

State of New York
Supreme Court, Appellate Division
Third Judicial Department

Decided and Entered: August 2, 2012

513834

In the Matter of DARREN
JORDAN,
Petitioner,
v

MEMORANDUM AND JUDGMENT

BRIAN S. FISCHER, as
Commissioner of Corrections
and Community Supervision,
Respondent.

Calendar Date: June 6, 2012

Before: Peters, P.J., Spain, Malone Jr., Kavanagh and
Egan Jr., JJ.

Darren Jordan, Pine City, petitioner pro se.

Eric T. Schneiderman, Attorney General, Albany (Martin A.
Hotvet of counsel), for respondent.

Proceeding pursuant to CPLR article 78 (transferred to this Court by order of the Supreme Court, entered in Albany County) to review a determination of respondent finding petitioner guilty of violating certain prison disciplinary rules.

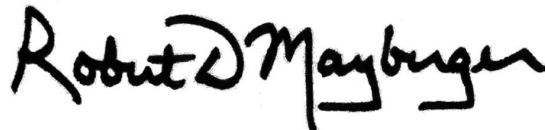
Petitioner commenced this CPLR article 78 proceeding seeking review of a determination finding him guilty of violating numerous prison disciplinary rules. The Attorney General has advised this Court that the determination has been administratively reversed, all references thereto have been expunged from petitioner's institutional record and the mandatory surcharge has been credited back to petitioner's inmate account. Given that petitioner has received all the relief to which he is

entitled, the petition is dismissed as moot (see Matter of Kalwasinski v Fischer, 92 AD3d 1069, 1069-1070 [2012]; Matter of Doyle v Fischer, 87 AD3d 1189, 1189 [2011]).

Peters, P.J., Spain, Malone Jr., Kavanagh and Egan Jr., JJ., concur.

ADJUDGED that the petition is dismissed, as moot, without costs.

ENTER:

A handwritten signature in black ink that reads "Robert D. Mayberger". The signature is written in a cursive, slightly slanted style.

Robert D. Mayberger
Clerk of the Court