

SUPREME COURT OF THE STATE OF NEW YORK
Appellate Division, Fourth Judicial Department

1227

KA 14-00407

PRESENT: SCUDDER, P.J., PERADOTTO, LINDLEY, SCONIERS, AND VALENTINO,

THE PEOPLE OF THE STATE OF NEW YORK, APPELLANT,

V

ORDER

JUSTIN T. FRANK, DEFENDANT-RESPONDENT.

FRANK A. SEDITA, III, DISTRICT ATTORNEY, BUFFALO (DAVID A. HERATY OF COUNSEL), FOR APPELLANT.

THE LEGAL AID BUREAU OF BUFFALO, INC., BUFFALO (KAREN C. RUSSO-MCLAUGHLIN OF COUNSEL), FOR DEFENDANT-RESPONDENT.

Appeal from an order of the Erie County Court (Michael F. Pietruszka, J.), dated October 18, 2013. The order granted defendant's motion to suppress physical evidence and statements made by defendant to police officers.

It is hereby ORDERED that the order so appealed from is unanimously affirmed and the indictment is dismissed.

Entered: November 14, 2014

Frances E. Cafarell
Clerk of the Court