

Supreme Court of the State of New York
Appellate Division: Second Judicial Department

M71271
E/sl

REINALDO E. RIVERA, J.P.
ROBERT A. LIFSON
DAVID S. RITTER
FRED T. SANTUCCI, JJ.

1995-11485

The People, etc., respondent,
v Errol Baptiste, appellant.

DECISION & ORDER ON MOTION

(Ind. No. 8143/91)

On the court's own motion, it is

ORDERED that its decision and order on motion dated May 8, 2008, in the above-entitled case is recalled and vacated, and the following decision and order on motion is substituted therefor:


Motion by the appellant for leave to reargue an appeal from a judgment of the Supreme Court, Kings County, rendered November 29, 1995, which was determined by decision and order of this court dated March 23, 1998.

Upon the papers filed in support of the motion and *no papers having been filed in opposition or in relation* thereto, it is

ORDERED that the motion is denied.

RIVERA, J.P., LIFSON, RITTER and SANTUCCI, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

June 2, 2008

PEOPLE v BAPTISTE, ERROL