

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

913

KA 09-02094

PRESENT: CENTRA, J.P., CARNI, SCONIERS, AND WHALEN, JJ.

THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT,

V

ORDER

JOHNNY B. BIVINS, SR., DEFENDANT-APPELLANT.

SHIRLEY A. GORMAN, BROCKPORT, FOR DEFENDANT-APPELLANT.

ERIC T. SCHNEIDERMAN, ATTORNEY GENERAL, ALBANY (HANNAH STITH LONG OF COUNSEL), FOR RESPONDENT.

Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered June 18, 2009. The judgment convicted defendant, upon his plea of guilty, of attempted criminal possession of a controlled substance in the second degree.

Now, upon reading and filing the stipulation of discontinuance signed by defendant on July 23, 2014 and by the attorneys for the parties on August 1 and 5, 2014,

It is hereby ORDERED that said appeal is unanimously dismissed upon stipulation.

Entered: September 26, 2014

Frances E. Cafarell
Clerk of the Court