

**People v Hector Rivera**

Motion No: 2022-03645

Slip Opinion No: 2022 NYSlipOp 72396(U)

Decided on September 29, 2022

Appellate Division, First Department, Motion Decision

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Judiciary Law § 431.

This motion is uncorrected and is not subject to publication in the  
Official Reports.

**Supreme Court of the State of New York**  
**Appellate Division, First Judicial Department**

BEFORE: Hon. Bahaati E. Pitt  
Justice of the Appellate Division

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The People of the State of New York,

Motion No. 2022-03645

Ind. No. 1479-2021

Case No. 2022-04073

-against-

**ORDER**

Hector Rivera,  
Defendant.

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Defendant, Hector Rivera, having made an application, pursuant to CPL 245.70(6), for expedited review of a ruling of a Justice of the Supreme Court, New York County (Ann E. Scherzer, J.), as set forth in an order dated September 13, 2022, filed under seal, which granted the People's motion for a protective order, and, upon review, to vacate or modify the ruling,

Now, upon reading and filing the papers with respect to the application; it is

Ordered that the application is denied. The trial court providently exercised its discretion in granting the protective order because the People established, among other things, good cause, based on the statutory factors set forth in CPL 245.70(4), for its issuance, and it is further

Ordered that the papers submitted in connection with the application are deemed to be filed under seal and shall continue to be sealed.

Dated: September 26, 2022  
New York, New York

  
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Hon. Bahaati E. Pitt  
Associate Justice

ENTERED: September 29, 2022