

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

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KA 07-00892

PRESENT: SCUDDER, P.J., HURLBUTT, MARTOCHE, GREEN, AND GORSKI, JJ.

THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT,

V

ORDER

CHARNELL MOSLEY, DEFENDANT-APPELLANT.
(APPEAL NO. 2.)

KATHLEEN P. REARDON, ROCHESTER, FOR DEFENDANT-APPELLANT.

CHARNELL MOSLEY, DEFENDANT-APPELLANT PRO SE.

MICHAEL C. GREEN, DISTRICT ATTORNEY, ROCHESTER (STEPHEN X. O'BRIEN OF COUNSEL), FOR RESPONDENT.

Appeal, by permission of a Justice of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from an order of the Monroe County Court (Richard A. Keenan, J.), entered April 5, 2007. The order denied the motion of defendant pursuant to CPL 440.10 to vacate the judgment convicting him of, inter alia, robbery in the third degree (three counts).

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

Entered: February 6, 2009

JoAnn M. Wahl
Clerk of the Court