

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

D12244  
Y/hu

\_\_\_\_\_AD3d\_\_\_\_\_

Submitted - September 12, 2006

STEPHEN G. CRANE, J.P.  
DAVID S. RITTER  
REINALDO E. RIVERA  
ROBERT J. LUNN, JJ.

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2005-07851

DECISION & ORDER

People of State of New York, respondent,  
v Robert I. (Anonymous), appellant.

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Mental Hygiene Legal Service, Mineola, N.Y. (Sidney Hirschfeld, Laura Rothschild,  
and Dennis B. Feld of counsel), for appellant.

Thomas J. Spota, District Attorney, Riverhead, N.Y. (Grazia DiVincenzo of counsel),  
for respondent.

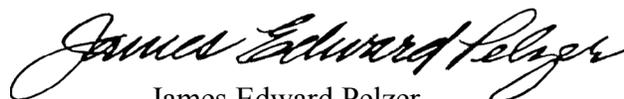
Appeal by the defendant from an order of the County Court, Suffolk County (Hinrichs,  
J.), dated June 17, 2005, which, after a hearing pursuant to Correction Law article 6-C, designated  
him a level three sex offender.

ORDERED that the order is affirmed, without costs or disbursements.

Contrary to the defendant's contention, the County Court's determination to designate  
him a level three sex offender was supported by clear and convincing evidence, and thus, should not  
be disturbed (*see* Correction Law § 168-n[3]; *People v Awalt*, 17 AD3d 336; *People v Hampton*, 300  
AD2d 641).

CRANE, J.P., RITTER, RIVERA and LUNN, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

October 17, 2006

PEOPLE OF STATE OF NEW YORK v I. (ANONYMOUS)