

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

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FRED T. SANTUCCI, J.

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2008-08600

DECISION & ORDER ON APPLICATION

The People, etc., plaintiff,  
v Earl Brown, defendant.

(Ind. No. 1756/86)

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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 Supreme Court, Kings County, dated August 8, 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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FRED T. SANTUCCI  
Associate Justice

November 14, 2008

PEOPLE v BROWN, EARL