

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

72

**KA 11-02221**

PRESENT: SMITH, J.P., PERADOTTO, LINDLEY, SCONIERS, AND VALENTINO, JJ.

---

THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT,

V

ORDER

WILLIAM J. PLUME, ALSO KNOWN AS WILLIAM J.  
AGUIRRE, ALSO KNOWN AS WILLIAM J. AQUIRE,  
DEFENDANT-APPELLANT.

---

CARR SAGLIMBEN LLP, OLEAN (JAY D. CARR OF COUNSEL), FOR  
DEFENDANT-APPELLANT.

LORI PETTIT RIEMAN, DISTRICT ATTORNEY, LITTLE VALLEY (KELLY M. BALCOM  
OF COUNSEL), FOR RESPONDENT.

---

Appeal from a resentence of the Cattaraugus County Court (Larry M. Himelein, J.), rendered August 9, 2011. Defendant was resentenced upon his conviction of burglary in the first degree (two counts), assault in the first degree (two counts) and assault in the second degree (two counts).

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

Entered: February 1, 2013

Frances E. Cafarell  
Clerk of the Court