

for purposes of this motion. Should the Court direct the release of the Grand Jury minutes, the People request the opportunity to redact certain portions of the Grand Jury minutes containing the names of "cooperating co-defendants" for purposes of protecting their anonymity and physical safety. Should the Court believe there is some defect in the Grand Jury proceedings, the People respectfully request a hearing and opportunity to be heard regarding any such alleged defects. Finally, the People assert that we ordered a copy of the Grand Jury minutes immediately upon the conclusion of the Grand Jury proceedings. However, we have not yet received those transcripts. This affiant personally spoke with the Grand Jury stenographer on or about July 7, 2008, and she indicated that she would complete the Grand Jury minutes and provide the People with a copy within one week thereof. However, the People are still not in possession of those minutes as of the date of this affirmation. We will immediately forward the minutes to the Court just as soon as we receive them.

2. There are two-prongs to the defendant's motion to inspect the Grand Jury minutes and dismiss the Indictment. First, the defendant alleges that the Indictment fails to allege overt acts perpetrated by this defendant. Even if that were true, and it is not, the Indictment would still be sufficient. In order to be sufficient, an Indictment need only allege that any one defendant

committed an overt act in furtherance of the conspiracy. Even if Lisa Kaczmarek did not commit a single overt act in furtherance of the conspiracy, but one or more of her co-conspirators did commit such an overt act, then the Indictment is legally sufficient and Lisa Kaczmarek can be convicted of the conspiracy. The highest Court of the State set this legal precedent in People v. McGee, et. al., 49 N.Y.2d 48, 424 N.Y.S.2d 157 (1979), when it held, "Once an illicit agreement is shown, the overt act of any conspirator may be attributed to other conspirators to establish the offense of conspiracy... It is not offensive to permit a conviction of conspiracy to stand on the overt act committed by another, for the act merely provides corroboration of the existence of the agreement and indicates that the agreement has reached a point where it poses a sufficient threat to society to impose sanctions." Thus, the defendant's argument that the Indictment must be dismissed because it fails to allege that this defendant committed any overt acts, even if true, would lack merit.

3. Nevertheless, the defendant did commit overt acts in furtherance of the conspiracy, and the Indictment sufficiently alleges such overt acts.

4. In paragraph 27 of the overt acts, the Indictment

alleges that, on February 16, 2008, Lisa Kaczmarek spoke with Kerry Kirkem and indicated that she would purchase more cocaine from him so long as she could try it first.

5. In paragraph 28 of the overt acts, the Indictment alleges that, on February 16, 2008, Kerry Kirkem informed Lisa Kaczmarek that Kirkem's new supply of cocaine was very high quality and would boost Kaczmarek's business.

6. In paragraph 29 of the overt acts, the Indictment alleges that, on February 17, 2008, Kirkem informed Lisa Kaczmarek that Kirkem would be getting a new supply of high quality cocaine in the near future.

7. In paragraph 30 of the overt acts, the Indictment alleges that, on February 17, 2008, Lisa Kaczmarek asked Kirkem if Kirkem had any cocaine he could give to Kaczmarek at that time.

8. In paragraph 31 of the overt acts, the Indictment alleges that, on February 18, 2008, Lisa Kaczmarek told Kirkem that her husband, Greg Kaczmarek, would "mule" cocaine for Kirkem and, as an ex-police officer, he would "flash his badge" if the need arose.

9. In paragraph 32 of the overt acts, the Indictment alleges that, on February 19, 2008, Lisa Kaczmarek asked Kerry Kirkem when he would supply her with crack cocaine.

10. In paragraph 37 of the overt acts, the Indictment alleges that, on February 20, 2008, Lisa Kaczmarek and Greg Kaczmarek met with Kirkem to discuss the details surrounding the police seizing cocaine and other narcotics from the drug organization earlier in the day, and how to proceed with their drug organization in view of that police seizure.

11. In paragraph 45 of the overt acts, the Indictment alleges that, on February 25, 2008, Lisa Kaczmarek asked Kirkem if he could supply her with cocaine.

12. Finally, the People submit that the proof before the Grand Jury sufficiently proved that Lisa Kaczmarek was re-selling a portion of the cocaine she was obtaining from Kirkem.

