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Administrative Appeal Decision - Moore, Michael (2019-03-22)

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ADMINISTRATIVE APPEAL DECISION NOTICE

Name: Moore, Michael

Facility: Released

NYSID: [REDACTED]

Appeal Control No.: 08-089-18 R

DIN: 92-A-9240

Appearances: Michael Moore (Pro Se)
319 North Main Street
Spring Valley, NY 10977

Decision appealed: July 13, 2018 revocation of release and restoring to supervision.

Final Revocation July 13, 2018

Hearing Date:

Papers considered: Appellant's Letter-brief received December 5, 2018

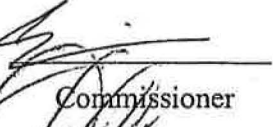
Appeals Unit Review: Statement of the Appeals Unit's Findings and Recommendation

Records relied upon: Notice of Violation, Violation of Release Report, Final Hearing Transcript, Parole Revocation Decision Notice

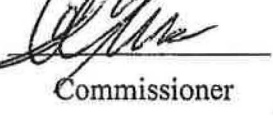
Final Determination: The undersigned determine that the decision appealed is hereby:


Commissioner

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


Commissioner

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


Commissioner

Affirmed Reversed, remanded for de novo hearing Reversed, violation vacated
 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 3/22/19 60.

STATE OF NEW YORK – BOARD OF PAROLE

APPEALS UNIT FINDINGS & RECOMMENDATION

Name: Moore, Michael

DIN: 92-A-9240

Facility: Released

AC No.: 08-089-18 R

Findings: (Page 1 of 1)

Appellant challenges the July 13, 2018 determination of the administrative law judge (“ALJ”), revoking release and restoring to supervision. Appellant challenges a special condition of release restricting his driving privileges.

Appellant’s challenge is not properly the subject of an administrative appeal of his parole revocation. Appellant does not challenge the ALJ’s determination revoking release but, rather, seeks a modification of his conditions of release. See 9 NYCRR 8006.3; see generally Executive Law § 259-i (4)(a).

Recommendation: Affirm.