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Administrative Appeal Decision - Ivey, Kenneth (2019-02-06)

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ADMINISTRATIVE APPEAL DECISION NOTICE

Name: Ivey, Kenneth

Facility: Washington CF

NYSID: [REDACTED]

Appeal Control No.: 07-130-18 R

DIN: 12-R-1817

Appearances: Kenneth Ivey, 12-R-1817
Washington Correctional Facility
72 Lock Eleven Lane
P.O. Box 180
Comstock, New York 12821-0180

Decision appealed: July 2, 2018 revocation of release and imposition of a time assessment of 12-months.

Final Revocation June 12, 2018

Hearing Date:

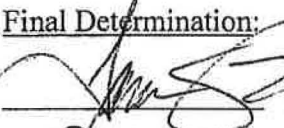
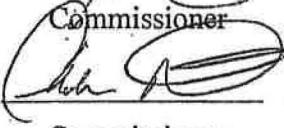
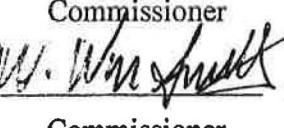
Papers considered: Appellant's Brief received October 22, 2018

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 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 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 2/6/19 '18.

STATE OF NEW YORK – BOARD OF PAROLE

APPEALS UNIT FINDINGS & RECOMMENDATION

Name: Ivey, Kenneth

DIN: 12-R-1817

Facility: Washington CF

AC No.: 07-130-18 R

Findings: (Page 2 of 2)

N.Y.S.2d 244 (3d Dept. 2014); Matter of Fuller v. Goord, 299 A.D.2d 849, 849, 749 N.Y.S.2d 628, 629 (4th Dept. 2002), lv. denied, 100 N.Y.2d 531, 761 N.Y.S.2d 592 (2003).

Recommendation: Affirm.