

Supreme Court of the State of New York
Appellate Division: Second Judicial Department

D20114
O/prt

_____AD3d_____

Submitted - June 17, 2008

A. GAIL PRUDENTI, P.J.
DAVID S. RITTER
ANITA R. FLORIO
WILLIAM E. McCARTHY, JJ.

2005-02918

DECISION & ORDER

The People, etc., respondent,
v Stacy King, a/k/a Edmond
Coles, appellant.

(Ind. No. 02-00213)

Del Atwell, East Hampton, N.Y., for appellant.

Thomas P. Zugibe, District Attorney, New City, N.Y. (Tina Guccione of counsel), for
respondent.

Appeal by the defendant from an order of the County Court, Rockland County (Kelly,
J.), dated February 17, 2005, which denied his motion, in effect, for resentencing.

ORDERED that the order is affirmed.

Under the circumstances of this case, the County Court properly denied the
defendant's motion, in effect, for resentencing (*see People v Utsey*, 7 NY3d 398; *People v Savage*,
29 AD3d 1022; *People v Goode*, 25 AD3d 723).

PRUDENTI, P.J., RITTER, FLORIO and McCARTHY, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

September 16, 2008

PEOPLE v KING, STACY, a/k/a COLES, EDMOND