State of New York
Supreme Court, Appellate Division
Third Judicial Department

Decided and Entered: September 17, 2015 520554

In the Matter of CRAIG JACKSON,
Petitioner,
v

ALBERT PRACK, as Director of Special Housing and Inmate Disciplinary Programs, et al.,
Respondents.

MEMORANDUM AND JUDGMENT

Calendar Date: August 10, 2015

Before: McCarthy, J.P., Garry, Rose and Devine, JJ.

Craig Johnson, Dannemora, petitioner pro se.

Eric T. Schneiderman, Attorney General, Albany (Marcus J. Mastracco of counsel), for respondents.

Proceeding pursuant to CPLR article 78 (transferred to this Court by order of the Supreme Court, entered in Albany County) to review a determination of the Commissioner of Corrections and Community Supervision which found petitioner guilty of violating a prison disciplinary rule.

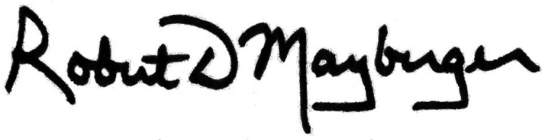
Petitioner commenced this CPLR article 78 proceeding challenging a tier III prison disciplinary determination. The Attorney General has advised this Court that the determination has been administratively reversed, all references thereto have been expunged from petitioner's institutional record and the mandatory $5 surcharge has been refunded to petitioner's inmate account. In view of this, and given that petitioner has received all of the relief to which he is entitled, the proceeding is

dismissed as moot (see Matter of Williams v Annucci, 129 AD3d 1427, 1427 [2015]).

McCarthy, J.P., Garry, Rose and Devine, JJ., concur.

ADJUDGED that the petition is dismissed, as moot, without costs.

ENTER:



Robert D. Mayberger
Clerk of the Court