

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF RICHMOND

In the Matter of the Investigation into the Death  
of Eric Garner,

LETITIA JAMES, New York City Public  
Advocate,  
Petitioner-Applicant,

-against-

DANIEL DONOVAN, Richmond County District  
Attorney,

Respondent.

Index No. 08034/14

Criminal Term – Part 5

Justice Stephen J. Rooney

ORDER TO  
SHOW CAUSE

Filed Under Seal

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SUPREME COURT  
RICHMOND COUNTY  
STATEN ISLAND

Upon reading the annexed and accompanying Affirmation of Matthew D. Brinckerhoff, counsel for Petitioner-Applicant Letitia James as Public Advocate for the City of New York, dated December 10, 2014, and all prior proceedings relevant to this action, it is hereby:

ORDERED that the District Attorney, Daniel Donovan, or his representative, shall appear and show cause before Justice Stephen J. Rooney, Supreme Court of the State of New York, County of Richmond, Criminal Term – Part 5, located at 18 Richmond Terrace, Staten Island, New York, 10301, on the 19th day of December, 2014, at 10:00 o'clock in the MORNING ~~noon~~, or as soon thereafter as counsel can be heard, why an order should not be issued, pursuant to N.Y. Crim. Pro. Law § 190.25(4)(a), directing that:

1. The minutes and all other records and evidence presented to the Grand Jury in the Matter of the Investigation into the Death of Eric Garner be unsealed and

released; and

RICHMOND COUNTY CLERK

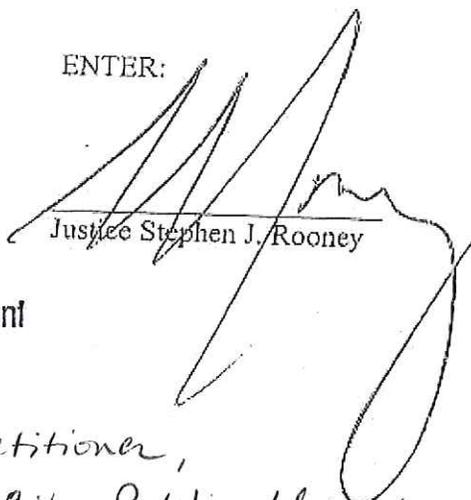
DIVISION OF LAW & EQUITY

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2. Such other and further relief that may be appropriate; and it is further

ORDERED that service of a copy of this Order and the papers upon which it is based be made on or before the 10<sup>th</sup> day of December 2014, by email or hand delivery of such papers to the Office of the District Attorney Daniel Donovan, Richmond County, 130 Stuyvesant Place, Staten Island, New York 10301.

ENTER:

  
Justice Stephen J. Rooney

2014-11302

Supreme Court of the State of New York  
Appellate Division: Second Judicial Department

APPLICATION by the petitioner,  
LETITIA JAMES, the New York City Public Advocate, pursuant to CPLR 5704 (a), to vacate the provision in the foregoing order to show cause, which was presented without notice to the respondent, to the Supreme Court, Richmond County, directing that the foregoing order to show cause be filed under seal.

ORDERED that the APPLICATION is GRANTED, and the directive that the foregoing order to show cause be filed under seal is vacated.

DATED: BROOKLYN, NY  
DECEMBER 11, 2014



Hon. Robert J. Miller  
Associate Justice  
Appellate Division 2nd Dept

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State of New York, County of Richmond, ss  
I, Stephen J. Flah, County Clerk and Clerk of the  
Supreme Court, Richmond County and Recording Officer  
for Richmond County do hereby certify that I have  
compared this copy with the original filed or recorded in  
my office on **Dec. 11, 2014**  
and it is a correct transcript therefrom and of the whole of  
the original. Witness my hand and seal of said County and  
Court on **DEC 11 2014**  
  
COUNTY CLERK