

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

380

KA 11-02114

PRESENT: SMITH, J.P., PERADOTTO, CARNI, AND SCONIERS, JJ.

THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT,

V

ORDER

ANTHONY S. PIGNATARO, DEFENDANT-APPELLANT.

CHARLES J. GREENBERG, BUFFALO, FOR DEFENDANT-APPELLANT.

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

Appeal from a resentence of the Supreme Court, Erie County (John L. Michalski, A.J.), rendered May 4, 2010. Defendant was resented pursuant to Penal Law § 70.85.

It is hereby ORDERED that the resentence so appealed from is unanimously affirmed (see *People v Williams*, 82 AD3d 1576, lv denied 17 NY3d 810).

Entered: March 16, 2012

Frances E. Cafarell
Clerk of the Court