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December 2020

### Administrative Appeal Decision - Coley, Aaron (2019-02-27)

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STATE OF NEW YORK – BOARD OF PAROLE

ADMINISTRATIVE APPEAL DECISION NOTICE

Name: Coley, Aaron

Facility: Five Points CF

NYSID: [REDACTED]

Appeal Control No.: 10-129-18 R

DIN: 09-B-2566

Appearances: Aaron Coley, 09-B-2566  
Five Points CF  
6600 State Route 96  
Caller Box 400  
Romulus, NY 14541

Decision appealed: September 10, 2018 revocation of release and imposition of a time assessment of 18-months.

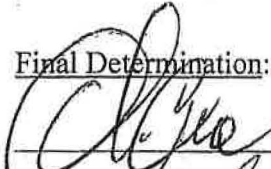
Final Revocation Hearing Date: September 10, 2018

Papers considered: Appellant's Letter-brief received December 26, 2018  
Appellant's Supplemental Letter received December 27, 2018  
Appellant's Two Supplemental Letters received January 17, 2019  
Appellant's Supplemental Letter received January 22, 2019  
Appellant's Supplemental Letter received January 23, 2019

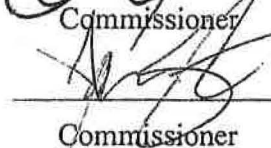
Appeals Unit Review: Statement of the Appeals Unit's Findings and Recommendation

Records relied upon: Notice of Violation, Violation of Release Report, Final Hearing Transcript, Parole Revocation Decision Notice

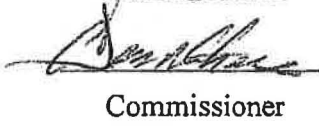
Final Determination: The undersigned determine that the decision appealed is hereby:

  
Commissioner

Affirmed     Reversed, remanded for de novo hearing     Reversed, violation vacated  
 Vacated for de novo review of time assessment only     Modified to \_\_\_\_\_

  
Commissioner

Affirmed     Reversed, remanded for de novo hearing     Reversed, violation vacated  
 Vacated for de novo review of time assessment only     Modified to \_\_\_\_\_

  
Commissioner

Affirmed     Reversed, remanded for de novo hearing     Reversed, violation vacated  
 Vacated for de novo review of time assessment only     Modified to \_\_\_\_\_

**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 2/27/19 cc.



STATE OF NEW YORK – BOARD OF PAROLE

**APPEALS UNIT FINDINGS & RECOMMENDATION**

**Name:** Coley, Aaron

**DIN:** 09-B-2566

**Facility:** Five Points CF

**AC No.:** 10-129-18 R

**Findings:** (Page 2 of 2)

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Both Appellant’s request to be relieved from post release supervision and his challenge to the time calculation are beyond the scope of the Appeals Unit’s jurisdiction. 9 NYCRR § 8006.3; *id.* §§ 8006 *et seq.* However, we note that Appellant received an 18-month time assessment with the delinquency date modified from June 28, 2017, to December 18, 2017 – the date on which he was taken into custody – consistent with the plea agreement. To the extent he may read the ALJ’s decision to allow for an additional five-month reduction in time, he is mistaken. The ALJ merely initialed (“JS”) a change she made to the last line of the determination.

**Recommendation:** Affirm.