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Administrative Appeal Decision - Muggelberg, John (2019-03-22)

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STATE OF NEW YORK – BOARD OF PAROLE

APPEALS UNIT FINDINGS & RECOMMENDATION

Name: Muggelberg, John

DIN: 86-B-0049

Facility: Cayuga CF

AC No.: 09-015-18 B

Findings: (Page 1 of 1)

Appellant was sentenced to 25 years to life upon his conviction of Murder in the second degree. In the instant appeal, Appellant challenges the August 2018 determination of the Board denying release and imposing a 23-month hold. Among other things, he contends the decision fails to adequately explain the reasons for denial.

A review by the Appeals Unit reveals that the decision addresses a number of the applicable factors in individualized terms but nonetheless is confusing and, as a result, does not adequately explain the Board's reasons for denying discretionary release on parole. Accordingly, a *de novo* interview is appropriate.

Recommendation: Vacate and remand for de novo interview.