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CRAIG BLACKMON,

Plaintiff-Petitioner,

v.

NEW JERSEY STATE PAROLE BOARD,

Defendant-Respondent.

SUPREME COURT OF NEW JERSEY

DOCKET NO. 091309

SAT BELOW:

SUPERIOR COURT OF NEW JERSEY

APPELLATE DIVISION

DOCKET NO. A-003766-22

Hon. Gooden Brown

Hon. Torregrossa-O'Connor

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SUPREME COURT OF NEW JERSEY

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Heather J. Salen
CLERK

On Appeal from a Final Decision of the New Jersey Parole Board

CIVIL ACTION

REPLY LETTER-BRIEF IN FURTHER SUPPORT OF PETITION ON BEHALF OF PLAINTIFF-PETITIONER

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November 17, 2025

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Your Honors:

Please accept this letter in lieu of a formal brief pursuant to R. 2:6-2(b).

Craig Blackmon's Petition presents an important question affecting the liberty of over 581 inmates. Because the Parole Board erroneously withheld the proper amount of commutation credits, Mr. Blackmon served an additional two and a half years in prison. That was real time Mr. Blackmon spent behind bars instead of with his family. Unless the Court corrects the Board's erroneous understanding of New Jersey law, other inmates will suffer the same fate and serve additional and unwarranted prison time. This case therefore presents an issue of "general public importance" and the interests of justice require the Court's involvement. R. 2:12-4.

The Board does not contest that years of unwarranted prison time for those 581 inmates is a matter of public importance, worthy of the Court's consideration. Instead, it questions whether that is the accurate number of inmates. To be clear, a *single* person serving unwarranted prison time because the Board continues to misapply New Jersey law is sufficient cause for this Court to set aside mootness concerns and address the merits. In any event, we attach here the Department of Corrections' response to an Open Public Records Act inquiry regarding the number of inmates who were sentenced before the 1997 No Early Release Act, P.L. 1997, c.117, took effect and who are still in prison—and which shows that as of August 2024, 581 inmates in the same predicament as Blackmon. (Pra-1a)

The Board also argues that other inmates' claims would not evade review. But Mr. Blackmon's case shows why that's wrong. Mr. Blackmon already had served the extra two and a half years' imprisonment by the time his case reached the Appellate Division. Although he was subsequently paroled, the damage was done. Others could fall into the same trap. The Parole Board's position exploits an obscurity that prisoners, who are most often unrepresented, may not be able to identify. Even if they are fortunate enough to detect the Parole Board's mistaken application, they could run out of time to challenge it before ultimately being paroled. Respectfully, the law does not require them to repeat Mr. Blackmon's sacrifice of serving extra time because the Parole Board has it wrong.

Mr. Blackmon respectfully requests that this Court grant the Petition.

Respectfully submitted,

Dated: November 17, 2025

**Arnold & Porter Kaye Scholer
LLP**

/s/ Lee M. Cortes, Jr.

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