

## CPL ARTICLE 430: PRISON.

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Prison sentence can NOT be changed/suspended/interrupted once commences, except as otherwise authorized by law.

Determinate/Indeterminate sentence must be to State Correctional Facility specified in order.

Definite/Intermittent sentence to NYC Department of Corrections; else in any other locale, to county jail/workhouse/penitentiary. Order must specify institution.

If a defendant is later *re*-sentenced to a period not greater than that which was vacated: NOT recommitted if time already served; NOT recommitted if already paroled, unless such be otherwise revoked. If defendant would become immediately eligible for conditional release under new sentence due to "good time" served on old = execution of new sentence stayed; defendant to report to facility w/in 60 days; remanded upon failure to show. In any case of new sentence, Clerk shall immediately mail Certificate of Commitment to facility, as well as defendant's legal representative.

If defendant already imprisoned is sentenced to additional time for failure to pay fine: shall be committed to same facility, but new term not commence until original expires or defendant becomes eligible for parole/conditional release. Such new prison term is a definite sentence. However, Court MAY direct that sentences be served concurrently.

It shall be the duty of NYC Corrections - or any other city with such department - to transport the defendant to prison; elsewhere = County Sheriff.