

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

D17119
O/kmg

_____AD3d_____

Argued - November 2, 2007

ROBERT W. SCHMIDT, J.P.
REINALDO E. RIVERA
ANITA R. FLORIO
RUTH C. BALKIN, JJ.

2004-09773

DECISION & ORDER

The People, etc., respondent,
v Michael Bethea, appellant.

(Ind. No. 4744/03)

Lynn W. L. Fahey, New York, N.Y. (Jonathan Garvin of counsel), for appellant.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove, Thomas S. Burka, and Tziyonah M. Langsam of counsel), for respondent.

Appeal by the defendant from a judgment of the Supreme Court, Kings County (Dowling, J.), rendered October 5, 2004, convicting him of criminal possession of a controlled substance in the third degree, upon a jury verdict, and imposing sentence.

ORDERED that the judgment is affirmed.

The Supreme Court properly denied the defendant's untimely request for an in camera examination of the confidential informant (*see People v Darden*, 34 NY2d 177, 181; *People v Edwards*, 95 NY2d 486; *People v Brown*, 2 AD3d 1423, 1424).

The defendant was afforded meaningful representation (*see People v Henry*, 95 NY2d 563, 565-566; *People v Benevento*, 91 NY2d 708, 714; *People v Rivera*, 71 NY2d 705, 709; *People v Anderson*, 305 AD2d 611, 612).

SCHMIDT, J.P., RIVERA, FLORIO and BALKIN, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

December 4, 2007

PEOPLE v BETHEA, MICHAEL