SUPREME COURT - STATE OF NEW YORK - COUNTY OF NASSAU PRESENT: HONORABLE JOHN M. GALASSO, J.S.C.

PRESENT:	honorable john M. G	ALASSO, J.S.C.
In the Matter of the Application of DENIS DILLON, District Attorney f County of Nassau,	for the Petitioner,	
For a judgment in determination of forfeiture for a 1996 Acura, VIN JH4UA2658TC002531, Florida Reg. 112ZWJ, pursuant to Section 3388 of the Public Health Law of the State of New York,		Index No. 007021/05 Sequence #001 Part 37
- against -		9/6/2005
LYONEL BEAUBRUN, JR. and 240-03 137 th Avenue Rosedale NY 11422 Respondent	Rosedale NY 11422	
Memorandum of Law		
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Upon the foregoing papers, the hearing conducted July 27, 2005, petitioner's memorandum of law submitted Sepember 6, 2005 and Court and other public records on the underlying criminal felony conviction of respondent Kenel Beaubrun's cousin Lyonel Beaubrun, Jr., petitioner's application for an order of forfeiture for a 1996 Acura, VIN#JH4UA2658TC002531, Florida Registration # 112ZWJ pursuant to §3388 of the Public Health Law is granted. Title of said vehicle is transferred to the District Attorney of the County of Nassau.

Respondent failed to meet the burden of proof on the affirmative defense of innocent ownership (United States v. 5.382 Acres, 871 F.Supp 880; Matter of Vergari v. Kraisky, 120 AD2d 739; Public Health Law §3396(1).

Dated: October 19, 2005

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