

COUNTY COURT, NASSAU COUNTY

#7

CRIM. TERM: PART 5  
MOTION CAL. C-506  
INDICTMENT NO. [REDACTED]

P R E S E N T:

HON. GEORGE R. PECK, Acting Supreme Court Judge

PEOPLE OF THE STATE OF NEW YORK,      -against-  [REDACTED]  Defendant.	: KATHLEEN M. RICE : District Attorney : Nassau County : Mineola, New York : By Matthew A. Lampert, Esq. : : Camille O. Russell, Esq. : Attorney for the Defendant : 50 Main Street : Hempstead, NY 11550 :
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The following papers read on this motion: 2

- Notice of Motion.....1
- Affirmation in Response.....1

The defendant's motion to inspect the Grand Jury minutes is granted. Upon inspection, the Court finds that, the evidence was legally insufficient to support the charge of *leaving the scene of an accident without reporting an injury, death or serious physical injury in violation of Vehicle and Traffic Law § 600.2*. Accordingly, Indictment 1673N-09 is hereby dismissed as being legally insufficient.

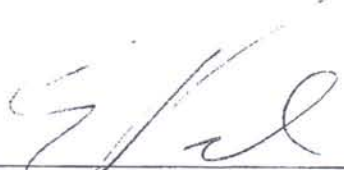
In view of the above mentioned ruling, this Court need not comment upon other improprieties occurring which is relevant on the issue of whether the integrity of the Grand Jury was impaired.

Furthermore, should the People want to represent this case to another Grand Jury, they are

reminded of their obligation to seek judicial authorization pursuant to *CPL* §210.20(4)

So Ordered.

Dated: November 17, 2009

  
George R. Peck, A.J.S.C.

