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Administrative Appeal Decision - Ryans, Anthony (2022-02-11)

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STATE OF NEW YORK – BOARD OF PAROLE

APPEALS UNIT FINDINGS & RECOMMENDATION

Name: Ryans, Anthony

DIN: 05-A-2747

Facility: Sing Sing CF

AC No.: 08-121-21 SC

Findings: (Page 1 of 1)

Appellant challenges the August 2021 determination of the Board, denying release and imposing a 15-month hold. The instant offense involved Appellant and two others robbing a [REDACTED] store. During the robbery, a disabled employee was shot by Appellant and subsequently died. Among other things, Appellant argues that the decision erroneously states that he caused “multiple deaths.”

A review by the Appeals Unit reveals that Appellant’s contention is correct. Appellant caused the death of a single victim in the instant offense. While Appellant’s criminal history includes a prior state term of incarceration for Attempted Murder in the second degree, the victim in that case – a New York City police officer – was not killed. As such, a *de novo* interview is appropriate.

Recommendation: Vacate and remand for de novo interview.

STATE OF NEW YORK – BOARD OF PAROLE

ADMINISTRATIVE APPEAL DECISION NOTICE

Name: Ryans, Anthony

Facility: Sing Sing CF

NYSID: [REDACTED]

Appeal Control No.: 08-121-21 SC

DIN: 05-A-2747

Appearances: Cheryl L. Kates, Esq.
PO Box 734
Fairport, NY 14450

Decision appealed: August 2021 decision, denying discretionary release and imposing a hold of 15 months.

Board Member(s) who participated: **Cruse, Corley, Segarra**

Papers considered: Appellant's Brief received November 2, 2021

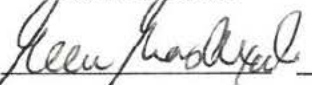
Appeals Unit Review: Statement of the Appeals Unit's Findings and Recommendation

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

2/11/2022
LB