

## Table of Cases

---

### B

Brady v. Maryland, 373 U.S. 83, 83 S. Ct. 1194, 10 L. Ed. 2d 215 (1963)—§§ 1:7, 3:3

Burke v. Tower East Restaurant, 37 A.D.2d 836, 326 N.Y.S.2d 32 (2d Dep't 1971)—§ 5:6

### F

Felska v. New York Cent. & H.R.R. Co., 152 N.Y. 339, 46 N.E. 613 (1897)—§ 5:6

Frye v. U.S., 293 F. 1013, 34 A.L.R. 145 (App. D.C. 1923)—§ 5:6

### H

Henry v. U.S., 361 U.S. 98, 80 S. Ct. 168, 4 L. Ed. 2d 134 (1959)—§ 5:2

### J

Jackson v. Virginia, 443 U.S. 307, 99 S. Ct. 2781, 61 L. Ed. 2d 560 (1979)—§ 7:2

### M

Manson v. Brathwaite, 432 U.S. 98, 97 S. Ct. 2243, 53 L. Ed. 2d 140 (1977)—§ 5:5

Michigan Dept. of State Police v. Sitz, 496 U.S. 444, 110 S. Ct. 2481, 110 L. Ed. 2d 412 (1990)—§§ 5:1, 5:3

Miranda v. Arizona, 384 U.S. 436, 86 S. Ct. 1602, 16 L. Ed. 2d 694, 10 A.L.R.3d 974 (1966)—§ 5:4

### O

O'Dea v. Tofany, 41 A.D.2d 888, 342 N.Y.S.2d 679 (4th Dep't 1973)—§ 2:4

### P

People v. Allweiss, 48 N.Y.2d 40, 421 N.Y.S.2d 341, 396 N.E.2d 735 (1979)—§ 5:6

People v. Berrios, 28 N.Y.2d 361, 321 N.Y.S.2d 884, 270 N.E.2d 709 (1971)—§ 5:3

People v. Booden, 69 N.Y.2d 185, 513 N.Y.S.2d 87, 505 N.E.2d 598 (1987)—§ 6:3

People v. Boone, 71 A.D.2d 859, 419 N.Y.S.2d 187 (2d Dep't 1979)—§ 5:7

People v. Boudreau, 115 A.D.2d 652, 496 N.Y.S.2d 489 (2d Dep't 1985)—§ 5:7

People v. Branton, 67 A.D.2d 664, 412 N.Y.S.2d 35 (2d Dep't 1979)—§ 7:7

People v. Bridgman, 163 Misc. 2d 818, 622 N.Y.S.2d 431 (City Ct. 1995)—§ 2:3

People v. Calcasola, 80 Misc. 2d 429, 364 N.Y.S.2d 301 (App. Term 1975)—§§ 6:5, 6:6

People v. Campbell, 73 N.Y.2d 481, 541 N.Y.S.2d 756, 539 N.E.2d 584 (1989)—§§ 7:6, 7:7

People v. Carlo, 46 A.D.2d 764, 361 N.Y.S.2d 168 (1st Dep't 1974)—§§ 6:5, 6:6

People v. Chase, 186 Misc. 2d 487, 720 N.Y.S.2d 707 (App. Term 2000)—§ 6:9

People v. Crawford, 201 A.D.2d 933, 607 N.Y.S.2d 763 (4th Dep't 1994)—§ 5:2

People v. Crocker, 125 A.D.2d 132, 512 N.Y.S.2d 589 (3d Dep't 1987)—§ 5:7

People v. Cruz, 134 Misc. 2d 115, 509 N.Y.S.2d 1002 (City Crim. Ct. 1986)—§ 5:7

People v. Cruz, 48 N.Y.2d 419, 423 N.Y.S.2d 625, 399 N.E.2d 513 (1979)—§§ 5:8, 6:2

