

SUPREME COURT OF THE STATE OF NEW YORK, APPELLATE DIVISION,
SECOND JUDICIAL DEPARTMENT

People ex rel. Blakey v. Larocco

Blakey, 2026 NY Slip Op 00223 (Supreme Court of the State of New York Appellate Division Second Judicial Department 2026) · No. 2026-00033 · Decided January 15, 2026

SUMMARY

The Appellate Division, Second Department dismissed a writ of habeas corpus seeking the release of Rashawn Marquez on recognizance or the setting of reasonable bail. The court held that the Nassau County Supreme Court's determination did not violate constitutional or statutory standards.

CASE DETAILS

COURT	Supreme Court of the State of New York, Appellate Division, Second Judicial Department
WRITING FOR THE COURT	Lara J. Genovesi, J.P.; Linda Christopher, J.; Janice A. Taylor, J.; Donna-Marie E. Golia, J.
JURISDICTION	Supreme Court of the State of New York, Appellate Division, Second Department
DECIDED	January 15, 2026
DOCKET	2026-00033
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petitioner sought a writ of habeas corpus to release Rashawn Marquez on his own recognizance or, alternatively, to set reasonable bail pending Nassau County Indictment No. 72697/2025.
STANDARD OF REVIEW	Whether the lower court's bail determination violated constitutional or statutory standards.
PRECEDENTIAL VALUE	Published
PARTIES	The People of the State of New York, ex rel. Michael Blakey, on behalf of Rashawn Marquez v. Anthony J. Larocco

TOPICS

- habeas corpus
- bail
- criminal procedure

PRACTICE AREAS

criminal procedure

habeas corpus

bail

QUESTIONS PRESENTED

1. Whether the Supreme Court, Nassau County, determination concerning Marquez's release or bail violated constitutional or statutory standards.
2. Whether the writ of habeas corpus should be granted to release Marquez on his own recognizance or set reasonable bail.

HOLDINGS

1. The Supreme Court, Nassau County, determination did not violate constitutional or statutory standards.
2. The writ was dismissed, and Marquez was not ordered released on his own recognizance or granted an alternative bail determination.

KEY QUOTATIONS

*"The determination of the Supreme Court, Nassau County, did not violate "constitutional or statutory standards"" (*1)*

FACTUAL BACKGROUND

Rashawn Marquez was held in connection with Nassau County Indictment No. 72697/2025. Michael Blakey, acting on Marquez's behalf, sought habeas relief requiring release on recognizance or the setting of reasonable bail. The Appellate Division concluded that the Supreme Court, Nassau County, determination did not violate constitutional or statutory standards.

PROCEDURAL HISTORY

The petition challenged a determination of the Supreme Court, Nassau County, concerning Marquez's release or bail. The Appellate Division held that the lower court's determination did not violate constitutional or statutory standards and dismissed the writ.

DISPOSITION

dismissed

CASES CITED

- People ex rel. Klein v. Krueger, 25 N.Y.2d 497, 499 (1969)
- People ex rel. Rosenthal v. Wolfson, 48 N.Y.2d 230 (1979)