

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

Decided and Entered: September 20, 2018

526336

In the Matter of LAMARR LITTLE,
Petitioner,

v

MEMORANDUM AND JUDGMENT

WILLIAM A. LEE, as
Superintendent of Eastern
N.Y. Correctional Facility,
Respondent.

Calendar Date: August 6, 2018

Before: Garry, P.J., Egan Jr., Devine, Mulvey and Pritzker, JJ.

Lamarr Little, Napanoch, petitioner pro se.

Barbara D. Underwood, Attorney General, Albany (Marcus J. Mastracco of counsel), for respondent.

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

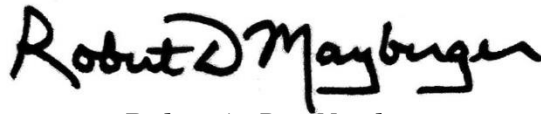
Petitioner commenced this CPLR article 78 proceeding challenging a tier II prison disciplinary determination. The Attorney General has advised this Court that the determination has been administratively reversed, all references thereto have expunged from petitioner's institutional record and the mandatory \$5 surcharge has been refunded to petitioner's inmate account. Given that petitioner has received all of the relief to which he is entitled, the petition must be dismissed as moot

(see Matter of Ramos v Annucci, 162 AD3d 1439, 1439 [2018];
Matter of Walker v Annucci, 160 AD3d 1325, 1325-1326 [2018]).

Garry, P.J., Egan Jr., Devine, Mulvey and Pritzker, 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