13. The defendant alleges in her motion papers that her telephone conversations with Kerry Kirkem, a/k/a "Slim", a/k/a "K", cannot legally constitute "overt acts" in furtherance of the conspiracy. At paragraph 9 of her motion, the defendant argues

that those telephone conversations are merely "conversations and not acts, and no overt **act** is alleged against [the defendant]".

14. However, it is well-settled that telephone calls of this nature do constitute overt acts in furtherance of a narcotics conspiracy. For example, in People v. Kellerman, 102 A.D.2d 629, 479 N.Y.S.2d 815 (3rd Dept. 1984), the Court held that where "phone calls sought to arrange delivery of cocaine, such calls constituted an overt act in furtherance of the conspiracy..." See, also, People v. Weaver, 157 A.D.2d 983, 550 N.Y.S.2d 467 (3rd Dept. 1990), appeal denied 76 N.Y.2d 744, 558 N.Y.S.2d 906 (1990).

15. Thus, the Indictment sufficiently alleges overt acts committed by the defendant, as well as overt acts committed by each of her co-conspirators, and the People therefore oppose the defendant's motion to dismiss on that basis.

16. The defendant also argues that there was no evidence before the Grand Jury which evidence, if accepted as true, would indicate that the defendant possessed cocaine with the intent to sell it. As the defendant points out in her own motion papers, a conspiracy to distribute narcotics "ends with the person who last obtained it with the intent to sell it." People v. Macklowitz,

135 Misc.2d 232, 514 N.Y.S.2d 883 (Supreme Court, New York County, 1987). The People concede that this line of authority is logical and persuasive. Unfortunately for the defendant, it does not inure to her benefit. The People submit that there was ample evidence presented to the Grand Jury which showed that Lisa Kaczmarek knew Kerry Kirkem was a large-scale narcotics distributor, that she knew she was part of a larger narcotics conspiracy, and that she possessed cocaine with the intent to sell it, and sold cocaine, in furtherance of this narcotics conspiracy.

17. For example, in call #13084, intercepted over Kerry Kirkem's cellular telephone on February 16, 2008, Lisa Kaczmarek asked Kerry Kirkem if he had the same cocaine as he had previously. Kirkem indicated that he got some better quality cocaine and that the new cocaine would boost Kaczmarek's business. Kaczmarek indicated that she would want to try the new cocaine before she bought it.

18. In call #13200, intercepted over Kirkem's cellular telephone on February 17, 2008, Kirkem informed Lisa Kaczmarek that he would be getting some high quality cocaine which would help Kaczmarek get her customers back (those customers having left due to prior poor quality cocaine supplied to Kaczmarek by

Kirkem). Kaczmarek responded by asking if Kirkem had any cocaine he could give her at that moment. Kirkem informed Kaczmarek that he did not, that his "workers" had all of his cocaine at that time.

19. In call #13316, intercepted over Kirkem's cellular telephone on February 18, 2008, Lisa Kaczmarek informed Kirkem that Kirkem had ruined her business (by previously giving her some poor quality cocaine that her customers did not like). Kirkem informed Kaczmarek that he would be getting better quality cocaine in the near future.

20. In call #13318, intercepted over Kirkem's cellular telephone on February 18, 2008, several minutes after call #13316 was intercepted, Lisa Kaczmarek informed Kirkem that her husband, Greg, would "mule" drugs for Kirkem and that he would "flash his badge" if the need arose. Kaczmarek also informed Kirkem that the cocaine he previously provided to her was of poor quality and that she couldn't give it away. Kaczmarek informed Kirkem that she did "beat" some of her customers, however, by still selling them the cocaine even though she knew it was of poor quality. Kirkem once again informed Kaczmarek that his next batch of cocaine would be of much better quality.

21. In call #13519, intercepted over Kirkem's cellular telephone on February 19, 2008, at approximately 4:28 p.m., Lisa Kaczmarek asked Kirkem when she would be able to get the "hard". Kirkem informed Kaczmarek that it would be that night or the next morning- whenever "she" (Kirkem's "mule", Misty Gallo) got back.

22. In call #13555, intercepted over Kirkem's cellular telephone on February 19, 2008, at approximately 8:26 p.m., Lisa Kaczmarek called Kirkem to inquire if the new supply of cocaine had arrived yet. Kirkem advised Kaczmarek that it had not and that it would not arrive until the next morning.

