

**Supreme Court of the State of New York**  
**Appellate Division: Second Judicial Department**

M79745  
E/sl

REINALDO E. RIVERA, J.P.  
DANIEL D. ANGIOLILLO  
THOMAS A. DICKERSON  
CHERYL E. CHAMBERS, JJ.

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2007-05909

The People, etc., respondent,  
v Michael McEnery, appellant.

DECISION & ORDER ON MOTION

(Ind. No. 2161-00)

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Motion by the respondent to dismiss an appeal from an amended sentence of the County Court, Suffolk County, rendered May 31, 2007, on the ground that it has been rendered academic.

Upon the papers filed in support of the motion and the papers filed in relation thereto,  
it is

ORDERED that the motion is granted, and the appeal is dismissed.

RIVERA, J.P., ANGIOLILLO, DICKERSON and CHAMBERS, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

December 12, 2008

PEOPLE v McENERY, MICHAEL