

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

D20163  
Y/prt

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

Submitted - June 17, 2008

A. GAIL PRUDENTI, P.J.  
DAVID S. RITTER  
ANITA R. FLORIO  
WILLIAM E. McCARTHY, JJ.

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2007-06030

DECISION & ORDER

The People, etc., respondent,  
v George Mazarakis, appellant.

(Ind. No. 10189/03)

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Kliegerman & Joseph, LLP, New York, N.Y. (Ronald E. Kliegerman of counsel), for appellant.

Daniel M. Donovan, Jr., District Attorney, Staten Island, N.Y. (Morrie I. Kleinbart of counsel), for respondent.

Appeal by the defendant from a judgment of the Supreme Court, Richmond County (Adams, J.), rendered July 18, 2006, convicting him of criminal contempt in the second degree, upon a jury verdict, and imposing sentence.

ORDERED that the judgment is affirmed.

After subtracting the periods of delay which were due to the defendant's pretrial motion practice (*see* CPL 30.30[4][a]; *People v Worley*, 66 NY2d 523), the periods during which the defendant was without counsel through no fault of the Supreme Court (*see* CPL 30.30[4][f]; *People v Clark*, 11 AD3d 706), and adjournments the defendant either requested or consented to (*see* CPL 30.30[4][b]), the total time chargeable to the People was within the permitted 90-day period (*see* CPL 30.30[1][b]; *see generally* *People v Kendzia*, 64 NY2d 331).

Contrary to the defendant's contention, he was not entitled to a missing witness charge (*see generally* *People v Savinon*, 100 NY2d 192, 196; *People v Gonzalez*, 68 NY2d 424, 427)

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or any relief for the alleged failure of the People to turn over *Brady* material (*see Brady v Maryland*, 373 US 83).

PRUDENTI, P.J., RITTER, FLORIO and McCARTHY, JJ., concur.

ENTER:

A handwritten signature in black ink, reading "James Edward Pelzer". The signature is written in a cursive style with a large, sweeping initial "J".

James Edward Pelzer  
Clerk of the Court