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October 2020

### Administrative Appeal Decision - Cassidy. Michael (2020-07-24)

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STATE OF NEW YORK – BOARD OF PAROLE

**ADMINISTRATIVE APPEAL DECISION NOTICE**

Name: Cassidy, Michael

Facility: Woodbourne CF

NYSID: [REDACTED]

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

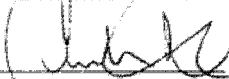
Appeals Unit Review: Statement of the Appeals Unit's Findings and Recommendation

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 7/29/2020.

LB

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)

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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.