23. In call #13761, intercepted over Kirkem's cellular telephone on February 20, 2008, at approximately 9:40 p.m., Lisa Kaczmarek called Kirkem and Kirkem informed her that he lost one-hundred and fifty thousand dollars of narcotics that night (the night the police seized the narcotics from the "mule", Misty Gallo). Kaczmarek asked Kirkem what Kirkem thought happened to the drugs. Kirkem advised Kaczmarek that he needed to meet with her and her husband Greg to discuss it. Kaczmarek informed Kirkem that she and her husband Greg would be going to the Gentleman's Club "Di Carlo's" that night, and that Kirkem should meet them at the club to discuss it.

24. In call #14329, intercepted over Kirkem's cellular telephone on February 23, 2008, Lisa Kaczmarek called Kirkem and asked if "anything is going on" (inquiring if Kirkem had cocaine). Kirkem advised Kaczmarek, "no- but maybe tonight".

25. In call #14477, intercepted over Krikem's cellular telephone on February 25, 2008, Lisa Kaczmarek called Kirkem and asked if Kirkem was "laying low on what they wanted". Kirkem advised that he was "laying low" on everything (based upon the fact that drugs had been seized from Misty Gallo). Kaczmarek then asked Kirkem if she could get something from "the houses" (Kirkem's various sales locations). Kirkem told her "no".

26. The People submit that this evidence, as presented to the Grand Jury, showed that Lisa Kaczmarek knew Kerry Kirkem was a large-scale narcotics distributor, that she knew she was part of a large narcotics conspiracy, and that she possessed cocaine with the intent to sell it, and sold cocaine, in furtherance of this narcotics conspiracy.

THE BAIL HEARING

27. In paragraphs 16-27 of the defendant's omnibus motion, the defendant alleges that the Court treated her unfairly at her

bail hearing held in Schenectady County Court on May 9, 2008. The defendant complains that the Court set her bail higher than that of an allegedly similarly situated co-defendant, Leah Armenia. The defendant argues that the Court treated her unfairly due to the fact that the defendant's husband, Greg Kaczmarek, is the ex-Chief of Police of the City of Schenectady Police Department. As the defendant does not ask for any specific relief in paragraphs 16 through 27 of her motion, the People submit that no response is required by the People. However, we believe the argument merits comment.

28. At the bail hearing, Lisa Kaczmarek's attorney argued that her bail should be set at five-thousand dollars cash or ten-thousand dollars bond, the same bail set for co-conspirator Leah Armenia. The People recommended bail at a slightly higher amount (ten-thousand dollars cash or twenty-thousand dollars bond) given the fact that "for Leah Armenia, five/ten is a difficult amount to come up with. I believe Ms. Kaczmarek would be in a better position to post bail, and five/ten would be very little money."

29. The New York State Criminal Procedure Law specifically states that a defendant's financial resources should be taken into account when a Court sets bail. See CPL 510.30(2)(ii). For purposes of illustrating the point, it is axiomatic that a higher

bail might be required to ensure that Donald Trump stuck around to face an assault charge, than the bail required to ensure that a person of less-able means would appear in Court to face the same charge.

30. Numerous Courts have held that a defendant's financial resources must be taken into account when the Court determines the appropriate bail. For example, in People ex. rel. Litman, 23 A.D.3d 258, 804 N.Y.S.2d 78 (1st Dept. 2005), leave to appeal denied 6 N.Y.3d 708, 812 N.Y.S.2d 443 (2005), the Court held that an appropriate bail consideration is the "financial resources [a defendant] could use to facilitate flight." In People ex. rel. Zinzow, 48 A.D.2d 746, 368 N.Y.S.2d 79 (3rd Dept. 1975), the Court held that, "In determining whether or not [the amount of bail] violates the constitutional or statutory standards inhibiting excessive bail... the [court] should consider... among other things... the pecuniary... condition of defendant..." In fact, in People ex. rel. Mordkofsky, 93 A.D.2d 826, 460 N.Y.S.2d 830 (2nd Dept. 1983), the Court held that, "By statute, one of several factors that the bail-setting court was **required** to consider in determining... bail was [the defendant's] financial resources... it was the duty of the [court]... to assure that this statutory criterion... was not ignored." (emphasis added)

31. In the instant case, co-conspirator Leah Armenia is a single, twenty-five year old woman living alone and, at the time, working at a Hannaford grocery store. Lisa Kaczmarek was justifiably found by the Court to have more financial resources than co-defendant Armenia, given the fact that Lisa Kaczmarek is an employed forty-eight year old woman living in a two-income household with her husband. Thus, the People submit that the defendant is mistaken, and that she was not treated unfairly by the Court at her bail hearing.