People v. De La Rosa, 162 A.D.2d 698, 558 N.Y.S.2d 81 (2d Dep't 1990)—§ 7:7

People v. Delia, 105 Misc. 2d 483, 432 N.Y.S.2d 321 (County Ct. 1980)—§ 5:7

NEW YORK DRIVING WHILE INTOXICATED DEFENSE FORMS

- People v. Donaldson, 36 A.D.2d 37, 319 N.Y.S.2d 172 (4th Dep't 1971)—§§ 3:6, 3:7, 7:3, 7:4
- People v. Freeland, 68 N.Y.2d 699, 506 N.Y.S.2d 306, 497 N.E.2d 673 (1986)—§ 3:7
- People v. Fulton, 189 A.D.2d 778, 593 N.Y.S.2d 53 (2d Dep't 1993)—§ 5:2
- People v. Gallup, 302 A.D.2d 681, 755 N.Y.S.2d 498 (3d Dep't 2003)—§ 5:6
- People v. Geaslen, 54 N.Y.2d 510, 446 N.Y.S.2d 227, 430 N.E.2d 1280 (1981)—§§ 3:2, 3:3, 3:4, 3:5
- People v. Glenn, 279 A.D.2d 422, 723 N.Y.S.2d 425 (1st Dep't 2001)—§§ 5:11, 5:12
- People v. Greer, 189 Misc. 2d 310, 731 N.Y.S.2d 323 (App. Term 2001)—§ 8:4
- People v. Gursev, 22 N.Y.2d 224, 292 N.Y.S.2d 416, 239 N.E.2d 351 (1968)—§ 1:5
- People v. Hagmann, 175 A.D.2d 502, 572 N.Y.S.2d 952 (3d Dep't 1991)—§ 6:2
- People v. Heidelberg, 214 A.D.2d 767, 624 N.Y.S.2d 656 (3d Dep't 1995)—§ 5:6
- People v. Hemleb, 4 A.D.2d 878, 166 N.Y.S.2d 837 (2d Dep't 1957)—§§ 6:3, 6:7
- People v. Henry, 150 A.D.2d 797, 542 N.Y.S.2d 227 (2d Dep't 1989)—§ 5:2
- People v. Hougland, 79 Misc. 2d 868, 361 N.Y.S.2d 827 (Dist. Ct. 1974)—§ 5:7
- People v. Huntley, 15 N.Y.2d 72, 255 N.Y.S.2d 838, 204 N.E.2d 179 (1965)—§§ 5:1, 5:4
- People v. Ingle, 36 N.Y.2d 413, 369 N.Y.S.2d 67, 330 N.E.2d 39 (1975)—§§ 5:2, 5:3, 5:11, 5:12, 5:13
- People v. Jamison, 170 Misc. 2d 974, 652 N.Y.S.2d 495 (City Ct. 1996)—§ 8:4
- People v. Johnson, 66 N.Y.2d 398, 497 N.Y.S.2d 618, 488 N.E.2d 439 (1985)—§ 5:2
- People v. Jones, 126 Misc. 2d 919, 484 N.Y.S.2d 415 (City Crim. Ct. 1984)—§ 5:8
- People v. Kaminiski, 143 Misc. 2d 1089, 542 N.Y.S.2d 923 (City Crim. Ct. 1989)—§§ 6:3, 6:4
- People v. Kates, 53 N.Y.2d 591, 444 N.Y.S.2d 446, 428 N.E.2d 852 (1981)—§ 5:7
- People v. Koch, 135 Misc. 2d 352, 515 N.Y.S.2d 405 (City Ct. 1987)—§ 6:2
- People v. Koch, 250 A.D. 623, 294 N.Y.S. 987 (2d Dep't 1937)—§§ 6:5, 6:6
- People v. Kral, 198 A.D.2d 670, 603 N.Y.S.2d 1004 (3d Dep't 1993)—§ 5:6
- People v. Krebs, 195 A.D.2d 696, 600 N.Y.S.2d 317 (3d Dep't 1993)—§ 7:7
- People v. Leone, 25 N.Y.2d 511, 307 N.Y.S.2d 430, 255 N.E.2d 696 (1969)—§ 5:6
- People v. Lotz, 145 A.D.2d 900, 536 N.Y.S.2d 281 (4th Dep't 1988)—§ 5:9
- People v. Lyons, 115 A.D.2d 766, 496 N.Y.S.2d 556 (2d Dep't 1985)—§ 5:9
- People v. Malinsky, 15 N.Y.2d 86, 262 N.Y.S.2d 65, 209 N.E.2d 694 (1965)—§§ 5:2, 5:3, 5:11
- People v. Martin, 143 Misc. 2d 341, 540 N.Y.S.2d 412 (J. Ct. 1989)—§ 5:7
- People v. Matthews, 11 A.D.2d 784, 205 N.Y.S.2d 26 (2d Dep't 1960)—§ 6:3
- People v. May, 81 N.Y.2d 725, 593 N.Y.S.2d 760, 609 N.E.2d 113 (1992)—§ 5:13
- People v. Mertz, 68 N.Y.2d 136, 506 N.Y.S.2d 290, 497 N.E.2d 657 (1986)—§§ 3:7, 7:2, 7:7
- People v. Oliver, 191 A.D.2d 815, 594 N.Y.S.2d 839 (3d Dep't 1993)—§ 5:3
- People v. Pizzo, 144 A.D.2d 930, 534 N.Y.S.2d 249 (4th Dep't 1988)—§ 5:13
- People v. Prue, 2001 WL 1729710 (N.Y. County Ct. 2001)—§ 5:6
- People v. Raco, 68 A.D.2d 258, 416 N.Y.S.2d 849 (3d Dep't 1979)—§ 5:6
- People v. Robinson, 97 N.Y.2d 341,

