

**SUPREME COURT OF THE STATE OF NEW YORK, APPELLATE DIVISION,
SECOND JUDICIAL DEPARTMENT**

People v. Hamilton

Hamilton, 2026 NY Slip Op 00794 (Supreme Court of the State of New York Appellate Division Second
Judicial Department 2026) · No. 2022-05296 · Decided February 11, 2026

OPINION

PER CURIAM.

People v Hamilton (2026 NY Slip Op 00794) People v Hamilton 2026 NY Slip Op 00794
Decided on February 11, 2026 Appellate Division, Second Department Published by New York
State Law Reporting Bureau pursuant to Judiciary Law § 431. This opinion is uncorrected and
subject to revision before publication in the Official Reports. Decided on February 11, 2026
SUPREME COURT OF THE STATE OF NEW YORK Appellate Division, Second Judicial
Department ANGELA G. IANNACCI, J.P.

VALERIE BRATHWAITE NELSON PAUL WOOTEN JANICE A. TAYLOR, JJ. 2022-05296
(Ind. No. 1365/20) [*1]The People of the State of New York, appellant, v Dylan Hamilton,
respondent. Melinda Katz, District Attorney, Kew Gardens, NY (Johnnette Traill, Nancy
Fitzpatrick Talcott, Andrew Z. Wu, and Jonathan E. Maseng of counsel), for appellant. Patricia
Pazner, New York, NY (Robert C. Langdon of counsel), for respondent.

DECISION & ORDER Appeal by the People from an order of the Supreme Court, Queens County
(David J. Kirschner, J.), dated May 5, 2022. The order, insofar as appealed from, after a hearing,
granted that branch of the defendant's omnibus motion which was to suppress physical evidence.
ORDERED that the order is affirmed insofar as appealed from.

The underlying facts of this appeal are set forth in this Court's decision and order in People v
Creary (236 AD3d 672, 673), determining the codefendant's appeal from the same order now
before this Court. For the same reasons we held in People v Creary in favor of the codefendant,
here, the Supreme Court properly granted that branch of the defendant's omnibus motion which
was to suppress physical evidence (see id. at 674-675; People v Dubuisson, 206 AD3d 757, 759;
People v Pearson, 59 AD3d 743, 744).

IANNACCI, J.P., BRATHWAITE NELSON, WOOTEN and TAYLOR, JJ., concur. ENTER:
Darrell M. Joseph Clerk of the Court