BILL OF PARTICULARS

32. In response to paragraphs 31(a) and 31(b) of the defendant's request for a bill of particulars, the People state that all of the defendants named in Count 1 of the Indictment participated in the same conspiracy as/with the defendant.

33. In response to paragraphs 31(c) through 31(h) of the defendant's request for a bill of particulars, the People submit that all of the requested information relates to the People's prospective proof at trial. Pursuant to section 200.95(1)(a) of the New York State Criminal Procedure Law, a prosecutor "shall not be required to include in the bill of particulars matters of evidence relating to how the people intend to prove the elements

of the offense charged or how the people intend to prove any item of factual information included in the bill of particulars." Thus, the People decline to respond.

DISCOVERY

34. In response to paragraph 32(a) of the defendant's demand for discovery, the People state that the defendant did not make any statements, other than in the course of the criminal transaction, which statements, if involuntarily made, would render them suppressible pursuant to subdivision three of section 710.20 of the New York State Criminal Procedure Law. Of the co-conspirators/co-defendants that have not yet pled guilty and which, therefore, may constitute "a co-defendant to be tried jointly", the People submit that none of those individuals made statements, other than in the course of the criminal transaction, which statements, if involuntarily made, would render them suppressible pursuant to subdivision three of CPL §710.20.

35. In response to paragraph 32(b) of the defendant's demand for discovery, the People state that neither the defendant, nor any potential "co-defendant to be tried jointly", testified before the Grand Jury.

36. In response to paragraph 32(c) of the defendant's demand for discovery, the People state that the only such materials we would anticipate utilizing at trial would be discovery materials relating to the testing of controlled substances. However, we do not believe such testing has been completed as of the date of this affirmation. Once the testing is completed, we will immediately forward to the defense the discovery packets relating to that lab work.

37. In response to paragraph 32(d) of the defendant's demand for discovery, the People state that an "organization chart" was prepared for use before the Grand Jury. The People would intend to use that chart at trial. The chart is several feet wide and several feet long. It is available for review by the defense at any time upon specific request. The People are also in possession of some photographs that were taken during the underlying investigation. Those photographs are also available for review by the defense at any time upon specific request.

38. In response to paragraph 32(e) of the defendant's demand for discovery, the People state that no property was released pursuant to CPL 450.10 during the underlying investigation.

39. In response to paragraph 32(f) of the defendant's demand

for discovery, the People state that all such property will be made available for inspection by the defense at any time upon specific request.

40. In response to paragraph 32(g) of the defendant's demand for discovery, the People state that all such recordings were previously made available to the defense. The defense was also provided with a large number of transcripts. As of the date of this affirmation, transcripts are still being generated for trial purposes. Transcripts will be made available to the defense as they are completed.

41. In response to paragraph 32(h) of the defendant's demand for discovery, the People state that we will maintain an open file discovery policy throughout the time that this matter remains pending. All discovery materials will be made available for inspection by the defense at any time upon specific request.

SANDOVAL/MOLINEUX/VENTIMIGLIA HEARINGS

42. In response to paragraph 33 of the defendant's motion regarding Sandoval/Ventimiglia information, the People state that the defendant has no prior criminal history which the People would intend to use during our direct case or for cross-

examination purposes. The People further state that we anticipate several "cooperating co-defendants" can and will testify regarding the defendant's possession and sale of narcotics in furtherance of the charged conspiracy. The People submit that we seek to elicit such testimony during our direct case and only as such testimony relates to the defendant's criminal conduct which was in furtherance of the charged conspiracy and which conduct occurred during the charged dates of the conspiracy, namely "on or about January 30, 2008, through and including March 12, 2008".

