

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

403.2

TP 20-01455

PRESENT: SMITH, J.P., CARNI, LINDLEY, TROUTMAN, AND BANNISTER, JJ.

IN THE MATTER OF LANCE CARTER, PETITIONER,

V

ORDER

H.O. FISCHER, DIRECTOR OF SPECIAL HOUSING,
D. VENETOZZI AND SUPERINTENDENT W. FENNESSY,
RESPONDENTS.

LANCE CARTER, PETITIONER PRO SE.

LETITIA JAMES, ATTORNEY GENERAL, ALBANY (KATE H. NEPVEU 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, Oneida County [Patrick F. MacRae, J.], entered October 28, 2020) 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 said proceeding is unanimously dismissed without costs as moot (see *Matter of Free v Coombe*, 234 AD2d 996, 996 [4th Dept 1996]).

Entered: April 30, 2021

Mark W. Bennett
Clerk of the Court