

Nassau Village Court

Present: Hon. Michael C. Conway  
Nassau Village Justice

STATE OF NEW YORK  
COUNTY OF RENSSELAER

VILLAGE JUSTICE COURT  
VILLAGE OF NASSAU

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THE PEOPLE OF THE STATE OF NEW YORK,

-against-

**DECISION AND ORDER**

JOSEPH KOZLOSKI,

Defendant.

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APPEARANCES: Rensselaer County District Attorney  
(Timothy Feenan, Assistant District Attorney, of Counsel)

Joel E. Abelove, Esq.  
Attorney for Defendant

*Conway, Michael C.*

The above named Defendant stands charged with Criminal Possession of a Weapon in the 4<sup>th</sup> Degree, a Class A Misdemeanor, in violation of Penal Law Section 265.01.

The Defendant has filed an application to dismiss on the basis that the People denied the Defendant the right to a speedy trial pursuant to CPL Section 30.30.

That motion is Granted.

The Court has reviewed the Defendant's initial motion papers; the People's Opposition and the Defendant's Reply. The Court has also reviewed the audio recording of the appearance on evening of September 3, 2019.

Notably, the Court agrees with the People that the Defendant otherwise consented to an adjournment in September of 3013, and that their announcement of readiness for Trial in December would have otherwise been timely. But the People thereafter failed to file a certificate of compliance as required by CPL Section 245.50(1). As such, the People have failed to properly announce their readiness for Trial and comply with the CPL Section 245.50(1).

This shall constitute the Decision and Order of this Court.

Dated: Nassau, New York  
July 8, 2020



Michael C. Conway  
Nassau Village Justice

PL 265.36 Arama DeWitt A. Midemason  
Also Dismissed So. Order: Mary