TABLE OF CASES

- 741 N.Y.S.2d 147, 767 N.E.2d 638 (2001)—§§ 5:11, 5:12, 5:13
- People v. Russell, 165 A.D.2d 327, 567 N.Y.S.2d 548 (2d Dep't 1991)—§ 5:6
- People v. Sanchez, 61 N.Y.2d 1022, 475 N.Y.S.2d 376, 463 N.E.2d 1228 (1984)—§ 7:2
- People v. Sandoval, 34 N.Y.2d 371, 357 N.Y.S.2d 849, 314 N.E.2d 413 (1974)—§ 5:9
- People v. Scott, 63 N.Y.2d 518, 483 N.Y.S.2d 649, 473 N.E.2d 1 (1984)—§§ 5:1, 5:3
- People v. Serrano, 142 Misc. 2d 1087, 539 N.Y.S.2d 845 (City Crim. Ct. 1989)—§ 7:7
- People v. Smith, 77 A.D.2d 544, 430 N.Y.S.2d 95 (1st Dep't 1980)—§ 5:3
- People v. Spencer, 84 N.Y.2d 749, 622 N.Y.S.2d 483, 646 N.E.2d 785 (1995)—§§ 5:11, 5:12, 5:13
- People v. Stack, 140 A.D.2d 389, 527 N.Y.S.2d 569 (2d Dep't 1988)—§ 6:2
- People v. Strauss, 260 A.D. 880, 22 N.Y.S.2d 880 (2d Dep't 1940)—§ 6:7
- People v. Van Buren, 82 N.Y.2d 878, 609 N.Y.S.2d 170, 631 N.E.2d 112 (1993)—§§ 8:2, 8:3
- People v. Vanderlofske, 186 Misc. 2d 182, 717 N.Y.S.2d 450 (County Ct. 2000)—§ 5:6
- People v. Van Tuyl, 79 Misc. 2d 262, 359 N.Y.S.2d 958 (App. Term 1974)—§§ 6:5, 6:6
- People v. Void, 170 A.D.2d 239, 567 N.Y.S.2d 216 (1st Dep't 1991)—§ 5:3
- People v. Voliton, 190 A.D.2d 764, 593 N.Y.S.2d 822 (2d Dep't 1993)—§ 5:13
- People v. Vollick, 148 A.D.2d 950, 539 N.Y.S.2d 187 (4th Dep't 1989)—§ 8:3
- People v. Weaver, 49 N.Y.2d 1012, 429 N.Y.S.2d 399, 406 N.E.2d 1335 (1980)—§ 5:4
- People v. Wicks, 122 A.D.2d 239, 505 N.Y.S.2d 171 (2d Dep't 1986)—§ 7:7
- People v. Witherspoon, 66 N.Y.2d 973, 498 N.Y.S.2d 789, 489 N.E.2d 758 (1985)—§ 5:4
- People v. Wright, 98 N.Y.2d 657, 746 N.Y.S.2d 273, 773 N.E.2d 1011 (2002)—§§ 5:11, 5:12
- Pringle v. Wolfe, 88 N.Y.2d 426, 646 N.Y.S.2d 82, 668 N.E.2d 1376 (1996)—§ 2:2

**S**

- Simmons v. U.S., 390 U.S. 377, 88 S. Ct. 967, 19 L. Ed. 2d 1247 (1968)—§ 5:5
- Sweeney v. Tofany, 30 A.D.2d 934, 293 N.Y.S.2d 876 (4th Dep't 1968)—§ 2:4

**T**

- Terry v. Ohio, 392 U.S. 1, 88 S. Ct. 1868, 20 L. Ed. 2d 889 (1968)—§ 5:2

**U**

- U.S. v. Wade, 388 U.S. 218, 87 S. Ct. 1926, 18 L. Ed. 2d 1149 (1967)—§§ 5:1, 5:5

**V**

- Viger v. Passidomo, 103 A.D.2d 993, 479 N.Y.S.2d 583 (3d Dep't 1984)—§ 2:4

**W**

- Whren v. U.S., 517 U.S. 806, 116 S. Ct. 1769, 135 L. Ed. 2d 89 (1996)—§§ 5:11, 5:12