

Fordham Law School

FLASH: The Fordham Law Archive of Scholarship and History

Decisions in Art. 78 Proceedings

Article 78 Litigation Documents

February 2022

Decision in Art. 78 proceeding - Dansa, Timothy (2020-03-16)

Follow this and additional works at: <https://ir.lawnet.fordham.edu/pdd>

Recommended Citation

"Decision in Art. 78 proceeding - Dansa, Timothy (2020-03-16)" (2022). Parole Information Project
<https://ir.lawnet.fordham.edu/pdd/365>

This Parole Document is brought to you for free and open access by the Article 78 Litigation Documents at FLASH: The Fordham Law Archive of Scholarship and History. It has been accepted for inclusion in Decisions in Art. 78 Proceedings by an authorized administrator of FLASH: The Fordham Law Archive of Scholarship and History. For more information, please contact tmelnick@law.fordham.edu.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF DUTCHESS

-----X
TIMOTHY DANSA, DIN 89-C-1580

Petitioner,

DECISION AND ORDER

Index No. 209/2020

-against-

**NEW YORK STATE DEPARTMENT OF CORRECTIONS and
COMMUNITY SUPERVISION, ANTHONY J. ANNUCCI,
ACTING COMMISSIONER**

Respondent.

-----X
MacKENZIE, TRACY, C, ACTING SUPREME COURT JUSTICE

THE FOLLOWING PAPERS WERE READ AND CONSIDERED ON THIS APPLICATION by petitioner pursuant to Article 78 of the CPLR seeking reversal of a Parole Board decision rendered on January 30, 2019 which denied him discretionary release to parole supervision.

PAPERS NUMBERED

NOTICE OF PETITION.....	2 p
VERIFIED PETITION.....	29 pp
Exhibits.....	1-5
LETTER DATED March 5, 2020.....	1 p


UPON CONSENT OF THE RESPONDENT IT IS ORDERED THAT THE APPLICATION IS GRANTED to the extent that the matter is remanded to the Parole Board to hold a *de novo* parole release hearing within 60 days of the date of this decision. The *de novo* hearing shall consist of at least two Parole Board members who were not involved in any of petitioner's prior hearings.

This constitutes the decision and order of the Court.

SO ORDERED

DATED: Poughkeepsie, NY
March 16, 2020

ENTER:



HON. TRACY C. MacKENZIE
ACTING SUPREME COURT JUSTICE

NOTICE OF APPEAL

PLEASE TAKE NOTICE that an appeal may be taken from an order of this Court to the Appellate Division Second Department. Section 5513 of the CPLR provides that the appeal must be taken within thirty days after the entry and service of any order from which the appeal is taken.

TO: Law Office of Ronlad L. Kuby
Rhiya Trivedi, Esq.
✓ 119 West 23rd Street, Suite 900
New York, NY 10011

Jeane L. Strickland-Smith, Esq.
Assistant Attorney General
Office of the Attorney General
1 Civic Center Plaza, Suite 401
Poughkeepsie, New York 12601-3194