

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

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STEVEN W. FISHER, J.

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2008-10682

DECISION & ORDER ON APPLICATION

The People, etc., plaintiff,  
v Oswind David, defendant.

(Ind. No. 75/06)

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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 October 27, 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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STEVEN W. FISHER  
Associate Justice

May 1, 2008

PEOPLE v DAVID, OSWIND