

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

D19669  
C/kmg

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Submitted - March 18, 2008

STEVEN W. FISHER, J.P.  
HOWARD MILLER  
EDWARD D. CARNI  
THOMAS A. DICKERSON, JJ.

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2006-06168

DECISION & ORDER

People of State of New York, respondent,  
v Joshua Bynum, appellant.

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Lynn W. L. Fahey, New York, N.Y. (Warren S. Landau of counsel), for appellant.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove and Morgan J. Dennehy of counsel), for respondent.

Appeal by the defendant from an order of the Supreme Court, Kings County (Konviser, J.), dated May 22, 2006, which, after a hearing, designated him a level three sex offender pursuant to Correction Law article 6-C.

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

Contrary to the defendant's contention, the Supreme Court's determination designating him a level three sex offender was supported by clear and convincing evidence, and therefore should not be disturbed (*see* Correction Law § 168-n[3]; *People v McLaughlin*, 40 AD3d 832, 833; *People v Hyson*, 27 AD3d 919, 920).

FISHER, J.P., MILLER, CARNI and DICKERSON, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

June 17, 2008

PEOPLE OF STATE OF NEW YORK v BYNUM