

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

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**TP 19-00582**

PRESENT: CARNI, J.P., LINDLEY, NEMOYER, TROUTMAN, AND DEJOSEPH, JJ.

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IN THE MATTER OF ADAM HAMILTON, PETITIONER,

V

MEMORANDUM AND ORDER

STEWART T. ECKERT, SUPERINTENDENT, WENDE  
CORRECTIONAL FACILITY, RESPONDENT.

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ADAM HAMILTON, PETITIONER PRO SE.

LETITIA JAMES, ATTORNEY GENERAL, ALBANY (MARCUS J. MASTRACCO OF  
COUNSEL), FOR RESPONDENT.

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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, Erie County [Emilio L. Colaiacovo, J.], entered March 25, 2019) to review a determination of respondent. The determination found after a tier II hearing that petitioner had violated various inmate rules.

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

Memorandum: Petitioner commenced this proceeding pursuant to CPLR article 78 seeking to annul a determination, following a tier II disciplinary hearing, that he violated certain inmate rules. The record does not support petitioner's contention that his plea of guilty to the alleged violations was the product of duress or coercion (*see generally Matter of Burch v Venettozzi*, 160 AD3d 1328, 1328-1329 [3d Dept 2018]). Petitioner's plea of guilty precludes his further contention that the determination is not supported by substantial evidence (*see Matter of Washington v Annucci*, 170 AD3d 1585, 1585 [4th Dept 2019]; *Matter of Ingram v Annucci*, 151 AD3d 1778, 1778 [4th Dept 2017], *lv denied* 30 NY3d 904 [2017]).

Entered: March 13, 2020

Mark W. Bennett  
Clerk of the Court