

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

201

**KA 22-00043**

PRESENT: SMITH, J.P., LINDLEY, MONTOUR, OGDEN, AND GREENWOOD, JJ.

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THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT,

V

MEMORANDUM AND ORDER

DAVID L. VANDERHOEF, DEFENDANT-APPELLANT.  
(APPEAL NO. 2.)

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CAITLIN M. CONNELLY, BUFFALO, FOR DEFENDANT-APPELLANT.

BROOKS T. BAKER, DISTRICT ATTORNEY, BATH (JOHN C. TUNNEY OF COUNSEL),  
FOR RESPONDENT.

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Appeal from a judgment of the Steuben County Court (Philip J. Roche, J.), rendered November 23, 2021. The judgment convicted defendant upon a plea of guilty of falsifying business records in the first degree.

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

Same memorandum as in *People v Vanderhoef* ([appeal No. 1] - AD3d - [June 30, 2023] [4th Dept 2023]).

Entered: June 30, 2023

Ann Dillon Flynn  
Clerk of the Court