

January 25, 2019 ✓

SUPREME COURT, APPELLATE TERM, FIRST DEPARTMENT

January 2019 Term

Shulman, P.J., Ling-Cohan, Edmead, JJ.

The People of the State of New York, NY County Clerk's No.
Respondent, 570267/17

-against-

Oliver Douce,
Defendant-Appellant.

Calendar No. 18-008

Defendant appeals from a judgment of the Criminal Court of the City of New York, New York County (Laurie Peterson, J.), rendered March 30, 2017, after a nonjury trial, convicting him of unlicensed driving, and imposing sentence.

Per Curiam.

Judgment of conviction (Laurie Peterson, J.), rendered March 30, 2017, affirmed.

Criminal Court properly denied defendant's requests to proceed pro se. Defendant was unable to knowingly, voluntarily and intelligently waive his right to counsel, since he refused to recognize the court's jurisdiction over him, or the authority of the prosecutor and his counsel to prosecute and defend the case; was unwilling to engage with the trial court or answer rudimentary questions concerning

his education, experience and background; and displayed an overall pattern of conduct that prevented the fair and orderly exposition of the issues (see *People v Crespo*, 32 NY3d 176 [2018]; *People v Gregory*, 163 AD3d 847, 848-849 [2018]; *People v Diaz*, 294 AD2d 225 [2002], lv denied 98 NY2d 767 [2002])).

THIS CONSTITUTES THE DECISION AND ORDER OF THE COURT.

I concur

I concur

I concur

State of New York

Court of Appeals

BEFORE: LESLIE E. STEIN, Associate Judge

THE PEOPLE OF THE STATE OF NEW YORK,

Respondent,

-against-

OLIVER DOUCE,

Appellant.

**ORDER
DENYING
LEAVE**

Appellant having applied for leave to appeal to this Court pursuant to Criminal Procedure Law § 460.20 from an order in the above-captioned case;*

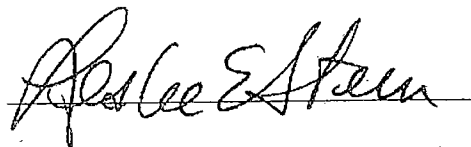
UPON the papers filed and due deliberation, it is

ORDERED that the application is denied.

Dated:

March 25, 2019 ✓

at Albany, New York



Associate Judge

*Description of Order: Order of Appellate Term, First Department, dated January 25, 2019, affirming a judgment of the Criminal Court of the City of New York, New York County, rendered March 30, 2017.

**Additional material
from this filing is
available in the
Clerk's Office.**