

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION
UPON REMAND

Omar Miller,

Complainant

against

Docket #FIC 2016-0044

Commissioner, State of Connecticut,
Department of Correction; and State of
Connecticut, Department of Correction,

Respondents

December 7, 2016

The above-captioned matter was scheduled to be heard as a contested case on June 28, 2016 at 9:30 a.m., at which time the respondents appeared with a witness; however, the complainant failed to appear. A Report of Hearing Officer was issued on June 28, 2016. The Commission considered such report at its regular meeting of September 28, 2016. After hearing argument from the parties, the Commission unanimously voted to send the matter back to the Hearing Officer for the purpose of reopening the hearing.

The above-captioned matter was reopened and heard as a contested case on November 8, 2016 at 9:30 a.m., at which time the complainant and the respondents appeared, stipulated to certain facts and presented testimony, exhibits and argument on the complaint.

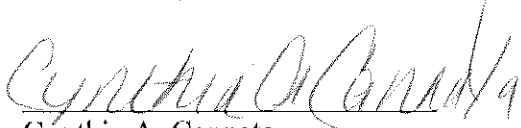
The complainant, who is incarcerated, appeared via teleconference, pursuant to the January 2004 memorandum of understanding between the Commission and the Department of Correction. See Docket No. CV 03-0826293, Anthony Sinchak v. FOIC et al, Superior Court, J.D. of Hartford at Hartford, Corrected Order dated January 27, 2004 (Sheldon, J.).

At the November 8, 2016 hearing on this matter, the complainant stated on the record that he wished to withdraw his complaint.

The following order by the Commission is hereby recommended on the basis of the record concerning the above-captioned complaint:

1. Based on the complainant's statement withdrawing his complaint, the matter is hereby dismissed.

Approved by Order of the Freedom of Information Commission at its regular meeting of December 7, 2016.

A handwritten signature in cursive script, appearing to read "Cynthia A. Cannata".

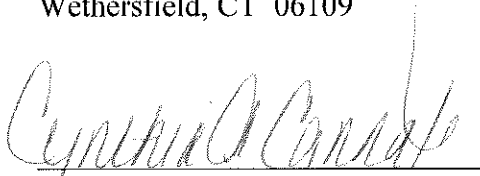
Cynthia A. Cannata
Acting Clerk of the Commission

PURSUANT TO SECTION 4-180(c), G.S., THE FOLLOWING ARE THE NAMES OF EACH PARTY AND THE MOST RECENT MAILING ADDRESS, PROVIDED TO THE FREEDOM OF INFORMATION COMMISSION, OF THE PARTIES OR THEIR AUTHORIZED REPRESENTATIVE.

THE PARTIES TO THIS CONTESTED CASE ARE:

Omar Miller #202230
MacDougall-Walker Correctional Institution
1153 East Street South
Suffield, CT 06080

Commissioner, State of Connecticut, Department of
Correction; and State of Connecticut, Department
of Correction
c/o James Neil, Esq.
24 Wolcott Hill Road
Wethersfield, CT 06109

A handwritten signature in cursive, appearing to read "Cynthia A. Cannata", is written over a horizontal line.

Cynthia A. Cannata
Acting Clerk of the Commission