

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

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KA 08-01938

PRESENT: WHALEN, P.J., SMITH, NEMOYER, CURRAN, AND SCUDDER, JJ.

THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT,

V

MEMORANDUM AND ORDER

BURGESS MATTHEWS, JR., DEFENDANT-APPELLANT.
(APPEAL NO. 2.)

TREVETT CRISTO SALZER & ANDOLINA P.C., ROCHESTER (ERIC M. DOLAN OF COUNSEL), FOR DEFENDANT-APPELLANT.

SANDRA DOORLEY, DISTRICT ATTORNEY, ROCHESTER (SCOTT MYLES OF COUNSEL), FOR RESPONDENT.

Appeal from a resentence of the Monroe County Court (John J. Connell, J.), rendered May 9, 2008. Defendant was resented upon his conviction of course of sexual conduct against a child in the first degree.

It is hereby ORDERED that said appeal is unanimously dismissed.

Same memorandum as in *People v Matthews* ([appeal No. 1] ___ AD3d ___ [Sept. 30, 2016]).

Entered: September 30, 2016

Frances E. Cafarell
Clerk of the Court