

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

1125

**KA 11-02444**

PRESENT: SCUDDER, P.J., SMITH, FAHEY, CARNI, AND VALENTINO, JJ.

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THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT,

V

ORDER

CHAD WELLINGTON, DEFENDANT-APPELLANT.

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TRACY L. PUGLIESE, CLINTON, FOR DEFENDANT-APPELLANT.

JEFFREY CARPENTER, ASSISTANT DISTRICT ATTORNEY, HERKIMER, FOR  
RESPONDENT.

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Appeal from a judgment of the Herkimer County Court (Patrick L. Kirk, J.), rendered October 26, 2011. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the third degree and criminal sale of a controlled substance in the fifth degree.

Now, upon reading and filing the stipulation of discontinuance signed by the attorneys for the parties on June 28, 2012,

It is hereby ORDERED that said appeal is unanimously dismissed upon stipulation.

Entered: November 9, 2012

Frances E. Cafarell  
Clerk of the Court