

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

Decided and Entered: March 12, 2026

CV-25-0602

In the Matter of ROBERT YOUNGS,
Petitioner,

v

J. WOODS, as Acting Superintendent
of Shawangunk Correctional
Facility,
Respondent.

MEMORANDUM AND JUDGMENT

Calendar Date: February 6, 2026

Before: Aarons, J.P., Reynolds Fitzgerald, Ceresia, Mackey and Corcoran, JJ.

Robert Youngs, Romulus, petitioner pro se.

Letitia James, Attorney General, Albany (*Kate H. Nepveu* 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 to challenge a tier II disciplinary finding that he had violated a prison disciplinary rule. The Attorney General has advised this Court that the determination at issue has been administratively reversed, all references thereto have been expunged from petitioner's institutional record and the mandatory \$5 surcharge has been refunded to petitioner's account. Although petitioner requests that we nonetheless review the matter, we find that the exception to the mootness doctrine is inapplicable (*see Matter of Hearst Corp. v Clyne*, 50 NY2d 707, 714

[1980]). Inasmuch as petitioner has received all of the relief to which he is entitled, this matter is dismissed as moot (*see Matter of Concepcion v Martuscello*, 237 AD3d 1402, 1403 [3d Dept 2025]; *Matter of Paige v McGuinness*, 236 AD3d 1171, 1172 [3d Dept 2025]). As the record reflects that petitioner was ordered to pay a reduced filing fee of \$15 to be collected from his account, which he indicates was collected on November 11, 2024, and that he paid \$.69 in postage, and he has requested refund thereof, we grant his request and direct respondent to reimburse him for that amount (*see Matter of Booker v Rodriguez*, 227 AD3d 1251, 1251 [3d Dept 2024]).

Aarons, J.P., Reynolds Fitzgerald, Ceresia, Mackey and Corcoran, JJ., concur.

ADJUDGED that the petition is dismissed, as moot, without costs, but with disbursements in the amount of \$15.69.

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