

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

1263

**KA 08-01671**

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

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THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT,

V

ORDER

ROBERT MURTHA, DEFENDANT-APPELLANT.

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FRANK H. HISCOCK LEGAL AID SOCIETY, SYRACUSE (PHILIP ROTHSCHILD OF COUNSEL), FOR DEFENDANT-APPELLANT.

WILLIAM J. FITZPATRICK, DISTRICT ATTORNEY, SYRACUSE (SUSAN C. AZZARELLI OF COUNSEL), FOR RESPONDENT.

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Appeal from a judgment of the Onondaga County Court (William D. Walsh, J.), rendered February 26, 2008. The judgment convicted defendant, upon his plea of guilty, of assault in the first degree, assault in the second degree (two counts), endangering the welfare of a child (three counts), attempted assault in the first degree, attempted assault in the second degree, criminal contempt in the first degree, criminal possession of a weapon in the third degree, and leaving the scene of an incident without reporting.

It is hereby ORDERED that the judgment so appealed from is unanimously affirmed (see *People v Hidalgo*, 91 NY2d 733, 737).

Entered: December 23, 2011

Frances E. Cafarell  
Clerk of the Court