

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

People ex rel. Pezzullo v. Arteta

2026 NY Slip Op 03655 · No. 2026-04951 · Decided June 9, 2026

SUMMARY

The Appellate Division, Second Department dismissed a writ of habeas corpus seeking the release of Yashua T. Martin on his own recognizance. The court held that the charged felony arose from conduct occurring while Martin was released on his own recognizance on separate felony charges, making the offenses qualifying offenses under CPL 510.10(4)(t).

CASE DETAILS

COURT	Supreme Court of the State of New York, Appellate Division, Second Judicial Department
WRITING FOR THE COURT	Cheryl E. Chambers, J.P.; Barry E. Warhit, J.; Laurence L. Love, J.; Susan Quirk, J.
JURISDICTION	Supreme Court of the State of New York, Appellate Division, Second Judicial Department
DECIDED	June 9, 2026
DOCKET	2026-04951
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petition for a writ of habeas corpus in the nature of an application to release Yashua T. Martin upon his own recognizance.
PRECEDENTIAL VALUE	Published intermediate appellate decision
PARTIES	The People of the State of New York, ex rel. Christopher Pezzullo, on behalf of Yashua T. Martin v. Paul Arteta, etc.

TOPICS

- habeas corpus
- bail
- criminal procedure
- statutory interpretation
- appellate procedure

PRACTICE AREAS

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

QUESTIONS PRESENTED

1. Whether Martin was charged with qualifying offenses under CPL 510.10(4)(t).
2. Whether the habeas corpus writ seeking Martin's release upon his own recognizance should be granted.

HOLDINGS

1. The charged crimes qualified under CPL 510.10(4)(t) because the People established that Martin was charged with a felony offense arising from conduct occurring while he was released on his own recognizance on separate felony charges.
2. The writ of habeas corpus was dismissed.

KEY QUOTATIONS

*"Here, the People established that he was charged with a felony offense that "arose from conduct occurring" while he was released on his own recognizance on separate felony charges (CPL 510.10[4][t])." ([*1])*

FACTUAL BACKGROUND

Yashua T. Martin was charged with felony offenses under Orange County Indictment Nos. 150/2026 and 70410/2026. The People established that at least one charged felony arose from conduct occurring while Martin was released on his own recognizance on separate felony charges. The petitioner sought Martin's release on his own recognizance through a writ of habeas corpus.

PROCEDURAL HISTORY

The petitioner sought habeas relief concerning Martin's detention on Orange County Indictment Nos. 150/2026 and 70410/2026. The Appellate Division dismissed the writ after determining that the charged felony qualified under CPL 510.10(4)(t).

DISPOSITION

dismissed

OPINION

PER CURIAM.

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This decision is uncorrected and subject to revision before publication in the Official Reports. The People of the State of New York, ex rel. Christopher Pezzullo, on behalf of Yashua T. Martin, petitioner, v Paul Arteta, etc., respondent. Supreme Court of the State of New York, Appellate Division, Second Judicial Department Decided on June 9, 2026 2026-04951 Cheryl E. Chambers, J.P.

Barry E. Warhit Laurence L. Love Susan Quirk, JJ. Michael E. Davis, Goshen, NY (Christopher Pezzullo pro se of counsel), for petitioner. David M. Hoovler, District Attorney, Goshen, NY (Andrew R. Kass and Robert C. McIver of counsel), for respondent. [*1] DECISION & JUDGMENT Writ of habeas corpus in the nature of an application to release Yashua T. Martin upon his own recognizance upon Orange County Indictment Nos. 150/2026 and 70410/2026.

ADJUDGED that the writ is dismissed, without costs or disbursements. Contrary to the petitioner's contention, Yashua T. Martin was charged with qualifying offenses under CPL 510.10(4)(t). Here, the People established that he was charged with a felony offense that "arose from conduct occurring" while he was released on his own recognizance on separate felony charges (CPL 510.10[4][t]).

Accordingly, the charged crimes in this case were qualifying offenses under CPL 510.10(4)(t). CHAMBERS, J.P., WARHIT, LOVE and QUIRK, JJ., concur. ENTER: Darrell M. Joseph Clerk of the Court Court Decisions All Court Decisions Official Reports Service Bound Volumes Decision Search Resources RSS Feeds Style Manual Citation Tools Opinion Formatting & Privacy Guidelines Opinion Selection Criteria Legal Research Portal Site Index About About the Law Reporting Bureau About our Operations Contact Us Twitter Quick Contact Info 17 Lodge Street Albany, NY 12207 Phone: (518) 453-6900 Links to or from other sites do not signify endorsement or relationship with them.