

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

1046

KA 06-00401

PRESENT: SMITH, J.P., CENTRA, FAHEY, CARNI, AND PINE, JJ.

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THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT,

V

MEMORANDUM AND ORDER

CALVIN WHITE, DEFENDANT-APPELLANT.  
(APPEAL NO. 1.)

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TIMOTHY P. DONAHER, PUBLIC DEFENDER, ROCHESTER (JANET C. SOMES OF COUNSEL), 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 (Francis A. Affronti, J.), rendered December 6, 2005. The judgment convicted defendant, upon a jury verdict, of robbery in the second degree and petit larceny.

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

Memorandum: In these consolidated appeals, defendant appeals from judgments convicting him following a jury trial of, inter alia, four counts of robbery in the second degree (Penal Law § 160.10 [1]). Contrary to the contention of defendant, Supreme Court properly denied his request for substitution of counsel inasmuch as he failed to demonstrate the requisite good cause for substitution (*see People v Linares*, 2 NY3d 507, 510-512; *see generally People v Sides*, 75 NY2d 822, 824). There is no merit to defendant's contention that the court applied an incorrect standard in determining whether there was good cause for substitution (*see generally People v Medina*, 44 NY2d 199, 207-209). Also contrary to defendant's contention, the sentence imposed in each appeal is not unduly harsh or severe.

Entered: October 2, 2009

Patricia L. Morgan  
Clerk of the Court