

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

731

**KA 09-01046**

PRESENT: SCUDDER, P.J., PERADOTTO, CARNI, LINDLEY, AND SCONIERS, JJ.

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THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT,

V

ORDER

MICHAEL PERNA, DEFENDANT-APPELLANT.  
(APPEAL NO. 2.)

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DAVID J. FARRUGIA, PUBLIC DEFENDER, LOCKPORT (JOSEPH G. FRAZIER OF  
COUNSEL), FOR DEFENDANT-APPELLANT.

MICHAEL J. VIOLANTE, DISTRICT ATTORNEY, LOCKPORT (THOMAS H. BRANDT OF  
COUNSEL), FOR RESPONDENT.

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Appeal from an order of the Supreme Court, Niagara County  
(Richard C. Kloch, Sr., A.J.), entered July 21, 2008. The order  
determined that defendant is a level three risk pursuant to the Sex  
Offender Registration Act.

It is hereby ORDERED that the order so appealed from is  
unanimously affirmed without costs.

Entered: June 11, 2010

Patricia L. Morgan  
Clerk of the Court