

STATE OF NEW YORK COUNTY OF MONROE
ROCHESTER CITY COURT
HON. THOMAS R. MORSE

THE PEOPLE OF THE STATE OF NEW YORK,

vs.

SISTER GRACE M. MILLER,
JOHN THOMAS MALTHANER, and
RYAN DAVID ACUFF,

Defendants.

**NOTICE OF MOTION
TO DISMISS**

CR No. 14-10731
CR No. 14-10730
CR No. 14-10751

2014 DEC 10 PM 3:25

FILED

STATE OF NEW YORK
ROCHESTER CITY COURT
CRIMINAL DIVISION

MOTION BY: Defendants Sister Grace M. Miller, John Thomas Malthaner, and Ryan David Acuff.

DATE, TIME AND PLACE OF MOTION: January 6, 2015, at 10 a.m. at the Rochester City Court, located at the Hall of Justice, City of Rochester, County of Monroe, before the Hon. Thomas R. Morse.

RELIEF REQUESTED: An Order, pursuant to CPL 170.40, dismissing the accusatory instrument in furtherance of justice, and granting such other and further relief as the Court may deem just and proper.

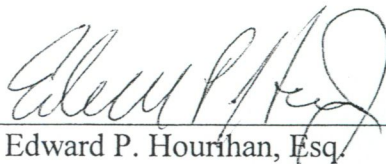
SUPPORTING PAPERS: Affidavit of Sister Grace M. Miller, dated December 4, 2014, Affidavit of John Thomas Malthaner, dated December 4, 2014, Affidavit of Ryan David Acuff, dated December 4, 2014, and Memorandum of Law in Support of Defendants' Motion to Dismiss in the Interest of Justice, annexed hereto.

ANSWERING AFFIDAVITS: Pursuant to CPLR § 2214(b), answering affidavits, if any, must be served upon the undersigned at least seven (7) days prior to the return of this motion.

MCDA 10 DEC '14 PM 3:42

DATED: December 10, 2014

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