

Fordham Law School

FLASH: The Fordham Law Archive of Scholarship and History

Parole Administrative Appeal Decisions

Parole Administrative Appeal Documents

December 2020

Administrative Appeal Decision - Picariello, Dean (2019-05-10)

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

Recommended Citation

"Administrative Appeal Decision - Picariello, Dean (2019-05-10)" (2020). Parole Information Project
<https://ir.lawnet.fordham.edu/aad/107>

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

STATE OF NEW YORK – BOARD OF PAROLE

ADMINISTRATIVE APPEAL DECISION NOTICE

Name: Picariello, Dean

Facility: Greene CF

NYSID [REDACTED]

Appeal Control No.: 09-057-18 R

DIN: 13-A-5640

Appearances: Christina Myers Esq.
Greene County Public Defender
County Office Building
411 Main Street
Catskill, New York 12414

Decision appealed: August 8, 2018 revocation of release and imposition of a time assessment of 17 months.


Final Revocation August 8, 2018
Hearing Date:


Papers considered: Appellant's Letter-brief received February 5, 2019


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

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:

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

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

 Affirmed Reversed, remanded for de novo hearing Reversed, violation vacated
Commissioner 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 5/10/19 16.

STATE OF NEW YORK – BOARD OF PAROLE

APPEALS UNIT FINDINGS & RECOMMENDATION

Name: Picariello, Dean

DIN: 13-A-5640

Facility: Greene CF

AC No.: 09-057-18 R

Findings: (Page 2 of 2)

It is presumed the Administrative Law Judge considered all of the relevant factors. Ramirez v New York State Board of Parole, 214 A.D.2d 441, 625 N.Y.S.2d 505 (1st Dept 1995); Garner v Jones, 529 U.S. 244, 120 S.Ct. 1362, 1371, 146 L.Ed.2d 236 (2000).

Recommendation: Affirm.