

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

**1098**

**KA 16-00823**

PRESENT: WHALEN, P.J., CENTRA, LINDLEY, NEMOYER, AND TROUTMAN, JJ.

---

THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT,

V

MEMORANDUM AND ORDER

KURY S. SPENCER, DEFENDANT-APPELLANT.  
(APPEAL NO. 2.)

---

THE LAW OFFICES OF PETER K. SKIVINGTON, PLLC, GENESEO (PETER R. CHANDLER OF COUNSEL), FOR DEFENDANT-APPELLANT.

ERIC R. SCHIENER, SPECIAL PROSECUTOR, GENESEO, FOR RESPONDENT.

---

Appeal from an order of the Livingston County Court (Dennis S. Cohen, J.), entered August 17, 2015. The order converted an order of restitution to a civil judgment.

It is hereby ORDERED that said appeal is unanimously dismissed.

Same memorandum as in *People v Spencer* ([appeal No. 1] \_\_\_ AD3d \_\_\_ [Dec. 23, 2016]).

Entered: December 23, 2016

Frances E. Cafarell  
Clerk of the Court