

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

1128

KA 16-00851

PRESENT: WHALEN, P.J., CENTRA, PERADOTTO, CARNI, AND DEJOSEPH, JJ.

THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT,

V

MEMORANDUM AND ORDER

NICHOLAS A. NICORVO, DEFENDANT-APPELLANT.
(APPEAL NO. 1.)

MARK A. FOTI, ROCHESTER, FOR DEFENDANT-APPELLANT.

KRISTYNA S. MILLS, DISTRICT ATTORNEY, WATERTOWN (NICOLE L. KYLE OF COUNSEL), FOR RESPONDENT.

Appeal from a judgment of the Jefferson County Court (Kim H. Martusewicz, J.), rendered September 22, 2015. The judgment convicted defendant upon his plea of guilty of attempted murder in the second degree.

It is hereby ORDERED that said appeal from the judgment insofar as it imposed sentence is unanimously dismissed and the judgment is affirmed.

Same memorandum as in *People v Nicorvo* ([appeal No. 2] – AD3d – [Nov. 15, 2019] [4th Dept 2019]).

Entered: November 15, 2019

Mark W. Bennett
Clerk of the Court