

At a Term of the County Court, held in and for the County of Albany, at the Albany County Judicial Center, Albany, New York on the 8 day of May, 2014.

PRESENT: HON. PETER A. LYNCH, Albany County Court Justice

STATE OF NEW YORK
COUNTY COURT

COUNTY OF ALBANY

**INVESTIGATION:
NEW YORK STATE POLICE**

ORDER

Index No.: CA38114

UPON the reading and filing of the Affirmation of David M. Rossi, Chief Assistant District Attorney, dated May 7, 2014, requesting this Court to appoint a Special District Attorney to represent the People in the above-entitled matter, and it appearing that a conflict of interest exists, and upon all other proceedings herein,

NOW, on motion of David M. Rossi, Chief Assistant District Attorney, it is

ORDERED, that pursuant to Section 701 of the County Law of the State of New York, Holly TREXLER, Esq. be and hereby is appointed Special District Attorney in the above-entitled matter for all purposes, including disposition.

HON. PETER A. LYNCH
Albany County Court Judge

Dated: May 8, 2014
Albany, New York

5/13/14EW

Albany County Clerk
Document Number 11617678
Rcvd 05/13/2014 9:43:54 AM



STATE OF NEW YORK
COUNTY COURT

COUNTY OF ALBANY

**INVESTIGATION:
NEW YORK STATE POLICE**

AFFIRMATION

Index No.:

DAVID M. ROSSI, being an attorney-at-law, duly admitted in New York State, hereby affirms under penalty of perjury:

- 1) That he is the Chief Assistant District Attorney of Albany County and is fully familiar with the facts herein.
- 2) That there is currently an investigation being conducted by the New York State Police which involves a computer trespass at a business located within the City of Albany.
- 3) That the victim/witness in this case had a prior relationship with the Albany County District Attorney's Office, and it is respectfully submitted that a conflict exists. In order to avoid the inference and appearance of impropriety in the prosecution of this case, your affiant requests that he be replaced by a Special District Attorney.

WHEREFORE, your affiant requests that a new Special District Attorney be appointed pursuant to Section 701 of the County Law of the State of New York to prosecute this case against the Defendant herein in all respects.

Dated: May 7, 2014
Albany, New York

David M. Rossi
Chief Assistant District Attorney

Albany County Clerk
Document Number 11617678
Rcvd 05/13/2014 9:43:54 AM



ALBANY, N.Y.
MAY -7 PM 2:40
COUNTY CLERK'S OFFICE