

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

1262

TP 14-00878

PRESENT: SCUDDER, P.J., CENTRA, FAHEY, LINDLEY, AND DEJOSEPH, JJ.

IN THE MATTER OF NATHANIEL JAY, PETITIONER,

V

ORDER

HAROLD D. GRAHAM, SUPERINTENDENT, AND JOSEPH L. VASILE, LIEUTENANT, AUBURN CORRECTIONAL FACILITY, RESPONDENTS.

NATHANIEL JAY, PETITIONER PRO SE.

ERIC T. SCHNEIDERMAN, ATTORNEY GENERAL, ALBANY (PETER H. SCHIFF 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, Cayuga County [Mark H. Fandrich, A.J.], entered May 13, 2014) to review a determination of respondents. The determination found after a tier II hearing that petitioner had violated various inmate rules.

It is hereby ORDERED that said proceeding is unanimously dismissed without costs as moot (see *Matter of Free v Coombe*, 234 AD2d 996).

Entered: January 2, 2015

Frances E. Cafarell
Clerk of the Court