

STATE OF NEW YORK
SUPREME COURT

COUNTY OF ALBANY

In The Matter of the Application of
IESHA LORA,

Petitioner,

For A Judgment Pursuant to Article 78
of the Civil Practice Law and Rules,

-against-

BRIAN FISCHER, Commissioner,
New York State Department of Corrections and
Community Service,

Respondent.

Supreme Court Albany County Article 78 Term
Hon. George B. Ceresia, Jr., Supreme Court Justice Presiding
RJI # 01-12-ST3736 Index No. 3294-12

Appearances: Prisoner's Legal Services of New York
Attorney For Petitioner
41 State Street, Suite M112
Albany, NY 12207
(Sophia Heller, Staff Attorney, of Counsel)

Eric T. Schneiderman
Attorney General
State of New York
Attorney For Respondent
The Capitol
Albany, New York 12224
(Marcus J. Mastracco,
Assistant Solicitor General
of Counsel)

DECISION/ORDER/JUDGMENT

George B. Ceresia, Jr., Justice

The petitioner, an inmate in the custody of the New York State Department of

Albany County Clerk
Document Number 11270081
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Corrections and Community Service, commenced the above-captioned CPLR Article 78 proceeding to review a Tier III Disciplinary determination dated February 9, 2012. In letters dated August 13, 2012 and August 14, 2012 the Assistant Solicitor General advised the Court that the determination had been reversed and expunged from the petitioner's record. He requested that the petition be dismissed as moot. The attorney for the petitioner has voiced no objection to the proposed disposition.

Under the circumstances, inasmuch as it appears that the petitioner has received all of the relief to which she would be entitled if the petition was granted, the Court finds that the petition is now moot and must be dismissed.

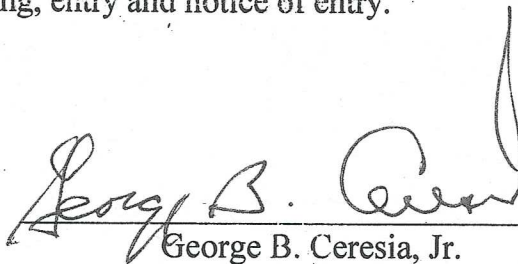
Accordingly, it is

ORDERED and ADJUDGED, that the petition be and hereby is dismissed.

This shall constitute the decision, order and judgment of the Court. The original decision/order/judgment is returned to the attorney for the petitioner. All other papers are being delivered by the Court to the County Clerk for filing. The signing of this decision/order/judgment and delivery of this decision/order/judgment does not constitute entry or filing under CPLR Rule 2220. Counsel is not relieved from the applicable provisions of that rule respecting filing, entry and notice of entry.

ENTER

Dated: October 30, 2012
 Troy, New York



George B. Ceresia, Jr.

Supreme Court Justice

Papers Considered:

1. Notice of petition dated June 11, 2012, Petition, Supporting Papers and Exhibits
2. Letters dated August 13, 2012 and August 14, 2012 of Marcus J. Mastracco, Assistant Solicitor General