

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

D24550  
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Submitted - September 17, 2009

STEVEN W. FISHER, J.P.  
JOSEPH COVELLO  
DANIEL D. ANGIOLILLO  
SHERI S. ROMAN, JJ.

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2008-07496

DECISION & ORDER

The People, etc., respondent,  
v Jalil McIntyre, appellant.

(Ind. No. 10880/07)

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

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove, Sholom J. Twersky, and Bruce Alderman of counsel), for respondent.

Appeal by the defendant from a judgment of the Supreme Court, Kings County (Parker, J), rendered July 25, 2008, convicting him of criminal possession of a weapon in the second degree, upon his plea of guilty, and imposing sentence. The appeal brings up for review the denial, after a hearing, of that branch of the defendant's omnibus motion which was to suppress physical evidence.

ORDERED that the judgment is affirmed.

After a hearing, the Supreme Court properly denied that branch of the defendant's omnibus motion which was to suppress the weapon recovered by the police (*see People v Pines*, 99 NY2d 525).

FISHER, J.P., COVELLO, ANGIOLILLO and ROMAN, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

October 6, 2009

PEOPLE v McINTYRE, JALIL