

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

Decided and Entered: December 14, 2017

524881

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In the Matter of WILLIAM BLAKE,  
Petitioner,

v

MEMORANDUM AND JUDGMENT

ANTHONY J. ANNUCCI, as Acting  
Commissioner of Corrections  
and Community Supervision,  
Respondent.

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Calendar Date: October 24, 2017

Before: McCarthy, J.P., Egan Jr., Rose, Mulvey and Rumsey, JJ.

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Karen L. Murtagh, Prisoners' Legal Services of New York,  
Albany (Chrisiant Bracken of counsel), for petitioner.

Eric T. Schneiderman, Attorney General, Albany (Marcus J.  
Mastracco of counsel), for respondent.

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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 finding petitioner guilty of violating certain prison disciplinary rules.

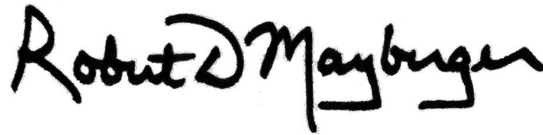
Petitioner commenced this CPLR article 78 proceeding to challenge a tier III disciplinary determination finding him guilty of violating certain prison disciplinary rules. The Attorney General has advised this Court that the determination has been administratively reversed, all references thereto have been expunged from petitioner's institutional record and the \$5 surcharge has been refunded to his inmate account. Given that petitioner has received all of the relief to which he is entitled, we dismiss the petition as moot (see Matter of Arriaga

v Capra, 153 AD3d 1542, 1542 [2017]; Matter of Tolliver v Fischer, 140 AD3d 1507, 1508 [2016]).

McCarthy, J.P., Egan Jr., Rose, Mulvey and Rumsey, 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