

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

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CA 13-01682

PRESENT: SMITH, J.P., FAHEY, LINDLEY, SCONIERS, AND VALENTINO, JJ.

IN THE MATTER OF PHILIP J. ROCHE, PUBLIC
DEFENDER, COUNTY OF STEUBEN,
PETITIONER-APPELLANT,

V

ORDER

BROOKS T. BAKER, DISTRICT ATTORNEY, COUNTY
OF STEUBEN, RESPONDENT-RESPONDENT.

ALAN P. REED, COUNTY ATTORNEY, BATH, FOR PETITIONER-APPELLANT.

BROOKS T. BAKER, DISTRICT ATTORNEY, BATH, RESPONDENT-RESPONDENT PRO
SE.

Appeal from an order of the Steuben County Court (Peter C. Bradstreet, J.), entered January 10, 2013. The order denied the application of petitioner to quash a subpoena duces tecum.

Now, upon reading and filing the stipulation of discontinuance signed by petitioner-appellant on December 19, 2013, by respondent-respondent on December 18, 2013 and by the attorney for petitioner-appellant on December 17, 2013,

It is hereby ORDERED that said appeal is unanimously dismissed without costs upon stipulation.

Entered: March 21, 2014

Frances E. Cafarell
Clerk of the Court