STATE OF NEW YORK SUPREME COURT
ONEIDA COUNTY

THE PEOPLE OF THE STATE OF NEW YORK,

v.

KAITLYN CONLEY,

Defendant.

IND-70012-16/001 (116-185)

Hon. Bernadette T. Clark, J.S.C.

ONEIDA COUNTY SHERIFF'S OFFICE MEMORANDUM OF LAW IN SUPPORT OF EX-PARTE APPLICATION FOR AN ORDER DIRECTING THAT RECORD BE UNSEALED

Dated: May 28, 2025

ONEIDA COUNTY LAW DEPARTMENT
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PRELIMINARY STATEMENT

This memorandum of law is respectfully submitted in support of the ex-parte application by the Oneida County Sheriff's Office ("Petitioner") for an order pursuant to Criminal Procedure Law ("CPL") § 160.50(1)(d)(ii), unsealing records related to the arrest and prosecution of Kaitlyn Conley, which have been sealed by order dated February 4, 2025, following the termination of the criminal action in her favor.

FACTS

On November 6, 2017, Defendant, Kaitlyn Conley, was convicted in Oneida County Court, on a jury verdict, of Manslaughter in the First Degree in connection with the death of Mary Yoder. On January 11, 2018, Oneida County Court (Michael L. Dwyer, J.) sentenced Defendant to a term of incarceration of twenty-three (23) years for said conviction. On February 23, 2024, Oneida County Court (Michael L. Dwyer, J.) issued a Decision and Order denying Defendant's motion to vacate her conviction brought pursuant to CPL § 440.10. Defendant appealed said Decision and Order, and on January 31, 2025, the Appellate Division, Fourth Department, issued a Memorandum and Order reversing the February 23, 2024 decision and order, and vacating Defendant's judgment of conviction. Said Memorandum and Order further dismissed Count 1 of the indictment without prejudice to the People of the State of New York ("the People") to re-present any appropriate charge with respect to such dismissed count to another grand jury. By Order dated February 4, 2025, this Court, in accordance with CPL § 160.50 ordered the full record of the above-captioned action to be sealed. Petitioner now seeks access to these sealed records in furtherance of an ongoing criminal investigation being conducted by the Oneida County Sheriff's Office, Criminal Investigation Division, involving facts and circumstances related to the defendant's prior arrest in connection with the death of Mary Yoder.

ARGUMENT

I. LEGAL STANDARD UNDER CPL § 160.50

Under CPL § 160.50, when a criminal action is terminated in favor of the accused, all official records and papers related to the arrest and prosecution must be sealed. However, this statutory right to sealing is not absolute. Rather, CPL § 160.50(1)(d) enumerates specific exceptions under which sealed records may be accessed, including: "such records shall be made available... (ii) to a law enforcement agency upon ex parte motion... upon a showing that justice requires that such records be made available to it...." CPL § 160.50(1)(d)(ii). Thus, courts retain discretion to authorize access to sealed records when law enforcement demonstrates that "justice requires" unsealing.

II. JUSTICE REQURIES UNSEALING IN THIS CASE

Courts have consistently recognized that the "interest of justice" standard is satisfied where sealed records are material to an active and bona fide criminal investigation. *See People v. Dondi*, 63 N.Y.2d 331 (1984); *Matter of New York City Police Dept. v. District Attorney of Kings County*, 286 A.D.2d 207 (2d Dept. 2001). The rationale is clear: the sealing statute was not intended to frustrate legitimate law enforcement objectives or impede investigations into serious criminal conduct. Here, Petitioner is conducting an ongoing investigation into the death of Mary Yoder in which the sealed arrest and prosecution of Kaitlyn Conley are directly relevant. The records sought may provide critical leads, corroborate witness statements, or reveal modus operandi relevant to the investigation. Moreover, the application is narrowly tailored. Petitioner seeks only those records directly pertaining to the specific arrest and prosecution under IND-70012-16/001 (I16-185), and only for the limited purpose of furthering its investigation.

III. EX-PARTE PROCEEDING IS PROPER

The statute expressly authorizes such applications to be made ex-parte. *See* CPL § 160.50(1)(d)(ii). The ex-parte nature of the proceeding is appropriate in light of the sensitive nature of criminal investigations and the potential for disclosure to undermine law enforcement efforts.

CONCLUSION

For the foregoing reasons, the Petitioner respectfully requests that this Court issue an Order unsealing the records related to the arrest and prosecution of Kaitlyn Conley, under IND-70012-16/001 (I16-185), pursuant to CPL § 160.50(1)(d)(ii), for use solely in connection with the ongoing investigation being conducted by the Oneida County Sheriff's Office.

Dated: Utica, New York
May 28, 2025

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Certification Pursuant to 22 NYCRR § 202.8-b

Pursuant to 22 NYCRR § 202.8-b, the undersigned hereby certifies that the foregoing memorandum of law contains 661 words, and complies with the word limit of 7,000 words. In making this certification, the undersigned has relied on the word count function of the word processing system used to prepare the foregoing memorandum of law.

May 28, 2025

Amanda L. Cortese-Kolasz, Esq.