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December 2020

Administrative Appeal Decision - Rhodes, James (2019-03-22)

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STATE OF NEW YORK – BOARD OF PAROLE

ADMINISTRATIVE APPEAL DECISION NOTICE

Name: Rhodes, James

Facility: Attica CF

NYSID



Appeal Control No.: 09-137-18 R

DIN: 11-B-2761

Appearances: James Rhodes 11B2761
Attica Correctional Facility
Box 149
Attica, New York 14011

Decision appealed: August 30, 2018 revocation of release and imposition of a time assessment of 20 months.

Final Revocation August 30, 2018


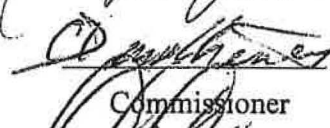

Hearing Date:

Papers considered: Appellant's Letter-brief received January 15, 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:

	<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 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 _____

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 3/22/19 AG.

STATE OF NEW YORK – BOARD OF PAROLE

APPEALS UNIT FINDINGS & RECOMMENDATION

Name: Rhodes, James

DIN: 11-B-2761

Facility: Attica CF

AC No.: 09-137-18 R

Findings: (Page 2 of 2)

of Rosa v. Fischer, 108 A.D.3d 1227, 969 N.Y.S.2d 706 (4th Dept.), lv. denied, 22 N.Y.3d 855, 979 N.Y.S.2d 561 (2013).

Recommendation: Affirm.