

**STATE OF NEW YORK  
DEPARTMENT OF CORRECTIONS  
AND COMMUNITY SUPERVISION  
BOARD OF PAROLE**

**NOTICE OF APPEAL**

I hereby appeal from the decision of the Board of Parole or the Administrative Law Judge in my case:

Inmate Name	_____
NYSID Number and DIN	_____
Current Place of Incarceration	_____
Place of Interview/Hearing	_____
Date of Interview/Hearing	_____
Scheduled Reconsideration Date	_____

A transcript of the interview or hearing may be requested by an inmate/violator, or their attorney, by checking the appropriate box below. Transcripts provided by the Appeals Unit will be billed at a rate of twenty-five cents (25¢) per page. It normally takes between four to eight weeks from the filing of the Notice of Appeal until the transcript is prepared.

Check appropriate box:

- I request a transcript of the minutes of my interview/hearing as I believe it is necessary for the preparation of my appeal.
- I shall not require a transcript of the minutes of my interview/hearing to prepare my appeal; however, I reserve the right to alter this decision at a later date.

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Signature)

## NOTICE OF RIGHT TO APPEAL

You have the right to appeal any decision of the Board of Parole or an Administrative Law Judge and you have the right to the assistance of counsel in perfecting your appeal.

To appeal a decision of the Board or an Administrative Law Judge, you must file a Notice of Appeal within 30 calendar days of your receipt of the decision notice by sending the Notice of Appeal to:

New York State Department of Corrections  
And Community Supervision  
Board of Parole – Appeals Unit  
Harriman State Campus – Building 2  
1220 Washington Avenue  
Albany, New York 12226

You have four months from the date your Notice of Appeal is filed to perfect your appeal, unless an extension is granted for good cause upon written request within the four month filing period. Your appeal may be perfected by submitting two copies of your brief on appeal or two copies of a letter which sets forth the specific grounds for setting aside the challenged decision. The brief or letter should contain a section which must include all pertinent documents if they are necessary to the determination of your appeal. Please only send your brief or letter when it is completed. DO NOT send portions of your appeal at different times or addendums to an initial filing. Failure to submit your perfected appeal within the initial four months, or during any extended period of time, will result in the dismissal of your appeal with prejudice.

Once your appeal is perfected, it will be reviewed and a statement of findings prepared. You can expect that it will take approximately four months to prepare the statement of findings. Once the statement of findings is prepared by the Appeals Unit, it will be submitted to the Board of Parole for a final decision. Once a final decision is rendered by the Board, a copy of the decision and the Appeals Unit's findings will be forwarded to you and your attorney, if applicable.

Questions on Appeal:

A. Release Denial, Rescission or Final Revocation Determination:

1. Whether the proceeding and/or determination was in violation of lawful procedure, was affected by an error of law, was arbitrary and capricious or was otherwise unlawful.
2. Whether the determination relied on erroneous information as shown in the record of the proceeding or relevant information was not available for consideration.
3. Whether the determination was excessive.

B. Final Revocation or Rescission Determination – Additional Ground for Appeal:

Whether the determination was supported by a preponderance of the evidence subject to the limitation that evidentiary rulings will be considered only if a timely objective was made at the hearing.

Form #8360ACS (Rev 01/15)

**BACK**