

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

Decided and Entered: June 27, 2019

527872

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In the Matter of PEDRO  
CASTILLO,  
Petitioner,

v

MEMORANDUM AND JUDGMENT

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

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Calendar Date: May 24, 2019

Before: Garry, P.J., Devine, Aarons, Rumsey and Pritzker, JJ.

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Pedro Castillo, Wallkill, petitioner pro se.

Letitia James, 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 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

mandatory surcharge has been refunded to petitioner's inmate account. Accordingly, given that petitioner has received all of the relief to which he is entitled, the petition must be dismissed as moot (see Matter of Jackson v Annucci, 171 AD3d 1381, 1381 [2019]; Matter of Billups v Annucci, 170 AD3d 1300, 1301 [2019]).

Garry, P.J., Devine, Aarons, Rumsey 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