

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

428.1

KA 23-01185

PRESENT: WHALEN, P.J., LINDLEY, CURRAN, BANNISTER, AND GREENWOOD, JJ.

THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT,

V

MEMORANDUM AND ORDER

SAMUEL J. SAELI, DEFENDANT-APPELLANT.
(APPEAL NO. 2.)

D.J. & J.A. CIRANDO, PLLC, SYRACUSE (JOHN A. CIRANDO OF COUNSEL), FOR
DEFENDANT-APPELLANT.

SAMUEL J. SAELI, DEFENDANT-APPELLANT PRO SE.

JASON L. SCHMIDT, DISTRICT ATTORNEY, MAYVILLE (ERIK D. BENTLEY OF
COUNSEL), FOR RESPONDENT.

Appeal from a resentence of the Chautauqua County Court (Paul Wojtaszek, J.), rendered February 26, 2019. Defendant was resentenced upon his conviction of kidnapping in the second degree and kidnapping in the second degree as a sexually motivated felony.

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

Same memorandum as in *People v Saeli* ([appeal No. 1] – AD3d – [Aug. 11, 2023] [4th Dept 2023]).

Entered: August 11, 2023

Ann Dillon Flynn
Clerk of the Court