

**MOTION NO. (1530/94) KA 18-01762. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V FRANCIS SMYTHE, DEFENDANT-APPELLANT.** -- Motion for writ of error coram nobis denied. PRESENT: CENTRA, J.P., CARNI, LINDLEY, DEJOSEPH, AND WINSLOW, JJ. (Filed Nov. 9, 2018.)

**MOTION NO. (1235/01) KA 97-05264. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V TERRENCE SINKLER, DEFENDANT-APPELLANT.** -- Motion for writ of error coram nobis denied. PRESENT: WHALEN, P.J., PERADOTTO, NEMOYER, CURRAN, AND TROUTMAN, JJ. (Filed Nov. 9, 2018.)

**MOTION NO. (1117/03) KA 00-02226. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V EDWARD BROWN, DEFENDANT-APPELLANT.** -- Motion for renewal of writ of error coram nobis and other relief denied. PRESENT: WHALEN, P.J., CENTRA, PERADOTTO, CARNI, AND TROUTMAN, JJ. (Filed Nov. 9, 2018.)

**MOTION NO. (772/04) KA 03-01479. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V RICHARD A. JONES, DEFENDANT-APPELLANT.** -- Motion for writ of error coram nobis denied. PRESENT: WHALEN, P.J., NEMOYER, CURRAN, TROUTMAN, AND WINSLOW, JJ. (Filed Nov. 9, 2018.)

**MOTION NO. (1281/05) KA 04-02217. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V ANDREW GENTILE, DEFENDANT-APPELLANT.** -- Motion for writ of error coram nobis denied. PRESENT: WHALEN, P.J., NEMOYER, CURRAN, TROUTMAN, AND WINSLOW, JJ. (Filed Nov. 9, 2018.)

**MOTION NO. (1612/06) KA 04-00377. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V DEATRICK MARSHALL, DEFENDANT-APPELLANT.** -- Motion for writ of error coram nobis denied. PRESENT: WHALEN, P.J., PERADOTTO, NEMOYER, CURRAN, AND TROUTMAN, JJ. (Filed Nov. 9, 2018.)

**MOTION NO. (738/07) KA 03-00814. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V ROBERT A. GRIFFIN, DEFENDANT-APPELLANT.** -- Motion for writ of error coram nobis denied. PRESENT: WHALEN, P.J., CENTRA, PERADOTTO, DEJOSEPH, AND TROUTMAN, JJ. (Filed Nov. 9, 2018.)

**MOTION NO. (1222/14) KA 13-01494. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V RICHARD BAUSANO, DEFENDANT-APPELLANT.** -- Motion for writ of error coram nobis and other relief denied. PRESENT: PERADOTTO, J.P., LINDLEY, CURRAN, TROUTMAN, AND WINSLOW, JJ. (Filed Nov. 9, 2018.)

**MOTION NO. (588/17) KA 15-01221. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V JASON WILLIAMS, DEFENDANT-APPELLANT.** -- Motion for writ of error coram nobis denied. PRESENT: CENTRA, J.P., LINDLEY, DEJOSEPH, NEMOYER, JJ. (Filed Nov. 9, 2018.)

**MOTION NO. (626/18) CA 17-01939. -- BELLA ROSS, PLAINTIFF-APPELLANT, V AVI LANDAU, DEFENDANT-RESPONDENT.** -- Motion for reargument or leave to appeal to the Court of Appeals denied. PRESENT: WHALEN, P.J., SMITH, CARNI, LINDLEY, AND WINSLOW, JJ. (Filed Nov. 9, 2018.)

MOTION NO. (824/18) CA 17-01570. -- IN THE MATTER OF MARY E. EDWARDS, BERNARD LEFFLER, CLAIRE LEFFLER, JAMIE L. SMITH AND PAUL SUTTON, PETITIONERS-APPELLANTS, V ZONING BOARD OF APPEALS OF TOWN OF AMHERST, UPSTATE CELLULAR NETWORK, DOING BUSINESS AS VERIZON WIRELESS, AND PUBLIC STORAGE, INC., RESPONDENTS-RESPONDENTS. -- Motion for reargument or leave to appeal to the Court of Appeals denied. PRESENT: CENTRA, J.P., PERADOTTO, NEMOYER, TROUTMAN, AND WINSLOW, JJ. (Filed Nov. 9, 2018.)

MOTION NO. (907/18) CA 17-02023. -- KRISTY MONTANARO, PLAINTIFF-RESPONDENT, V ROBERT M. WEICHERT AND SUSAN M. WEICHERT, DEFENDANTS-APPELLANTS. -- Motion for leave to appeal to the Court of Appeals denied. PRESENT: SMITH, J.P., NEMOYER, CURRAN, AND TROUTMAN, JJ. (Filed Nov. 9, 2018.)

KA 17-02226. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V KIMBERLY A. GENSON, DEFENDANT-APPELLANT. Motion to dismiss granted. Memorandum: The matter is remitted to Genesee County Court to vacate the judgment of conviction and dismiss the indictment either sua sponte or on application of either the District Attorney or the counsel for defendant (*see People v Matteson*, 75 NY2d 745 [1989]). PRESENT: WHALEN, P.J., SMITH, CENTRA, PERADOTTO, AND CARNI, JJ. (Filed Nov. 9, 2018.)

KA 18-00657. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V JOSHUA M. LOUDER, DEFENDANT-APPELLANT. Motion to dismiss granted. Memorandum:

The matter is remitted to Monroe County Court to vacate the judgment of conviction and dismiss the indictment either sua sponte or on application of either the District Attorney or the counsel for defendant (see *People v Matteson*, 75 NY2d 745 [1989]). PRESENT: WHALEN, P.J., SMITH, CENTRA, PERADOTTO, AND CARNI, JJ. (Filed Nov. 9, 2018.)