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This opinion shall not "constitute precedent or be binding upon any court." Although it is posted on the internet, this opinion is binding only on the parties in the case and its use in other cases is limited. R. 1:36-3.

**SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
DOCKET NO. A-5688-17T3**

JOSHUA MASS,

Appellant,

v.

**NEW JERSEY DEPARTMENT
OF CORRECTIONS,**

Respondent.

Submitted May 7, 2019 – Decided May 16, 2019

Before Judges Fisher and Hoffman.

On appeal from the New Jersey Department of Corrections.

Joshua Mass, appellant pro se.

Gurbir S. Grewal, Attorney General, attorney for respondent (Melissa Dutton Schaffer, Assistant Attorney General, of counsel; Francis A. Raso, Deputy Attorney General, on the brief).

PER CURIAM

Appellant Joshua Mass seeks our review of a final order adjudging him, during his incarceration, of prohibited conduct; specifically, Mass was found guilty of violating *.803 ("attempting to commit, aiding another person to commit or making plans to commit" Category A or Category B offenses) and *.203 ("possession or introduction of any prohibited substances such as drugs, intoxicants or related paraphernalia not prescribed for the inmate by the medical or dental staff"). N.J.A.C. 10A:4-4.1(a). Even though he received notice of the charges, was provided with counsel substitute, and was given a hearing at which he was allowed to confront the witness against him, Mass argues the loss of 120 days of commutation time violated his due process rights.

The Department argues the appeal has been rendered moot by Mass's recent release from incarceration. We agree the matter is moot and, therefore, do not reach this appeal's merits.

Appeal dismissed.

I hereby certify that the foregoing
is a true copy of the original on
file in my office.


CLERK OF THE APPELLATE DIVISION