

APPELLATE DIVISION OF THE SUPREME COURT OF THE STATE OF NEW  
YORK, THIRD DEPARTMENT

**Matter of Winston v. Burns**

2026 NY Slip Op 02317 · No. CV-25-1047 · Decided April 16, 2026

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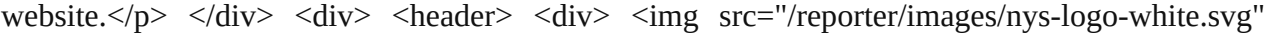
OPINION

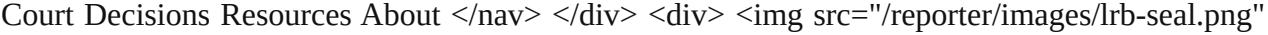
Matter of Winston v. Burns 2026 NY Slip Op 02317

PER CURIAM.

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# Matter of Winston v Burns

2026 NY Slip Op 02317

April 16, 2026

Appellate Division, Third Department

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This decision is uncorrected and subject to revision before publication in the Official Reports.

In the Matter of Tyrone Winston, Petitioner,

v

LT. Burns,

as Hearing Officer at Auburn Correctional Facility, et al., Respondents.

Decided and Entered: April 16, 2026

CV-25-1047

Calendar Date: March 20, 2026

Before: Garry, P.J., Reynolds Fitzgerald, Ceresia, Mcshan And Ryba, JJ.

Tyrone Winston, Attica, petitioner pro se.

Letitia James, Attorney General, Albany (Kate H. Nepveu of counsel), for respondents.

Proceeding pursuant to CPLR article 78 (transferred to this Court by order of the Supreme Court, entered in Albany County) to review a determination of the Superintendent of Auburn Correctional Facility finding petitioner guilty of violating a prison disciplinary rule.

Determination confirmed.

No opinion.

Garry, P.J., Reynolds Fitzgerald, Ceresia, McShan and Ryba, JJ., concur.

ADJUDGED that the determination is confirmed, without costs, and petition dismissed.

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