

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

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**KA 08-01896**

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

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THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT,

V

ORDER

PHILIP M. FARREN, DEFENDANT-APPELLANT.  
(APPEAL NO. 2.)

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THE LEGAL AID BUREAU OF BUFFALO, INC., BUFFALO (MICHAEL C. WALSH OF COUNSEL), FOR DEFENDANT-APPELLANT.

FRANK A. SEDITA, III, DISTRICT ATTORNEY, BUFFALO (J. MICHAEL MARION OF COUNSEL), FOR RESPONDENT.

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Appeal from a judgment of the Erie County Court (Michael F. Pietruszka, J.), rendered July 28, 2008. The judgment convicted defendant, upon his plea of guilty, of attempted grand larceny in the third degree.

It is hereby ORDERED that the judgment so appealed from is unanimously affirmed (see *People v Lococo*, 92 NY2d 825, 827).

Entered: February 11, 2010

Patricia L. Morgan  
Clerk of the Court