

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

Decided and Entered: December 4, 2014

519140

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In the Matter of DAVID RAMOS,  
Petitioner,

v

MEMORANDUM AND JUDGMENT

DEPARTMENT OF CORRECTIONS AND  
COMMUNITY SUPERVISION  
et al.,

Respondents.

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Calendar Date: October 21, 2014

Before: Peters, P.J., Stein, Rose, Egan Jr. and Devine, JJ.

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David Ramos, Auburn, petitioner pro se.

Eric T. Schneiderman, Attorney General, Albany (Peter H. Schiff of counsel), for respondents.

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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 Superintendent of Eastern Correctional Facility which found petitioner guilty of violating certain prison disciplinary rules.

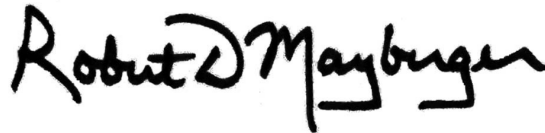
Petitioner commenced this proceeding to challenge a prison disciplinary determination finding him guilty of making a false statement, being out of place and a movement regulation violation. The Attorney General has informed this Court that the determination at issue has been administratively reversed, all references thereto expunged from petitioner's institutional record and the mandatory surcharge refunded to his inmate account. As petitioner has received all the relief to which he is entitled, the petition is dismissed as moot (see Matter of

Scott v Fischer, 119 AD3d 1307 [2014]).

Peters, P.J., Stein, Rose, Egan Jr. and Devine, 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