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Administrative Appeal Decision - Cassidy. Michael

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STATE OF NEW YORK – BOARD OF PAROLE

ADMINISTRATIVE APPEAL DECISION NOTICE

Name: Cassidy, Michael Facility: Woodbourne CF
NYSID: 05322225-N Appeal Control No.: 12-097-19 B
DIN: 85-A-7933

Appearances: Alan S. Lewis, Esq.
Carter Ledyard & Milburn LLP
2 Wall Street
New York, NY 10005

Decision appealed: December 2019 decision, denying discretionary release and imposing a hold of 12 months.


Board Member(s) who participated: Lee, Corley, Samuels


Papers considered: Appellant’s Brief received April 21, 2020

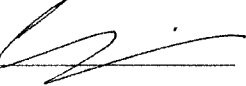
Appeals Unit Review: Statement of the Appeals Unit’s Findings and Recommendation

Records relied upon: Pre-Sentence Investigation Report, Parole Board Report, Interview Transcript, Parole Board Release Decision Notice (Form 9026), COMPAS instrument, Offender Case Plan.

Final Determination: The undersigned determine that the decision appealed is hereby:

 Affirmed Vacated, remanded for de novo interview Modified to _____
Commissioner

 Affirmed Vacated, remanded for de novo interview Modified to _____
Commissioner

 Affirmed Vacated, remanded for de novo interview Modified to _____
Commissioner

If the Final Determination is at variance with Findings and Recommendation of Appeals Unit, written reasons for the Parole Board’s determination must be annexed hereto.

This Final Determination, the related Statement of the Appeals Unit’s Findings and the separate findings of the Parole Board, if any, were mailed to the Inmate and the Inmate’s Counsel, if any, on 7/24/2020.
CB

STATE OF NEW YORK – BOARD OF PAROLE

APPEALS UNIT FINDINGS & RECOMMENDATION

Name: Cassidy, Michael

DIN: 85-A-7933

Facility: Woodbourne CF

AC No.: 12-097-19 B

Findings: (Page 1 of 1)

Appellant challenges the December 2019 determination of the Board, denying release and imposing a 12-month hold. The instant offense involved Appellant fatally stabbing his paramour after an argument. Among other things, Appellant argues that the decision is stated in conclusory terms.

A review by the Appeals Unit reveals that the decision lacked detail in denying parole. As such, a *de novo* interview is appropriate.

Recommendation: Vacate and remand for *de novo* interview.