

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

1228.3

CA 09-01556

PRESENT: SMITH, J.P., FAHEY, CARNI, PINE, AND GORSKI, JJ.

THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT,

V

ORDER

MATTHEW T. SULLIVAN, DEFENDANT-RESPONDENT.

GATEHOUSE MEDIA NEW YORK HOLDINGS, INC.,
INTERVENOR-APPELLANT.

HISCOCK & BARCLAY, LLP, ALBANY (MICHAEL J. GRYGIEL OF COUNSEL), FOR
INTERVENOR-APPELLANT.

SCOTT D. MCNAMARA, DISTRICT ATTORNEY, UTICA, FOR RESPONDENT.

HANCOCK & ESTABROOK, LLP, SYRACUSE (JANET D. CALLAHAN OF COUNSEL), FOR
DEFENDANT-RESPONDENT.

Appeal from an order of Oneida County Court (John S. Balzano, A.J.), entered January 16, 2009. The order, insofar as appealed from, denied in part the application of intervenor to procure access to a certain electronic recording.

Now, upon reading and filing the stipulation withdrawing appeal signed by the attorneys for the parties on September 15, 2009,

It is hereby ORDERED that said appeal is unanimously dismissed without costs upon stipulation.

Entered: October 2, 2009

Patricia L. Morgan
Clerk of the Court