

_____ COURT OF THE STATE OF NEW YORK
COUNTY OF _____ : PART _____

-----X
THE PEOPLE OF THE STATE OF NEW YORK

DECISION DENYING ACCESS
TO PREMISES

-against-

Indictment/Docket No. **(NUMBER)**

(NAME),

Defendant.

-----X
HON. _____:

Defendant has moved, pursuant to CPL §245.30(2), for an order from this Court granting access to the crime scene or other premise relevant to the subject matter of this case, specifically **(LIST CRIME SCENE OR PREMISE)**. Defendant asserts that **(GROUNDS FOR MOTION)**. The prosecution objects on the grounds that **(REASON)**.

Upon consideration of **(ORAL ARGUMENT/WRITTEN SUBMISSIONS)** of the parties, as well as the **(ORAL ARGUMENT/WRITTEN SUBMISSIONS)** of the **(INDIVIDUAL/ENTITY/AGENCY)**, who has a possessory or ownership right to said premise, this Court hereby denies defendant's motion because a showing has not been made that defendant needs access and/or will be deprived of evidence or information relevant to the case. Rather, this Court finds that the probative value of access can be preserved by alternative means, namely **(DESCRIBE ALTERNATIVE MEANS - such as crime scene unit photographs, a videotape of the search warrant execution etc.)**

This Court further finds that the granting of access will create a hardship to **(INDIVIDUAL/ENTITY/AGENCY)** such that **(DESCRIBE “PERCEIVED OR ACTUAL” HARDSHIP)**.

Lastly, this Court has also considered the nature of the privacy interest of **(INDIVIDUAL/AGENCY/ENTITY)** with possessory or ownership rights and finds that **(DESCRIBE CONCLUSIONS, such as the privacy interest outweighs defendant’s need to have access)**.

SO ORDERED:

(DATE)

HON. _____