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December 2020

### Administrative Appeal Decision - Redden, Cornelius (2018-12-28)

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STATE OF NEW YORK- BOARD OF PAROLE

Administrative Appeal Decision Notice

**Inmate Name:** Redden, Cornelius

**Facility:** Attica Correctional Facility.

**NYSID No.** [REDACTED]

**Appeal Control #:** 08-076-18-R

**Dept. DIN#:** 14B0583

Appearances:

For the Board, the Appeals Unit

For Appellant: Cornelius Redden 14B0583  
Attica Correctional Facility  
Box 149  
Attica, New York 14011

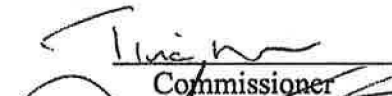



Board Member(s) who participated in appealed from decision: NONE

Decision appealed from: 7/2018-Revocation of release, with imposition of 15 month time assessment.

Pleadings considered: Handwritten letter on behalf of the pro se appellant received on October 3, 2018.  
Statement of the Appeals Unit's Findings and Recommendation

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

**Final Determination:** The undersigned have determined that the decision from which this appeal was taken be and the same is hereby

 _____ Commissioner	<input checked="" type="checkbox"/> Affirmed	<input type="checkbox"/> Reversed for De Novo Hearing	<input type="checkbox"/> Reversed - Violation Vacated
 _____ Commissioner	<input type="checkbox"/> Vacated for De Novo Review of Time Assessment Only	<input type="checkbox"/> Modified to _____	
 _____ Commissioner	<input type="checkbox"/> Affirmed	<input type="checkbox"/> Reversed for De Novo Hearing	<input type="checkbox"/> Reversed - Violation Vacated
	<input type="checkbox"/> Vacated for De Novo Review of Time Assessment Only	<input type="checkbox"/> Modified to _____	
 _____ Commissioner	<input checked="" type="checkbox"/> Affirmed	<input type="checkbox"/> Reversed for De Novo Hearing	<input type="checkbox"/> Reversed - Violation Vacated
	<input type="checkbox"/> Vacated for De Novo Review of Time Assessment Only	<input type="checkbox"/> 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 12/28/18.  
LB

Distribution: Appeals Unit - Inmate - Inmate's Counsel - Inst. Parole File - Central File  
P-2002(R) (May 2011)

STATE OF NEW YORK - BOARD OF PAROLE

**STATEMENT OF APPEALS UNIT FINDINGS & RECOMMENDATION**

**Inmate Name:** Redden, Cornelius

**Facility:** Attica Correctional Facility

**Dept. DIN#:** 14B0583

**Appeal Control #:** 08-076-18-R

**Findings:**

The now pro se appellant has submitted a handwritten letter to serve as the perfected appeal. The letter raises only one issue. Namely, appellant is a drug addict who needs drug treatment programs, and not more prison time. For the reason explained below, the issue raised will not be addressed.

Per the hearing transcript, the appellant did not raise at the final revocation hearing the issue or objection presented on this appeal. Also, his parole was revoked at the hearing upon his unconditional plea of guilty. Appellant's plea was knowing and voluntary, and made with assistance of counsel. Given his failure to object and his plea of guilty, all issues are now waived and/or moot and are not preserved for judicial review. Stanbridge v Hammock, 55 N.Y.2d 661, 663, 446 N.Y.S.2d 929 (1981); Herman v Blum, 54 N.Y.2d 677, 678, 442 N.Y.S.2d 510 (1981); Wescott v New York State Board of Parole, 256 A.D.2d 1179, 682 N.Y.S.2d 499 (4<sup>th</sup> Dept 1998); Kirk v Hammock, 119 A.D.2d 851, 500 N.Y.S.2d 424, 426 (3d Dept 1986); Chavis v Superintendent, 236 A.D.2d 892, 653 N.Y.S.2d 752 (4<sup>th</sup> Dept 1997).

**Recommendation:**

Accordingly, it is recommended the decision of the Administrative Law Judge be affirmed.