

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

**967**

**TP 11-00463**

PRESENT: SMITH, J.P., CENTRA, CARNI, GREEN, AND MARTOCHE, JJ.

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IN THE MATTER OF STEPHEN JONES, 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 (SUSAN K. JONES OF  
COUNSEL), FOR PETITIONER.

ERIC T. SCHNEIDERMAN, ATTORNEY GENERAL, ALBANY (PETER H. SCHIFF 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 March 2, 2011) 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: September 30, 2011

Patricia L. Morgan  
Clerk of the Court