

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

550

**KA 22-00348**

PRESENT: WHALEN, P.J., PERADOTTO, LINDLEY, OGDEN, AND GREENWOOD, JJ.

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THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT,

V

ORDER

MAHALIA G., DEFENDANT-APPELLANT.

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SIDLEY AUSTIN LLP, NEW YORK CITY (JAMES R. HORNER OF COUNSEL), FOR  
DEFENDANT-APPELLANT.

JOHN J. FLYNN, DISTRICT ATTORNEY, BUFFALO (JERRY MARTI OF COUNSEL),  
FOR RESPONDENT.

CLEARY GOTTlieb STEEN & HAMILTON LLP, NEW YORK CITY (MARK E. MCDONALD  
OF COUNSEL), FOR SANCTUARY FOR FAMILIES, HER JUSTICE, NEW YORK STATE  
COALITION AGAINST DOMESTIC VIOLENCE, URBAN RESOURCE INSTITUTE, LEGAL  
MOMENTUM, NEW YORK LEGAL ASSISTANCE GROUP, SAFE HORIZON, INC., AND THE  
LAWYERS COMMITTEE AGAINST DOMESTIC VIOLENCE, AMICI CURIAE.

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Appeal from an order of the Erie County Court (Suzanne Maxwell  
Barnes, J.), dated November 17, 2021. The order denied the motion of  
defendant for resentencing pursuant to CPL 440.47.

It is hereby ORDERED that the order so appealed from is  
unanimously affirmed for reasons stated in the decision at County  
Court.

Entered: June 9, 2023

Ann Dillon Flynn  
Clerk of the Court