

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

1182

KA 15-01384

PRESENT: CENTRA, J.P., CARNI, NEMOYER, CURRAN, AND TROUTMAN, JJ.

THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT,

V

MEMORANDUM AND ORDER

JOSHUA D. MCCARTHY, DEFENDANT-APPELLANT.
(APPEAL NO. 2.)

DAVISON LAW OFFICE PLLC, CANANDAIGUA (MARY P. DAVISON OF COUNSEL), FOR
DEFENDANT-APPELLANT.

DONALD G. O'GEEN, DISTRICT ATTORNEY, WARSAW (VINCENT A. HEMMING OF
COUNSEL), FOR RESPONDENT.

Appeal from a resentence of the Wyoming County Court (Michael M. Mohun, J.), rendered February 11, 2015. Defendant was resented upon his conviction of menacing a police officer or peace officer.

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

Same memorandum as in *People v McCarthy* ([appeal No. 1] ___ AD3d ___ [Dec. 23, 2016]).

Entered: December 23, 2016

Frances E. Cafarell
Clerk of the Court