

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

Decided and Entered: March 16, 2017

522862

In the Matter of CHRISTOPHER
HYNES,
Appellant,
v

MEMORANDUM AND ORDER

TINA M. STANFORD, as Chair of
the Board of Parole,
Respondent.

Calendar Date: January 24, 2017

Before: Garry, J.P., Lynch, Devine, Clark and Mulvey, JJ.

Christopher Hynes, Alden, appellant pro se.

Eric T. Schneiderman, Attorney General, Albany (Laura
Etlinger of counsel), for respondent.


Appeal from a judgment of the Supreme Court (Ferriera, J.),
entered January 8, 2016 in Albany County, which dismissed
petitioner's application, in a proceeding pursuant to CPLR
article 78, to review a determination of the Board of Parole
denying petitioner's request for parole release.

Petitioner commenced this CPLR article 78 proceeding
challenging a July 2014 determination of the Board of Parole
denying his request for parole release. Supreme Court dismissed
the petition and petitioner appeals. This Court has confirmed
that petitioner reappeared before the Board in January 2017 at
which time he was again denied parole release. As such, the
appeal is moot and, as the narrow exception to the mootness
doctrine is inapplicable, it must be dismissed (see Matter of
Walker v Annucci, 138 AD3d 1334, 1334 [2016]).

Garry, J.P., Lynch, Devine, Clark and Mulvey, JJ., concur.

ORDERED that the appeal 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