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Article 78 Litigation Documents

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November 2021

### Decision in Art. 78 proceeding - Williams, Thomas (2020-11-13)

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SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF DUTCHESS

Present:

Hon. Maria G. Rosa, Justice

\_\_\_\_\_  
THOMAS WILLIAMS,

Petitioner,

DECISION, ORDER  
AND JUDGMENT

-against-

Index No. 53293/20

TINA M. STANFORD, Chairwoman of the  
New York State Board of Parole,

Respondent.  
\_\_\_\_\_

The following papers were read on this Article 78 proceeding.

- NOTICE OF PETITION
- PETITION
- AFFIRMATION IN SUPPORT
- EXHIBITS 1 - 7
- MEMORANDUM OF LAW IN SUPPORT
- RESPONDENT'S LETTER DATED OCTOBER 28, 2020

This is an Article 78 proceeding in which Petitioner challenges a determination of the New York State Board of Parole dated December 19, 2019 denying him parole release. Petitioner seeks an order vacating that decision and directing the Board of Parole to conduct a new parole interview at which it considers all appropriate statutory factors governing parole release determinations.

In opposition to the petition, Respondent has submitted a letter consenting to conduct a *de novo* parole interview. Based on the foregoing, it is

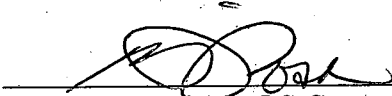
ORDERED that the petition is granted and the December 19, 2019 determination of the Parole Board denying Petitioner discretionary parole release is vacated. It is further

ORDERED that the Board of Parole shall conduct a *de novo* parole interview within 45 days of the date of this decision and order.

The foregoing constitutes the decision, order and judgment of the Court.

Dated: November 13, 2020  
Poughkeepsie, New York

ENTER:

  
\_\_\_\_\_  
MARIA G. ROSA, J.S.C.

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Pursuant to CPLR §5513, an appeal as of right must be taken within thirty days after service by a party upon the appellant of a copy of the judgment or order appealed from and written notice of its entry, except that when the appellant has served a copy of the judgment or order and written notice of its entry, the appeal must be taken within thirty days thereof.

Patterson Belknap Webb & Tyler, LLP  
1133 Avenue of the Americas  
New York, NY 10036

Office of the Attorney General  
1 Civic Center Plaza, 4<sup>th</sup> Floor  
Poughkeepsie, NY 12601