



KAREN A. HEGGEN  
DISTRICT ATTORNEY

OFFICE OF THE  
**DISTRICT ATTORNEY**  
OF SARATOGA COUNTY

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MUNICIPAL CENTER • 25 WEST HIGH STREET  
BALLSTON SPA, NEW YORK 12020  
(518) 885-2263  
FAX (518) 884-8627



April 22, 2022

Hon. Francine R. Vero  
Saratoga Springs City Court  
474 Broadway  
Saratoga Springs, New York 12866

Re: People v. Alexis A. Figueroa  
Disorderly Conduct  
Docket CR-02705

Dear Judge Vero:

My office is in receipt of the Court's April 15, 2022 Decision and Order which articulated the basis and foundation for the decision to dismiss the two misdemeanor charges of Obstructing Governmental Administration in the Second Degree (Dockets CR-02829-21 and CR 02830-21). We respect the Court's decision on those cases, which now leaves only the single, non-criminal violation from July 14, 2021 pending against the above captioned Defendant.

The remaining violation is supported by considerable video, photographic and eyewitness evidence- despite the Defendant's recently filed sworn statement that he was "...nowhere in the vicinity of the incident." If this Disorderly Conduct charge were to move forward to trial, the People anticipate highlighting the stark contrast between the Defendant's sworn statement and the irrefutable evidence that directly controverts his version of events. As noted in the Court's decision, the evidence supporting the Disorderly Conduct charge was diligently gathered and shared with the Defendant. This evidence, together with the Defendant's incredible sworn statement, continues to be available for review and contemplation.

As the Court directed in the conference held on April 14, 2022, along with the written decision issued the next day concerning the above captioned matter, the People have continued our due diligence efforts regarding discovery items concerning the above referenced case. Our office learned in the days following that conference that a larger investigation by an outside agency into the Defendant predated the events of July 14, 2021, and it is our belief that investigation continues to be active today. It is our further belief that the continued prosecution of the non-criminal Disorderly Conduct violation may interfere with that larger investigation.

This Court recently dismissed the case against another participant in the July 14, 2021 incident in the interest of justice. Given the Court's reasoning and decision in that case, we anticipate similar relief is likely in this case. Therefore, my office has determined that the continued prosecution of this Disorderly Conduct charge does not serve the interest of justice and by this letter we are requesting that the Court dismiss that charge in the interest of justice.

Respectfully yours,

A handwritten signature in black ink, appearing to read "Karen A. Heggen". The signature is stylized with a large, sweeping initial "K" and a long, horizontal flourish extending to the right.

Karen A. Heggen  
District Attorney

KAH/ms

Cc: Mark S. Mishler, Esq.  
Attorney for Defendant