

CRIMINAL COURT OF THE CITY OF NEW YORK
PART APAR COUNTY OF KINGS

THE PEOPLE OF THE STATE OF NEW YORK

STATE OF NEW YORK
COUNTY OF KINGS

v

KYAM LIVINGSTON

ASSISTANT DISTRICT ATTORNEY JENNIFER FEELEY OF THE KINGS COUNTY DISTRICT ATTORNEY'S OFFICE SAYS THAT ON OR ABOUT JULY 19, 2013 AT APPROXIMATELY 10:30 PM AT 10 STRATFORD ROAD COUNTY OF KINGS, STATE OF NEW YORK,

THE DEFENDANT COMMITTED THE OFFENSE(S) OF:

PL 215.50(3) CRIMINAL CONTEMPT IN THE SECOND DEGREE
PL 240.26(3) HARASSMENT IN THE SECOND DEGREE

IN THAT THE DEFENDANT DID:

ENGAGE IN INTENTIONAL DISOBEDIENCE OR RESISTANCE TO THE LAWFUL PROCESS OR OTHER MANDATE OF A COURT; WITH INTENT TO HARASS, ANNOY OR ALARM ANOTHER PERSON, ENGAGE IN A COURSE OF CONDUCT OR REPEATEDLY COMMIT ACTS WHICH ALARM OR SERIOUSLY ANNOY SUCH OTHER PERSON AND WHICH SERVED NO LEGITIMATE PURPOSE.

THE SOURCE OF DEPONENT'S INFORMATION AND THE GROUNDS FOR DEPONENT'S BELIEF ARE AS FOLLOWS:

DEPONENT IS INFORMED BY THERESA JOHNSON THAT, AT THE ABOVE TIME AND PLACE, THE DEFENDANT DID CALL INFORMANT A BITCH AND A WHORE.

THE DEPONENT IS FURTHER INFORMED BY THE INFORMANT THAT THE ABOVE DESCRIBED ACTIONS CAUSED INFORMANT TO BECOME ALARMED AND ANNOYED.

DEPONENT IS INFORMED BY DEFENDANT'S OWN STATEMENTS THAT DEFENDANT WAS AT A WEDDING EARLIER AND DRANK WINE.

DEPONENT IS INFORMED BY POLICE OFFICER MICHAEL UFFEDE SHIELD NO. 30220, OF 070 COMMAND, THAT INFORMANT OBSERVED THE DEFENDANT TO HAVE SLURRED SPEECH AND AN UNSTEADY GAIT, AND APPEARED TO BE UNDER THE INFLUENCE OF ALCOHOL.

DEPONENT FURTHER STATES THAT THE ABOVE-DESCRIBED CONDUCT BY DEFENDANT WAS IN VIOLATION OF A FAMILY COURT ORDER OF PROTECTION, ISSUED BY JUDGE KUSAKABE ON JULY 8, 2013 UNDER DOCKET NUMBER O-14202-13 IN EFFECT UNTIL JULY 7, 2015, AND ORDERING THE DEFENDANT TO REFRAIN FROM ASSAULTING, HARASSING, MENACING, INTIMIDATING OR THREATENING THE INFORMANT, AND THAT THE DEFENDANT IS NOT TO BE UNDER THE INFLUENCE OF ALCOHOL AND DRUGS WHILE IN THE HOME.

DEPONENT FURTHER STATES THAT DEPONENT'S BASIS FOR BELIEVING THAT DEFENDANT HAD KNOWLEDGE OF THE ABOVE-DESCRIBED ORDER OF PROTECTION IS AS FOLLOWS: THAT ORDER IS ENDORSED "BOTH PARTIES PRESENT IN COURT."

DEPONENT IS FURTHER INFORMED BY THERESA JOHNSON THAT INFORMANT PARTICIPATED IN THE ABOVE MENTIONED FAMILY COURT DATE OF JULY 8, 2013 BY TELEPHONE, THAT INFORMANT HEARD THE DEFENDANT BE INFORMED OF THE ABOVE MENTIONED ORDER OF PROTECTION, THAT THE INFORMANT HEARD THE DEFENDANT ACKNOWLEDGE SAID ORDER OF PROTECTION, AND THAT INFORMANT RECOGNIZED THE VOICE ON THE PHONE TO BE THAT OF THE DEFENDANT.

FALSE STATEMENTS MADE IN THIS DOCUMENT ARE PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW.

DATE

SIGNATURE

Criminal Court of the City of New York

County of Kings

Date 1/28 2014

