

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

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E/sl

ROBERT A. SPOLZINO, J.P.
DANIEL D. ANGIOLILLO
RUTH C. BALKIN
JOHN M. LEVENTHAL, JJ.

2006-10613

The People, etc., ex rel. Kenneth Harris,
appellant, v Brian Fischer, etc., respondent.

DECISION & ORDER ON MOTION

(Index No. 06-16746)

Motion by the appellant for leave to reargue an appeal from a judgment of the Supreme Court, Westchester County, dated September 28, 2006, which was determined by decision and order of this court dated July 22, 2008, or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this court.

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.

SPOLZINO, J.P., ANGIOLILLO, BALKIN and LEVENTHAL, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

October 29, 2008

PEOPLE EX REL. HARRIS v FISCHER