

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

Decided and Entered: June 12, 2025

CV-24-1133

In the Matter of JASMEN
LEONARD,

Petitioner,

v

MEMORANDUM AND JUDGMENT

AMY TITUS, as Superintendent of
Orleans Correctional Facility,
et al.,

Respondents.

Calendar Date: May 23, 2025

Before: Egan Jr., J.P., Lynch, Ceresia, McShan and Mackey, JJ.

Jasmen Leonard, Johnstown, petitioner pro se.

Letitia James, Attorney General, Albany (*Kate H. Nepveu* of counsel), for respondents.

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 Superintendent of Orleans Correctional Facility finding petitioner guilty of violating certain prison disciplinary rules.

Petitioner commenced this CPLR article 78 proceeding challenging a tier II disciplinary determination finding that he violated various prison disciplinary rules. The Attorney General has advised this Court that the determination at issue has been administratively reversed, all references have been expunged from petitioner's institutional record and the \$5 surcharge has been refunded to petitioner's account. As

petitioner has received all the relief to which he is entitled, the petition is dismissed as moot (*see Matter of Concepcion v Annucci*, 231 AD3d 1455, 1455 [3d Dept 2024]; *Matter of Davis v Annucci*, 227 AD3d 1313, 1314 [3d Dept 2024]).

Egan Jr., J.P., Lynch, Ceresia, McShan and Mackey, 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