

MOTION NO. (511/89) KA 09-01741. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V NATHANIEL PITTMAN, DEFENDANT-APPELLANT. -- Motion for a writ of error coram nobis denied. PRESENT: LINDLEY, J.P., CURRAN, MONTOUR, OGDEN, AND GREENWOOD, JJ. (Filed Dec. 22, 2023.)

MOTION NO. (702/97) KA 12-01928. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V MARCUS MOSBY, DEFENDANT-APPELLANT. -- Motion for reargument and renewal denied (*see e.g. People v Forshey*, 4 AD3d 900 [4th Dept 2004]). PRESENT: CURRAN, J.P., MONTOUR, OGDEN, GREENWOOD, AND DELCONTE, JJ. (Filed Dec. 22, 2023.)

MOTION NO. (702/97) KA 12-01928. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V MARCUS MOSBY, DEFENDANT-APPELLANT. -- Motion for a writ of error coram nobis denied. PRESENT: CURRAN, J.P., MONTOUR, OGDEN, GREENWOOD, AND DELCONTE, JJ. (Filed Dec. 22, 2023.)

MOTION NO. (3/16) KA 12-01682. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V THOMAS B. SIMCOE, DEFENDANT-APPELLANT. -- Motion for reconsideration denied. PRESENT: SMITH, J.P., LINDLEY, MONTOUR, OGDEN, AND NOWAK, JJ. (Filed Dec. 22, 2023.)

MOTION NO. (352/23) CA 22-00432. -- VICTORY VILLAGE TENANTS ASSOCIATION, INC., PLAINTIFF-RESPONDENT, V EVERGREEN COMMUNITIES, LLC, VICTORY VILLAGE MHC, LLC, DEFENDANTS-APPELLANTS, ET AL., DEFENDANTS. -- Motion for leave to

reargue denied. PRESENT: WHALEN, P.J., CURRAN, OGDEN, AND GREENWOOD, JJ.
(Filed Dec. 22, 2023.)

MOTION NO. (655/23) CA 22-00450. -- CHS, INC., PLAINTIFF-RESPONDENT, V LAND O'LAKES PURINA FEED, LLC, DEFENDANT-APPELLANT, ET AL., DEFENDANT. -- Motion for reargument or leave to appeal to the Court of Appeals denied. PRESENT: SMITH, J.P., BANNISTER, OGDEN, GREENWOOD, AND NOWAK, JJ. (Filed Dec. 22, 2023.)

MOTION NO. (744/23) CA 22-01328. -- UNITED CHURCH OF FRIENDSHIP, PLAINTIFF-RESPONDENT, V NEW YORK DISTRICT OF ASSEMBLIES OF GOD, DEFENDANT-APPELLANT. (APPEAL NO. 2.) -- Motion for reargument is granted in part and, upon reargument, the memorandum and order entered October 6, 2023 (220 AD3d 1232 [4th Dept 2023]) is amended by deleting the word "General" from the fifth sentence of the sixth paragraph of the memorandum and substituting the word "District." PRESENT: WHALEN, P.J., BANNISTER, MONTOUR, AND GREENWOOD, JJ. (Filed Dec. 22, 2023.)

KA 23-00080. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V TERRY L. CAMPBELL, DEFENDANT-APPELLANT. -- Motion to dismiss appeal granted. Matter remitted to Steuben County Court to vacate judgment of conviction and dismiss indictment (*see People v Matteson*, 75 NY2d 745, 747 [1989]). PRESENT: WHALEN, P.J., SMITH, LINDLEY, CURRAN, AND BANNISTER, JJ. (Filed Dec. 22, 2023.)

KA 23-00081. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V TERRY L. CAMPBELL, DEFENDANT-APPELLANT. -- Motion to dismiss appeal granted. Matter remitted to Steuben County Court to vacate judgment of conviction and dismiss indictment (*see People v Matteson*, 75 NY2d 745, 747 [1989]).
PRESENT: WHALEN, P.J., SMITH, LINDLEY, CURRAN, AND BANNISTER, JJ. (Filed Dec. 22, 2023.)

KA 23-00082. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V TERRY L. CAMPBELL, DEFENDANT-APPELLANT. -- Motion to dismiss appeal granted. Matter remitted to Steuben County Court to vacate judgment of conviction and dismiss indictment (*see People v Matteson*, 75 NY2d 745, 747 [1989]).
PRESENT: WHALEN, P.J., SMITH, LINDLEY, CURRAN, AND BANNISTER, JJ. (Filed Dec. 22, 2023.)

CA 23-01369. -- ROBERT CRAIG MACLEOD, PLAINTIFF-APPELLANT, V WEST IRONDEQUOIT CENTRAL SCHOOL DISTRICT, DEFENDANT-RESPONDENT. -- Motion for leave to appeal to the Court of Appeals denied. PRESENT: WHALEN, P.J., SMITH, LINDLEY, CURRAN, AND BANNISTER, JJ. (Filed Dec. 22, 2023.)