

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

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JOHN M. LEVENTHAL, J.

2009-03195

DECISION & ORDER ON APPLICATION

The People, etc., plaintiff,
v Luis Hidalgo, defendant.

(Ind. No. 46/08)

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, Nassau County, dated March 10, 2009, 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.

JOHN M. LEVENTHAL
Associate Justice

May 22, 2009

PEOPLE v HIDALGO, LUIS