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December 2020

### Administrative Appeal Decision - Lattin, Daniel (2019-03-08)

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STATE OF NEW YORK – BOARD OF PAROLE

ADMINISTRATIVE APPEAL DECISION NOTICE

Name: Lattin, Daniel

Facility: Greene CF

NYSID [REDACTED]

Appeal Control No.: 08-057-18 R

DIN: 14-A-0997

Appearances: Glenn Bruno Esq.  
11 Market Street  
Suite 221  
Poughkeepsie, New York 12601

Decision appealed: August 31, 2018 revocation of release and imposition of a time assessment of 8 months.

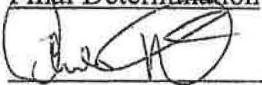
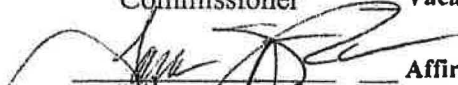

Final Revocation Hearing Date: August 29, 2018

Papers considered: Appellant's Brief received January 4, 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:

	<input checked="" type="checkbox"/> Affirmed	<input type="checkbox"/> Reversed, remanded 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 _____	
	<input type="checkbox"/> Affirmed	<input type="checkbox"/> Reversed, remanded 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 _____	
	<input checked="" type="checkbox"/> Affirmed	<input type="checkbox"/> Reversed, remanded 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 _____	

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 3/8/19 GG.

STATE OF NEW YORK – BOARD OF PAROLE

**APPEALS UNIT FINDINGS & RECOMMENDATION**

**Name:** Lattin, Daniel

**DIN:** 14-A-0997

**Facility:** Greene CF

**AC No.:** 08-057-18 R

**Findings:** (Page 1 of 1)

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Appellant submits a brief concerning the August 31, 2018 determination of the administrative law judge (“ALJ”), revoking release and imposing a 8-month time assessment. Appellant submits what is commonly referred to as an “Anders brief,” meaning there are no viable issues to appeal. As such, this appeal is dismissed on mootness grounds. Cases that were once live can become moot by a passage of time or change in circumstances and particular subsequent events. Hearst Corp. v Clyne, 50 N.Y.2d 707 (1980); Johnson v Pataki, 91 N.Y.2d 214 (1997). A case is moot when the issues presented are no longer live. City of Erie v Pap’s A.M., 529 U.S. 277, 287 (2000).

**Recommendation:** Affirm.