

SUPREME COURT OF THE STATE OF NEW YORK
Appellate Division, Fourth Judicial Department

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TP 10-02132

PRESENT: SCUDDER, P.J., FAHEY, LINDLEY, GREEN, AND GORSKI, JJ.

IN THE MATTER OF PIERRE WILLIAMS, PETITIONER,

V

ORDER

B.F. MCAULIFFE, DEPARTMENT SUPERINTENDENT, CAPE VINCENT CORRECTIONAL FACILITY, ALBERT PRACK, ACTING DIRECTOR, INMATE DISCIPLINARY PROGRAM, CAPE VINCENT CORRECTIONAL FACILITY, PATRICIA LECONEY, SUPERINTENDENT, CAPE VINCENT CORRECTIONAL FACILITY, AND BRIAN FISCHER, COMMISSIONER, NEW YORK STATE DEPARTMENT OF CORRECTIONAL SERVICES, RESPONDENTS.

ROBERT SCHUSTER, MOUNT KISCO (JOHN R. LEWIS OF COUNSEL), FOR PETITIONER.

ERIC T. SCHNEIDERMAN, ATTORNEY GENERAL, ALBANY (MARLENE O. TUCZINSKI OF COUNSEL), FOR RESPONDENTS.

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court in the Fourth Judicial Department by order of the Supreme Court, Jefferson County [Hugh A. Gilbert, J.], entered October 20, 2010) to review a determination of respondents. The determination found after a Tier III hearing that petitioner had violated an inmate rule.

It is hereby ORDERED that the determination is unanimously confirmed without costs and the petition is dismissed.

Entered: June 10, 2011

Patricia L. Morgan
Clerk of the Court