

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

Decided and Entered: January 28, 2021

531968

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In the Matter of ANTHONY  
JEFFERIES,  
Petitioner,

v

MEMORANDUM AND JUDGMENT

NEW YORK STATE DEPARTMENT OF  
CORRECTIONS AND COMMUNITY  
SUPERVISION,  
Respondent.

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Calendar Date: January 4, 2021

Before: Egan Jr., J.P., Clark, Aarons, Reynolds Fitzgerald and  
Colangelo, JJ.

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Anthony Jefferies, Woodbourne, petitioner pro se.

Letitia James, Attorney General, Albany (Kate H. Nepveu 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 the Commissioner of  
Corrections and Community Supervision finding petitioner guilty  
of violating a prison disciplinary rule.

Petitioner commenced this CPLR article 78 proceeding  
challenging a tier III disciplinary determination finding him  
guilty of violating a prison disciplinary rule. The Attorney  
General has advised this Court that the subject disciplinary  
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. Moreover, although not referenced by the Attorney General, the record reflects that the penalty included a loss of good time and this should also be restored (see Matter of Greene v Annucci, 186 AD3d 1868, 1868 [2020]; Matter of Louime v Venettozzi, 186 AD3d 1870, 1870 [2020]). Given that petitioner has received all of the relief to which he is entitled, the petition must be dismissed as moot (see Matter of Dove v Collado, 182 AD3d 893, 893 [2020]; Matter of Jiminez v Annucci, 178 AD3d 1231, 1231 [2019]).

Egan Jr., J.P., Clark, Aarons, Reynolds Fitzgerald and Colangelo, 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