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DWI cop may get 'confess' ruling today

By KATI CORNELL SMITH

Dishonored ex-cop Joseph Gray is set to appear in court today, when a judge could rule on whether a police captain he knew from high school fooled him into confessing that he drank before running down a Brooklyn family.

Supreme Court Judge Anne Feldman will also consider whether prosecutors were right to slap Gray with a fourth manslaughter charge for an unborn baby carried by one of the DWI cop's alleged victims — a move the father of the fetus adamantly supports.

Gray, 41, faces a 15-year sentence if convicted of mowing down Maria Herrera, 24, who was pregnant, her 4-year-old son, Andy, and her sister, Dilcia Peña, in Sunset Park after Gray's all-day drinking binge in a topless bar on Aug. 4.

In a sworn affidavit, Gray says he told Capt. Bryan White he'd been drinking only after White reassured him that the conversation was "just between you and me, Joe."

Gray's blood-alcohol level was 0.16 three hours after arrest — the time he was scheduled to work a shift. Assistant DA torney Joseph Petrosino declined comment on the confession.

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