ Date _____

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_____, being duly sworn, states the following:
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I have read my application, and I know what it says.
The information in my application is true, accurate, and complete to the best of my knowledge and belief.

Sworn to before me this _____

Notary Public
affix stamp / seal

UCS-DPCA-52 (4-23)

STATE OF NEW YORK
LIVINGSTON COUNTY . GENESEO TOWN COURT

THE PEOPLE OF THE STATE OF
NEW YORK

v.

██████████

AFFIRMATION IN SUPPORT OF
APPLICATION FOR CERTIFICATE OF
RELIEF FROM DISABILITIES
Case No. ██████████

STATE OF NEW YORK)
COUNTY OF ERIE) ss.
CITY OF BUFFALO)

██████████ an attorney licensed to practice in the courts of this State, affirms the truth of the following statements under penalties of perjury.

1. I am counsel to Ms. ██████████, who was convicted in this Court of criminal possession of a hypodermic instrument (Penal Law § 220.45), a class A misdemeanor, on ██████████
██████████
2. I make this affirmation in support of Ms. ██████████ applications for two certificates of relief from disabilities. Unless otherwise stated, this application is made upon information and belief, the sources of which are my review of Ms. ██████████ criminal history (attached, Exhibit A), several conversations with Ms. ██████████ and a review of letters submitted by Ms. ██████████ and her former supervisor, ██████████ attached, Exhibits B and C).
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We respectfully ask the Court to sign the enclosed certificate of relief from disabilities, forward a copy to the New York State Department of Criminal Justice Services (DCJS), and return a copy to the defense.

[REDACTED]

[REDACTED]