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Administrative Appeal Decision - Robinson, Mark (2022-02-02)

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STATE OF NEW YORK – BOARD OF PAROLE

APPEALS UNIT FINDINGS & RECOMMENDATION

Name: Robinson, Mark

DIN: 17-A-3890

Facility: Orleans CF

AC No.: 08-095-21 B

Findings: (Page 1 of 1)

Appellant challenges the August 2021 determination of the Board, denying release and imposing a 24-month hold. Appellant's instant offense is for being a part of an organization selling heroin, cocaine and phencyclidine. Appellant raises many issues. One of the issues raised is the Board decision is conclusory and lacks details.

The Board decision does list a few factors, but fails to tie together and articulate the exact reasons as to why release was being denied. As such, the decision does lack sufficient detail. Therefore, a de novo interview is warranted.

Recommendation: Vacate and remand for de novo interview.

STATE OF NEW YORK – BOARD OF PAROLE

ADMINISTRATIVE APPEAL DECISION NOTICE

Name: Robinson, Mark

Facility: Orleans CF

NYSID: [REDACTED]

Appeal
Control No.: 08-095-21 B

DIN: 17-A-3890

Appearances: Patricia Pope Esq.
Orleans County Public Defender
3 South Main Street
2nd Floor
Albion, New York 14411

Decision appealed: August 2021 decision, denying discretionary release and imposing a hold of 24 months.

Board Member(s)
who participated: Mitchell, Berliner

Papers considered: Appellant's Brief received November 19, 2021

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

Records relied upon: Pre-Sentence Investigation Report, Parole Board Report, Interview Transcript, Parole Board Release Decision Notice (Form 9026), COMPAS instrument, Offender Case Plan.

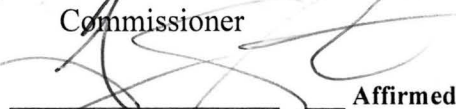
Final Determination: The undersigned determine that the decision appealed is hereby:

 ☐ Affirmed ☒ Vacated, remanded for de novo interview ☐ Modified to _____

Commissioner

 ☐ Affirmed ☒ Vacated, remanded for de novo interview ☐ Modified to _____

Commissioner

 ☐ Affirmed ☒ Vacated, remanded for de novo interview ☐ Modified to _____

Commissioner

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 Appellant and the Appellant's Counsel, if any, on

2/2/2022
LB

Distribution: Appeals Unit – Appellant - Appellant's Counsel - Inst. Parole File - Central File
P-2002(B) (11/2018)