

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

**442**

**KA 10-01583**

PRESENT: SMITH, J.P., LINDLEY, SCONIERS, AND MARTOCHE, JJ.

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THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT,

V

ORDER

STANLEY E. SMITH, DEFENDANT-APPELLANT.  
(APPEAL NO. 2.)

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SCOTT P. FALVEY, CANANDAIGUA, FOR DEFENDANT-APPELLANT.

R. MICHAEL TANTILLO, DISTRICT ATTORNEY, CANANDAIGUA, FOR RESPONDENT.

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Appeal from an order of the Ontario County Court (Frederick G. Reed, A.J.), dated September 28, 2007. The order directed defendant to pay restitution.

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

Entered: April 20, 2012

Frances E. Cafarell  
Clerk of the Court