

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 13 day of
February 2013
March 21 2013

STEPHEN W. HERRICK

PRESENT: HON.

STATE OF NEW YORK
COUNTY COURT

COUNTY OF ALBANY

ORDER

NEW YORK STATE POLICE
INVESTIGATION:

CA 196-13

Upon reading and filing the Affirmation of David M. Rossi, Chief Assistant District Attorney, dated February 26, 2013 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, Bruce Leonard Esq. be and hereby is appointed special district attorney in the above-entitled matter for all purposes, including disposition.

ENTER:



HON. ~~STEPHEN W. HERRICK~~
COUNTY COURT JUDGE

Dated: February 13, 2013
Albany, New York

March 13th, 2013

**STATE OF NEW YORK
COUNTY COURT****COUNTY OF ALBANY**

**NEW YORK STATE POLICE
INVESTIGATION:****AFFIRMATION**

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 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: February 26, 2013
Albany, New York



DAVID M. ROSSI
Chief Assistant District Attorney