

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

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**KA 17-01087**

PRESENT: WHALEN, P.J., CENTRA, NEMOYER, CURRAN, AND WINSLOW, JJ.

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THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT,

V

MEMORANDUM AND ORDER

ROCCO A. BEARDSLEY, DEFENDANT-APPELLANT.  
(APPEAL NO. 2.)

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ERICKSON WEBB SCOLTON & HAJDU, LAKEWOOD (LYLE T. HAJDU OF COUNSEL),  
FOR DEFENDANT-APPELLANT.

PATRICK E. SWANSON, DISTRICT ATTORNEY, MAYVILLE (LYNN S. SCHAFER OF  
COUNSEL), FOR RESPONDENT.

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Appeal from a judgment of the Supreme Court, Chautauqua County  
(Paul Wojtaszek, J.), rendered January 12, 2017. The judgment  
convicted defendant, upon his plea of guilty, of unlawful manufacture  
of methamphetamine in the third degree.

It is hereby ORDERED that the judgment so appealed from is  
unanimously affirmed.

Same memorandum as in *People v Beardsley* ([appeal No. 1] – AD3d –  
[June 14, 2019] [4th Dept 2019]).

Entered: June 14, 2019

Mark W. Bennett  
Clerk of the Court