

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

D33694
O/kmb

_____AD3d_____

Argued - January 3, 2012

MARK C. DILLON, J.P.
PLUMMER E. LOTT
SHERI S. ROMAN
JEFFREY A. COHEN, JJ.

2009-10408

DECISION & ORDER

The People, etc., respondent,
v Jonathan Castillo, appellant.

(Ind. No. 6676/06)

Lynn W. L. Fahey, New York, N.Y. (A. Alexander Donn of counsel), for appellant.

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

Appeal by the defendant from a judgment of the Supreme Court, Kings County (Del Giudice, J.), rendered September 14, 2009, convicting him of criminal possession of a weapon in the third degree, upon a jury verdict, 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.

Contrary to the defendant's contention, the Supreme Court did not err in denying that branch of his omnibus motion which was to suppress physical evidence, as the evidence at the suppression hearing permitted the Supreme Court to infer that the police officers who stopped the defendant's vehicle had reasonable suspicion to do so based on the information that they had received minutes earlier from a radio transmission made by another officer (*see People v Coleman*, 62 AD3d 810, 810-811; *People v Williams*, 52 AD3d 208; *People v Gonzalez*, 50 AD3d 527).

DILLON, J.P., LOTT, ROMAN and COHEN, JJ., concur.

ENTER:


Aprilanne Agostino
Clerk of the Court

January 24, 2012

PEOPLE v CASTILLO, JONATHAN