

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

**459**

**KA 11-01223**

PRESENT: SMITH, J.P., CARNI, LINDLEY, SCONIERS, AND DEJOSEPH, JJ.

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THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT,

V

MEMORANDUM AND ORDER

BRIAN L. PATTERSON, DEFENDANT-APPELLANT.  
(APPEAL NO. 1.)

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TIMOTHY P. DONAHER, PUBLIC DEFENDER, ROCHESTER (MARY P. DAVISON OF COUNSEL), FOR DEFENDANT-APPELLANT.

SANDRA DOORLEY, DISTRICT ATTORNEY, ROCHESTER (STEPHEN X. O'BRIEN OF COUNSEL), FOR RESPONDENT.

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Appeal from a judgment of the Supreme Court, Monroe County (Joseph D. Valentino, J.), rendered April 8, 2011. The judgment convicted defendant, upon a jury verdict, of assault in the second degree and criminal contempt in the first degree.

It is hereby ORDERED that said appeal is unanimously dismissed.

Same memorandum as in *People v Patterson* ([appeal No. 2] \_\_\_ AD3d \_\_\_ [May 1, 2015]).

Entered: May 1, 2015

Frances E. Cafarell  
Clerk of the Court