

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

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ARIEL E. BELEN, J.

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2009-02326

DECISION & ORDER ON APPLICATION

The People, etc., plaintiff,  
v Christopher Ashby, defendant.

(Ind. No. 99738/97)

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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, Nassau County, dated February 9, 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.

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ARIEL E. BELEN  
Associate Justice

July 8, 2009

PEOPLE v ASHBY, CHRISTOPHER