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November 2019

### Decision in Art. 78 proceeding - Morales, Yull (2017-06-02)

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**SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF ORANGE**

**X**

**In the Matter of the Application of  
YULL MORALES, 92-A-4230,**

**Petitioner,**

**NOTICE OF ENTRY**

**For a Judgment Pursuant to Article 78 of the Civil  
Practice Law and Rules,**

**INDEX NO. 7076/2016**

**-AGAINST-**

**NEW YORK STATE BOARD OF PAROLE,**

**Respondent.**

**X**

PLEASE TAKE NOTICE that the within is a true and complete copy of a Decision and Order together with notice of entry in this proceeding duly entered in the Office of the County Clerk of Orange County on June 5, 2017.

Dated: Poughkeepsie, New York  
July 18, 2017

ERIC T. SCHNEIDERMAN

Attorney General of the State of New York  
*Attorney for Respondent*  
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Poughkeepsie, NY 12601  
Telephone: (845) 485-3900

TO: Yull Morales, 92-A-4230  
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Otisville Correctional Facility  
PO Box 8  
Otisville, NY 10963

JUN 07 2017

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF ORANGE

CLERK OF COURSE & LITIGATION  
POSITIVE RECORDS OFFICE

In the Matter of the Application of  
YULL MORALES - 92A4230,

DECISION AND ORDER

INDEX NO. 7076/2016

Petitioner,

For a Judgment Pursuant to Article 78  
Of the Civil Practice Law and Rules

-against-

NEW YORK STATE BOARD OF PAROLE,

Respondent.

-----X  
P R E S E N T: HON. ELAINE SLOBOD, JSC

The following sets of papers numbered 1 to 4 were considered  
on the respondent's motion to dismiss the petition as moot:

- Order to show cause; Morales affidavit  
in support of order to show cause;  
petition, and exhibits 1(A-E) and 2 1-3
- Notice of motion, Gavin affirmation, and  
exhibit 1 4

Upon review of the foregoing, it is ORDERED that the  
respondent's motion is granted without opposition.

The petition challenged a decision by the Board of Parole  
denying the petitioner parole and sought a *de novo* interview.  
The petition is moot because the petitioner appeared for a  
subsequent interview, which was the relief sought by the  
petitioner. See *Ortiz v Alexander*, 83 AD3d 1078 (2d Dept 2011).

This decision constitutes the order of the Court.

E N T E R

Dated: June 2 , 2017  
Goshen, New York

Elaine Slobod  
HON. ELAINE SLOBOD, JSC

ERIC T. SCHNEIDERMAN, ATTORNEY GENERAL  
By Elizabeth A. Gavin, AAG  
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YULL MORALES - 92A4230  
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