

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

1152

KA 16-01965

PRESENT: CARNI, J.P., LINDLEY, DEJOSEPH, NEMOYER, AND WINSLOW, JJ.

THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT,

V

MEMORANDUM AND ORDER

JOSHUA COLEMAN, DEFENDANT-APPELLANT.
(APPEAL NO. 2.)

THE LEGAL AID BUREAU OF BUFFALO, INC., BUFFALO (TIMOTHY P. MURPHY OF COUNSEL), FOR DEFENDANT-APPELLANT.

JOHN J. FLYNN, DISTRICT ATTORNEY, BUFFALO (ASHLEY R. LOWRY OF COUNSEL), FOR RESPONDENT.

Appeal from a judgment of the Erie County Court (Kenneth F. Case, J.), rendered September 1, 2016. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a forged instrument in the second degree (three counts) and grand larceny in the third degree.

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

Same memorandum as in *People v Coleman* ([appeal No. 1] – AD3d – [Mar. 22, 2019] [4th Dept 2019]).

All concur except NEMOYER, J., who concurs in the result in the same concurring memorandum as in *People v Coleman* ([appeal No. 1] – AD3d – [Mar. 22, 2019] [4th Dept 2019]).

Entered: March 22, 2019

Mark W. Bennett
Clerk of the Court