

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

M89610
F/

MARK C. DILLON, J.

2009-00012

DECISION & ORDER ON MOTION

The People, etc., plaintiff,
v James Whiting, defendant.

(Ind. No. 1260/03)

Motion by the defendant for reargument of an application 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 November 18, 2008, which was denied by a decision and order on application dated March 12, 2009.

Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

ORDERED that the motion is denied.

MARK C. DILLON
Associate Justice

July 31, 2009

PEOPLE v WHITING, JAMES