

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

**284**

**TP 08-02052**

PRESENT: MARTOCHE, J.P., SMITH, CENTRA, FAHEY, AND PINE, JJ.

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IN THE MATTER OF COLLYER GOODMAN, PETITIONER,

V

ORDER

JAMES L. BERBARY, SUPERINTENDENT, COLLINS  
CORRECTIONAL FACILITY, AND BRIAN FISCHER,  
COMMISSIONER, NEW YORK STATE DEPARTMENT OF  
CORRECTIONAL SERVICES, RESPONDENTS.

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COLLYER GOODMAN, PETITIONER PRO SE.

ANDREW M. CUOMO, ATTORNEY GENERAL, ALBANY (PETER H. SCHIFF OF  
COUNSEL), FOR RESPONDENTS.

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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 [M. William Boller, A.J.], entered March 14, 2008) to review a determination of respondents. The determination found after a Tier III 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.

Entered: March 20, 2009

JoAnn M. Wahl  
Clerk of the Court