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Administrative Appeal Decision - Flowers, Corey (2022-03-28)

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STATE OF NEW YORK – BOARD OF PAROLE

APPEALS UNIT FINDINGS & RECOMMENDATION

Name: Flowers, Corey

DIN: 05-A-1784

Facility: Fishkill CF

AC No.: 08-009-21 B

Findings: (Page 1 of 1)

Appellant challenges the July 2021 determination of the Board, denying release and imposing a 24-month hold. The instant offense involved Appellant causing the death of the victim by shooting him multiple times while the victim was standing with a group of people. Among other things, Appellant argues that the Board improperly relied on erroneous information to deny him parole.

A review by the Appeals Unit reveals that Appellant's contention is correct. The decision states that during the interview, Appellant explained that he was robbed by individuals and that he "went back to see if [he] could find them." In fact, Appellant told the Board three separate times during the interview that he was in the area to drop off a friend. (Tr. at 4, 7, 10.) As such, a *de novo* interview is appropriate.

Recommendation: Vacate and remand for de novo interview.