43. In regard to those "uncharged crimes", the People anticipate that one or more "cooperators" will be able to identify the defendant at trial, will indicate that she was part of this narcotics conspiracy in Schenectady County, and will testify that the defendant possessed and sold narcotics in furtherance of the conspiracy between January 30, 2008, and March 12, 2008. The People submit that this information/testimony is admissible under many different theories. First and foremost, this evidence is admissible under the conspiracy count of the indictment as direct evidence of the defendant's participation in the conspiracy and as overt acts committed by the defendant in furtherance of the conspiracy. Thus, the People submit that this evidence/testimony does not have to be deemed admissible under the auspices of Ventimiglia/Molineux material. Nevertheless, the

People hereby make an application to introduce this testimony as direct evidence of the conspiracy, as Ventimiglia information/evidence and as Molineux evidence bearing directly on the defendant's guilt of the conspiracy count charged in Count 1 of the Indictment.

44. The People further submit that evidence relating to uncharged crimes which occurred within the parameters of the charged conspiracy does not have to be admitted as Molineux or Ventimiglia evidence, but rather is evidence admissible to prove the charged conspiracy and constitutes evidence admissible to prove overt acts committed in furtherance of the charged conspiracy. Moreover, the People note that we must present evidence of uncharged crimes in order to meet our burden of proof relating to the conspiracy charge, as well as proof of overt acts committed in furtherance of that conspiracy.

45. Some uncharged crime evidence the People seek to introduce at trial would show the connection between the defendant and other co-conspirators, i.e. the nature and structure of the underlying drug organization. There is authority for the proposition that such evidence is admissible under the Molineux doctrine. 1

1 People v. Molineux, 168 N.Y. 264 (1901).

46. The Court of Appeals has held that, "while 'acting in concert' is not one of the five delineated *Molineux* exceptions, testimony [is] admissible and relevant to point up the connection between [codefendants]." People v. Jackson, 39 N.Y.2d 64, 382 N.Y.S.2d 736 (1976). In People v. Wang, 140 A.D.2d 567, 528 N.Y.S.2d 427 (2d Dept. 1988), the Court reiterated the point by holding, "evidence of uncharged crimes is correctly admitted at trial when the evidence is relevant on the issues of... whether defendant was acting in concert with his co-defendants." In People v. Pons, 159 A.D.2d 471, 552 N.Y.S.2d 344 (2d Dept. 1990), the Court held that evidence of uncharged crimes is correctly admitted at trial when the evidence is relevant on the issue of whether a defendant was acting in concert with his co-defendants. In that case, the evidence of uncharged crimes included recorded telephone conversations indicative of uncharged criminal conduct. The Court held that, "the uncharged crimes in this case were contemplated within the [criminal enterprise's] grand scheme of operating a [criminal organization]." Pons, 159 A.D.2d at 473, 552 N.Y.S.2d at 344.

47. Pursuant to this line of authority, the People submit that evidence of conduct by the defendant, as well as any of her named co-conspirators, which proves that the defendant and/or her

co-conspirators were acting in concert, is admissible at trial under the Molineux doctrine.

48. Courts have also consistently held that evidence of uncharged criminal conduct is admissible at trial where such proof relates to the charged conspiracy as well as proof of overt acts (whether delineated in the indictment or not) committed in furtherance of the charged conspiracy.

49. In People v. Weaver, 157 A.D.2d 983, 550 N.Y.S.2d 467 (3rd Dept. 1990), appeal denied 76 N.Y.2d 744, 558 N.Y.S.2d 906 (1990), the defendant was convicted of Conspiracy in the Second Degree. On appeal, the Court held that an uncharged criminal transaction was "an attempt to achieve the purpose of the conspiracy, even though the objective of [the uncharged crime] was not attained and **yet another crime was committed**... The acts may still be charged and proven as overt acts in support of the instant conspiracy to deal in drugs... the act was in furtherance of the conspiracy..." (emphasis added) The People also note for the Court that the uncharged crime (overt act) discussed in that case was not one of the overt acts delineated in the indictment.

50. There is ample authority for the proposition that the People are permitted to introduce evidence at trial proving overt

acts committed in furtherance of a charged conspiracy, whether the overt acts proven at trial were specifically delineated in the indictment or not.

