

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

1126

KA 10-01041

PRESENT: FAHEY, J.P., CARNI, SCONIERS, GORSKI, AND MARTOCHE, JJ.

THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT,

V

ORDER

JAMES S. NOTTINGHAM, SR., ALSO KNOWN AS JAMES S. NOTTINGHAM, ALSO KNOWN AS JAMES NOTTINGHAM, SR., ALSO KNOWN AS JAMES NOTTINGHAM, DEFENDANT-APPELLANT.

E. ROBERT FUSSELL, P.C., LEROY (E. ROBERT FUSSELL OF COUNSEL), FOR DEFENDANT-APPELLANT.

LAWRENCE FRIEDMAN, DISTRICT ATTORNEY, BATAVIA (WILLIAM G. ZICKL OF COUNSEL), FOR RESPONDENT.

Appeal from a judgment of the Genesee County Court (Robert C. Noonan, J.), rendered April 7, 2010. The judgment convicted defendant, upon his plea of guilty, of attempted assault in the second degree, driving while intoxicated, as a misdemeanor and aggravated unlicensed operation of a motor vehicle in the third degree.

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

Entered: November 10, 2011

Patricia L. Morgan
Clerk of the Court