

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

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DAVID S. RITTER, J.

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2008-03838

DECISION & ORDER ON APPLICATION

The People, etc., plaintiff,  
v Juan Rivera Escalante, defendant.

(S.C.I. No. 07-00022)

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Application by the defendant, pursuant to CPL 450.15 and 460.15 for a certificate granting leave to appeal to this court from an order of the County Court, Westchester County, dated March 28, 2008, which has been referred to me for determination.

Upon the papers filed in support of the application and the papers filed in opposition thereto, it is

ORDERED that the application is denied.

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DAVID S. RITTER  
Associate Justice

June 25, 2008

PEOPLE v ESCALANTE, JUAN RIVERA