

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

M93864  
T/sl

A. GAIL PRUDENTI, P.J.  
WILLIAM F. MASTRO  
REINALDO E. RIVERA  
FRED T. SANTUCCI, JJ.

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2001-07605

The People, etc., respondent,  
v Sidiki Weay, appellant.

DECISION & ORDER ON MOTION

(Ind. No. 2940/98)

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On the court's own motion, it is

ORDERED that its decision and order on motion dated September 17, 2009, in the above-entitled case is recalled and vacated, and the following decision and order is substituted therefor:


Motion by the appellant for leave to reargue *and/or renew* an appeal from a judgment of the Supreme Court, Queens County, rendered July 30, 2001, which was determined by decision and order of this court dated December 1, 2003.

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

ORDERED that the motion is denied.

PRUDENTI, P.J., MASTRO, RIVERA and SANTUCCI, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court

October 29, 2009

PEOPLE v WEAY, SIDIKI