

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

855

KA 12-02088

PRESENT: CENTRA, J.P., CARNI, SCONIERS, AND VALENTINO, JJ.

THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT,

V

MEMORANDUM AND ORDER

SHAWN M. HALLMARK, DEFENDANT-APPELLANT.
(APPEAL NO. 2.)

NATHANIEL L. BARONE, PUBLIC DEFENDER, MAYVILLE (LYLE T. HAJDU OF COUNSEL), FOR DEFENDANT-APPELLANT.

DAVID W. FOLEY, DISTRICT ATTORNEY, MAYVILLE (PATRICK E. SWANSON OF COUNSEL), FOR RESPONDENT.

Appeal from a judgment of the Chautauqua County Court (John T. Ward, J.), rendered October 1, 2012. The appeal was held by this Court by order entered November 21, 2014, decision was reserved and the matter was remitted to Chautauqua County Court for further proceedings (122 AD3d 1444).

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

Same memorandum as in *People v Hallmark* ([appeal No. 1] ___ AD3d ___ [July 2, 2015]).

Entered: July 2, 2015

Frances E. Cafarell
Clerk of the Court