51. For example, in People v. Snagg, 35 A.D.3d 1287, 825 N.Y.S.2d 874 (4th Dept. 2006), appeal denied 2007 N.Y. Lexis 1350 (2007), the defendant was convicted of a drug conspiracy charge. On appeal, the court held that, "an indictment for conspiracy need not allege every overt act committed by defendant, and if the indictment provides sufficient detail about the scope and nature of the conspiracy and the major overt acts committed in furtherance of it, then evidence may be offered at trial of related overt acts. (citation omitted) **Moreover, evidence of those overt acts, even though they amount to uncharged crimes, may be adduced at defendant's trial for conspiracy without violating the *Molineux* rule.**" (emphasis added)

52. In People v. Morales, 309 A.D.2d 1065, 765 N.Y.S.2d 918 (3rd Dept. 2003), appeal denied 1 N.Y.3d 576, 775 N.Y.S.2d 793 (2003), the Court held that, "contrary to defendant's assertion, the uncharged crime evidence of which he complains was not admitted as a *Molineux* exception but, rather, as evidence of an overt act committed by defendant in furtherance of the conspiracy. It is axiomatic that evidence of overt acts not

charged in the indictment may be introduced at trial, provided 'the indictment provides sufficient detail about the scope and nature of the conspiracy and the major overt acts committed in furtherance of it'."

53. In People v. McKnight, 281 A.D.2d 293, 722 N.Y.S.2d 152 (1st Dept. 2001), appeal denied 96 N.Y.2d 865, 730 N.Y.S.2d 39 (2001), the appellate court addressed a situation wherein the defendant was convicted of conspiracy to distribute narcotics after the trial court admitted evidence pertaining to uncharged drug transactions (over the defendant's objection and motion for a mistrial). The appellate Court held that "the [trial] Court properly denied defendant's mistrial motion based on the introduction of 'surprise' evidence of purported uncharged crimes. The drug transactions in question constituted evidence of the charged crime of conspiracy."

54. In People v. Jimenez, 281 A.D.2d 176, 722 N.Y.S.2d 4 (1st Dept. 2001), appeal denied 96 N.Y.2d 830, 729 N.Y.S.2d 451 (2001), the Court reached a similar result by holding that, "the [trial] Court properly permitted the People to introduce evidence of drug transactions claimed by the defendant to constitute uncharged crimes. The jury could reasonably infer that the transactions in question were part of the charged crime of

conspiracy.”

55. There is ample authority for the proposition that the proof relating to uncharged crimes can relate to the conspiracy charge, overt acts delineated in the Indictment, or even overt acts that are not delineated in the Indictment. In People v. Ribowsky, 77 N.Y.2d 284, 567 N.Y.S.2d 392 (1991), the Court held that, “an indictment for conspiracy need not allege every overt act... if the indictment provides sufficient detail about the scope and nature of the conspiracy and the major overt acts committed in furtherance of it, then evidence may be offered at trial of related overt acts.” The Court in that case also provided a definition for overt acts, stating that “an overt act tends to carry out the conspiracy, but need not necessarily be the object of the crime.”

56. Thus, the People seek permission to present evidence during our direct case relating to the defendant’s possession and sale of narcotic drugs in furtherance of the conspiracy during the time period of January 30, 2008, through March 12, 2008, whether those crimes are charged in the Indictment or not, and whether or not those crimes are listed as “overt acts” in the Indictment.

CPL §710.30 NOTICE

57. In response to paragraph 34 of the defendant's motion to preclude identification testimony, the People submit that a timely CPL §710.30 notice was provided to the defendant, and the Court, at the time of the defendant's arraignment. That notice informed the defendant that a cooperating co-defendant made a confirmatory identification of the defendant (through a photographic array) on or about March 25, 2008. Therefore, the People oppose the defendant's motion to preclude any testimony relating to that witness' ability to identify the defendant in Court.

RETENTION ORDER

58. In response to paragraph 35 of the defendant's request for a retention order, the People submit that the defendant has provided no basis for such a request, such as a *bona fide* belief that any such materials are not already being retained by the People.

HUNTLEY HEARING

59. In response to paragraph 37 of the defendant's request for a Huntley hearing, the People submit that the defendant did not provide any statements made other than in the course of the criminal transaction which statements, if involuntarily made, would be suppressible pursuant to CPL 710.20. Therefore, the People submit that there is no need for a Huntley hearing.

Affirmed By:

Michael A. Sharpe
Assistant Deputy Attorney General
N.Y.S. Organized Crime Task Force

Affirmed this 23rd day
of July 2008.

cc: Schenectady County Court Clerk (original)

Hon. Karen Drago
Schenectady County Court Judge

Kevin Luibrand, Esq.
Attorney for the Defendant