

**SUPREME COURT OF THE STATE OF NEW YORK**  
***Appellate Division, Fourth Judicial Department***

**421**

**KA 04-00877**

PRESENT: SMITH, J.P., CENTRA, FAHEY, AND PINE, JJ.

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THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT,

V

MEMORANDUM AND ORDER

WALTER BALKUM, DEFENDANT-APPELLANT.  
(APPEAL NO. 2.)

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WILLIAM G. PIXLEY, ROCHESTER, FOR DEFENDANT-APPELLANT.

MICHAEL C. GREEN, DISTRICT ATTORNEY, ROCHESTER (GEOFFREY KAEUPER OF COUNSEL), FOR RESPONDENT.

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Appeal from a judgment of the Supreme Court, Monroe County (David D. Egan, J.), rendered February 17, 2004. The judgment convicted defendant, upon his plea of guilty, of robbery in the first degree (three counts) and grand larceny in the third degree (two counts).

It is hereby ORDERED that the judgment so appealed from is unanimously affirmed.

Same Memorandum as in *People v Balkum* ([appeal No. 1] \_\_\_ AD3d \_\_\_ [Mar. 26, 2010]).

Entered: March 26, 2010

Patricia L. Morgan  
Clerk of the Court