

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

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KA 23-00565

PRESENT: WHALEN, P.J., BANNISTER, MONTOUR, GREENWOOD, AND HANNAH, JJ.

THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT,

V

MEMORANDUM AND ORDER

MICHAEL ADAMS, DEFENDANT-APPELLANT.

JULIE CIANCA, PUBLIC DEFENDER, ROCHESTER (JANE I. YOON OF COUNSEL),
FOR DEFENDANT-APPELLANT.

BRIAN P. GREEN, DISTRICT ATTORNEY, ROCHESTER (LISA GRAY OF COUNSEL),
FOR RESPONDENT.

Appeal from a judgment of the Monroe County Court (Douglas A. Randall, J.), rendered February 21, 2023. The judgment revoked defendant's sentence of probation and imposed a sentence of incarceration.

It is hereby ORDERED that said appeal is unanimously dismissed.

Memorandum: Defendant appeals from a judgment revoking the sentence of probation imposed upon his conviction, following his plea of guilty, of driving while intoxicated as a class E felony (Vehicle and Traffic Law §§ 1192 [3]; 1193 [1] [c] [i] [A]) and sentencing him to a term of incarceration. Defendant's sole contention is that the sentence is unduly harsh and severe. Inasmuch as defendant has completed serving that sentence, the appeal is moot (*see People v Linn*, 194 AD3d 1420, 1420-1421 [4th Dept 2021], *lv denied* 37 NY3d 973 [2021]; *People v Pompeo*, 151 AD3d 1949, 1949-1950 [4th Dept 2017], *lv denied* 29 NY3d 1132 [2017]).

Entered: June 5, 2026

Ann Dillon Flynn
Clerk of the Court