

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

D30700
G/kmb

_____AD3d_____

Submitted - February 3, 2011

DANIEL D. ANGIOLILLO, J.P.
ANITA R. FLORIO
ARIEL E. BELEN
LEONARD B. AUSTIN, JJ.

2010-03658

DECISION & ORDER

People of State of New York, respondent,
v Byron Adams, appellant.

Stephen J. Pittari, White Plains, N.Y. (Salvatore A. Gaetani of counsel), for appellant.

Janet DiFiore, District Attorney, White Plains, N.Y. (Laurie Sapakoff and Richard Longworth Hecht of counsel), for respondent.

Appeal by the defendant from an order of the County Court, Westchester County (Cacace, J.), dated March 11, 2010, 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.

The County Court's designation of the defendant as a level three sex offender under the Sex Offender Registration Act was supported by clear and convincing evidence (*see* Correction Law § 168-n[3]; *People v Mendez*, 79 AD3d 834, *lv denied* _____NY3d_____, 2011 NY Slip Op 68259 [2011]; *People v Vega*, 79 AD3d 718; *People v Niola*, 50 AD3d 991; *see generally* *People v Mingo*, 12 NY3d 563).

ANGIOLILLO, J.P., FLORIO, BELEN and AUSTIN, JJ., concur.

ENTER:


Matthew G. Kiernan
Clerk of the Court

April 5, 2011

PEOPLE OF STATE OF NEW YORK v ADAMS