

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

People ex rel. Calixte v. Nassau County Dist. Attorney

2026 NY Slip Op 02050 · No. 2025-15046 · Decided April 6, 2026

SUMMARY

The Appellate Division, Second Department dismissed a writ of habeas corpus seeking release on recognizance or reasonable bail in connection with a Nassau County indictment. The court concluded that the lower court's determination did not violate constitutional or statutory standards.

CASE DETAILS

|                       |                                                                                                                                                                                      |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | Appellate Division of the Supreme Court of the State of New York, Second Department                                                                                                  |
| WRITING FOR THE COURT | Cheryl E. Chambers, J.P.; Helen Voutsinas, J.; Carl J. Landicino, J.; Laurence L. Love, J.                                                                                           |
| JURISDICTION          | New York Supreme Court, Appellate Division, Second Department                                                                                                                        |
| DECIDED               | April 6, 2026                                                                                                                                                                        |
| DOCKET                | 2025-15046                                                                                                                                                                           |
| DISPOSITION           | dismissed                                                                                                                                                                            |
| PROCEDURAL POSTURE    | Petition for a writ of habeas corpus in the nature of an application for release on recognizance or, alternatively, reasonable bail pending Nassau County Indictment No. 70090/2017. |
| STANDARD OF REVIEW    | Whether the lower court's determination violated constitutional or statutory standards governing release and bail.                                                                   |
| PRECEDENTIAL VALUE    | Published opinion                                                                                                                                                                    |
| PARTIES               | Joseph L. Calixte, Jr., petitioner v. Nassau County District Attorney, et al., respondents                                                                                           |

TOPICS

- bail
- habeas corpus
- criminal procedure
- appellate procedure
- standard of review

PRACTICE AREAS

- Criminal law
- Criminal procedure
- Habeas corpus
- Bail and pretrial release

## QUESTIONS PRESENTED

1. Whether the Supreme Court, Nassau County's determination concerning release or bail violated constitutional or statutory standards.
2. Whether Calixte was entitled to habeas relief directing his release on recognizance or the setting of reasonable bail.

## HOLDINGS

1. The determination of the Supreme Court, Nassau County, did not violate constitutional or statutory standards.
2. The writ of habeas corpus was dismissed because the petitioner established no violation of constitutional or statutory standards.

## KEY QUOTATIONS

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

## FACTUAL BACKGROUND

Joseph L. Calixte, Jr. sought release on his own recognizance or, alternatively, reasonable bail in connection with Nassau County Indictment No. 70090/2017. The Appellate Division reviewed the Nassau County Supreme Court's determination and concluded that it did not violate applicable constitutional or statutory standards.

## PROCEDURAL HISTORY

Calixte sought habeas relief in the Appellate Division to obtain release on his own recognizance or reasonable bail. The court reviewed the determination of the Supreme Court, Nassau County, and dismissed the writ without costs or disbursements.

## DISPOSITION

dismissed

## CASES CITED

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