State of New York

Executive Chamber

No. 53

EXECUTIVE ORDER

TEMPORARY SUSPENSION AND MODIFICATION OF STATUTORY PROVISIONS ESTABLISHING TIME LIMITATIONS FOR HOLDING A DEFENDANT IN CUSTODY PENDING DISPOSITION OF A FELONY COMPLAINT

WHEREAS, on October 26, 2012, I issued Executive Order Number 47 declaring a disaster emergency in all 62 counties in the State of New York;

NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend specific provisions of any statute, local law, ordinance, orders, rules or regulations, or parts thereof, of any agency during a State disaster emergency, if compliance with such provisions would prevent, hinder or delay action necessary to cope with the disaster, I hereby temporarily suspend, for the period from the date of this Executive Order until further notice, the following laws:

Section 180.80 of the Criminal Procedure Law, to the extent that it limits the time during which a defendant against whom a felony complaint has been filed with a local criminal court in Bronx, Kings, New York, Richmond, Queens or Westchester County may be held in custody pending the disposition of such felony complaint when such limitation period concludes during the period commencing from the date that the disaster emergency was declared pursuant to Executive Order Number 47, issued on October 26, 2012, until November 9, 2012.

GIVEN under my hand and the Privy Seal of the State in the City of Albany this first day of November in the year two thousand twelve.

BY THE GOVERNOR

Secretary to the Governor