

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

466

KA 10-02399

PRESENT: SMITH, J.P., CENTRA, PERADOTTO, GORSKI, AND MARTOCHE, JJ.

THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT,

V

ORDER

DALE R. HORN, DEFENDANT-APPELLANT.
(APPEAL NO. 2.)

RICHARD J. SHERWOOD, LANCASTER, FOR DEFENDANT-APPELLANT.

FRANK A. SEDITA, III, DISTRICT ATTORNEY, BUFFALO (DONNA A. MILLING OF COUNSEL), FOR RESPONDENT.

Appeal from a judgment of the Supreme Court, Erie County (Deborah A. Haendiges, J.), rendered March 15, 2010. The judgment revoked defendant's sentence of probation and imposed a sentence of imprisonment.

Now, upon reading and filing the stipulation discontinuing appeal signed by defendant and the attorneys for the parties on April 4, 2011,

It is hereby ORDERED that said appeal is unanimously dismissed upon stipulation.

Entered: April 29, 2011

Patricia L. Morgan
Clerk of the Court