

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

1091.2

KA 09-01235

PRESENT: SCUDDER, P.J., MARTOCHE, PERADOTTO, CARNI, AND GORSKI, JJ.

THE PEOPLE OF THE STATE OF NEW YORK, APPELLANT,

V

ORDER

GREGG GRATES, DEFENDANT-RESPONDENT.
(APPEAL NO. 2.)

SCOTT D. MCNAMARA, DISTRICT ATTORNEY, UTICA (STEVEN G. COX OF
COUNSEL), FOR APPELLANT.

LESLIE R. LEWIS, NEW HARTFORD, FOR DEFENDANT-RESPONDENT.

Appeal from an order of the Oneida County Court (Charles C.
Merrell, A.J.), entered October 27, 2008. The order denied the motion
of the People for leave to reargue.

It is hereby ORDERED that said appeal is unanimously dismissed
(see *People v Auslander*, 169 AD2d 853, 854).

Entered: October 9, 2009

Patricia L. Morgan
Clerk of the Court