



State of New York
County of Essex
Elizabethtown Town Court

Hon. Peter A. Deming
Town Justice

Tracy Cross
Court Clerk

March 22, 2024

From: PA Deming
Phone: 518-873-2047
Fax: 518-873-6571
Email: pdeming@nycourts.gov

To: Benjamin Goldman Law Office
Michael Langey, Essex County DA Office

Phone: NA
Fax: 888-509-7155 / 518-873-3788
Email:

Pages: (2) Two

Comments:

PSNY Sam YIM

Decision and Order

7563 Court Street, P.O. Box 216, Elizabethtown, NY 12932
Elizabethtowntowncourt@nycourts.gov
Tel 518-873-2047 Fax 518-873-6571

Urgent For Review Please Comment Please Reply Please Recycle



State of New York
County of Essex
Elizabethtown Town Court

Hon. Peter A. Deming
Town Justice

Tracy Cross
Court Clerk

People of the State of New York

vs.

DECISION AND ORDER

Sam Yim; [REDACTED]
UTT 3B87H415SK

Upon reading the motion to dismiss and attorney's affirmation in support thereof by defendant's attorney, Mr. Benjamin Goldman, received by this Court on 11/14/23, together with all affidavits submitted relating to said motion; Affirmation in Reply by Essex County Assistant District Attorney, Michael Langey, provided to the Court via email on 3/20/24; and Attorney Goldmans' Reply Affirmation and Supplemental Affirmation to Dismiss, provided via email, received by this court on March 22, 2024, the following decision is made.

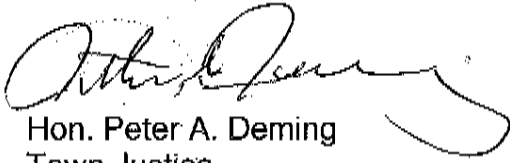
It is undisputed that on 8/27/23, the defendant was issued a UTT by New York State Trooper S. Hutter for a charge of VTL 1180 0D, Speed in Zone. Pursuant to CPL §150.10 Trooper Hutter provided directives to appear at this Court at a specific time and date within the required 20 days, specifically 1:30pm, Tuesday, 09/20/23.

On 8/30/23, since this Court does not hold traffic matters on Tuesdays, Trooper Hutter was ordered by this Court to correct the UTT and notify this Court when the corrective action was accomplished. This Court never received evidence indicating compliance.

Therefore, having received no evidence the Courts' order was complied with, it is hereby ORDERED, that the motion to dismiss is GRANTED.

State of New York
County of Essex
Elizabethtown Town Court

MAR 22 2024



Hon. Peter A. Deming
Town Justice

cc. Michael Langey, Esq.
Assistant District Attorney