

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

**1147**

**TP 10-01276**

PRESENT: SCUDDER, P.J., PERADOTTO, CARNI, GREEN, AND GORSKI, JJ.

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IN THE MATTER OF FRANCISCO SOLER, PETITIONER,

V

ORDER

BRIAN FISCHER, COMMISSIONER, NEW YORK STATE  
DEPARTMENT OF CORRECTIONAL SERVICES, RESPONDENT.

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WYOMING COUNTY-ATTICA LEGAL AID BUREAU, WARSAW (EDWARD L. CHASSIN OF  
COUNSEL), FOR PETITIONER.

ANDREW M. CUOMO, ATTORNEY GENERAL, ALBANY (FRANK BRADY 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, Wyoming County [Mark H.  
Dadd, A.J.], entered June 8, 2010) to review a determination of  
respondent. 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: November 12, 2010

Patricia L. Morgan  
Clerk of the Court