

Carter Ledyard Client Granted New Hearing for Parole Decision by the New York State Board of Parole

August 18, 2020

Administrative appeals are rarely successful because they are decided by the same government agency that rendered the decision being appealed. Those long odds are particularly long when the agency in question is New York State's Board of Parole. Overcoming those challenging odds, Carter Ledyard persuaded the Board of Parole that its recent decision to deny parole to inmate Michael Cassidy had been unlawful. The Board agreed with Carter Ledyard that its decision to deny parole should be overturned because the decision failed to state any non-conclusory reason, in violation of a statutory directive. Carter Ledyard is gratified by the result. Mr. Cassidy's crime was very serious, but he has an exemplary disciplinary record over the course of several decades, including demonstrated rehabilitation, and the Parole Board's own instrument for measuring the risk of recidivism ranks Mr. Cassidy's risk at the very lowest end of the scale. The ruling requires that Mr. Cassidy be promptly afforded a new hearing, at which he will again have the chance to make the case for his parole, now that he has served 35 years of a 25 year to life sentence.

Mr. Cassidy was represented by Alan Lewis, a partner and co-chair of the Firm's Internal Investigations and White Collar Defense practice, with assistance from Nilima M. Singh, an associate in the Firm's Litigation and Disputes practice.

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