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

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KA 08-00032

PRESENT: SMITH, J.P., PERADOTTO, LINDLEY, SCONIERS, AND GORSKI, JJ.

THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT,

*I* ORDER

JASON J. BROOKS, DEFENDANT-APPELLANT. (APPEAL NO. 2.)

MATTHEW D. NAFUS, SCOTTSVILLE, FOR DEFENDANT-APPELLANT.

MICHAEL C. GREEN, DISTRICT ATTORNEY, ROCHESTER (NICOLE M. FANTIGROSSI OF COUNSEL), FOR RESPONDENT.

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Appeal from a judgment of the Supreme Court, Monroe County (John J. Ark, J.), rendered September 27, 2007. The judgment convicted defendant, upon his plea of guilty, of assault in the first degree and attempted murder in the second degree.

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

Entered: January 31, 2012 Frances E. Cafarell Clerk of the Court