

**OFFICE OF THE DISTRICT ATTORNEY  
COUNTY OF LIVINGSTON**

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**DA NEWSLETTER – MARCH 26, 2019**

After presentation by Joshua J. Tonra, Assistant District Attorney, the following cases were handled in the Livingston County Court before the Honorable Robert B. Wiggins on March 26, 2019.

**JOHN T. AREND, JR.**, age 20, of Avon was sentenced on a conviction of Aggravated Unlicensed Operation of a Motor Vehicle in the First Degree (E Felony) and Driving with .08 of One Percent or More of Alcohol in His Blood (Misdemeanor) to one to three years in state prison. He was also order to pay a \$325 surcharge and a \$50 DNA fee. His license was revoked with a requirement to install an Ignition Interlock Device.

**JACOB BRIONES**, age 26, formerly of Groveland Correctional Facility, charged with Promoting Prison Contraband in the First Degree (D Felony), appeared with his attorney and the matter was adjourned to April 23, 2019.

**DAVID W. DALE**, age 32, of Mt. Morris was sentenced on a conviction of Sex Offender Failure to Register or Verify (E Felony) to one year intermittent incarceration in the Livingston County Jail. He was also order to pay a \$325 surcharge and a \$50 DNA fee.

**KIMBERLY DELAVERGNE**, age 43, of Mt. Morris, convicted of Grand Larceny in the Third Degree (D Felony), appeared with her attorney and the matter was adjourned to April 9, 2019.

**LUKE M. GALLAGHER**, age 21, of Elmira, charged with Criminal Possession of Marihuana in the Second Degree (D Felony), appeared with his attorney and the matter was adjourned to April 2, 2019. He was remanded to the Livingston County Jail without bail.

**DAVID M. HAWKES, JR.**, age 20, of Syracuse was sentenced on a conviction of Attempted Robbery in the Second Degree (D Felony) to three years in state prison plus three years post-release supervision. He was also ordered to pay a \$325 surcharge, a \$50 DNA fee, and restitution. An Order of Protection was issued for the victim.

**ADAM J. KENYON**, age 32, of Tonawanda, charged with Criminal Possession of Marijuana Second Degree (D Felony), Criminal Possession Controlled Substance Seventh Degree (Misdemeanor), Unlawful Possession Marijuana, and Insufficient Tail Lamps, appeared with his attorney and the matter was adjourned to June 4, 2019.

**RYAN S. MCGOY**, age 35, formerly of Groveland Correctional Facility was charged with Promoting Prison Contraband in the First Degree (D Felony) and Criminal Possession of a Controlled Substance in the Seventh Degree (misdemeanor). He was arraigned with his attorney, pled not guilty, and the matter was adjourned to April 23, 2019.

**KENNETH T. MOUNTZOUROS**, age 60, of Conesus was sentenced on a conviction of Sexual Abuse in the First Degree (D Felony), Sexual Abuse in the Second Degree (Misdemeanor), and 2 counts of Forcible Touching (Misdemeanor) to four years in state prison plus ten years post-release supervision. He is required to register as a Sex Offender and pay a \$1000 sex offender fee, a \$325 surcharge, and a \$50 DNA fee. An Order of Protection was issued for each victim.

**HIPOLITO J. ROMAN, JR.**, age 39, of Rochester was charged with Criminal Possession of a Controlled Substance in the Third Degree (B Felony). He was arraigned with his attorney, pled not guilty, and the matter was adjourned to April 30, 2019. Bail was set at \$25,000.

**KENNETH G. SCINTA, JR.**, age 48, of Honeoye pled guilty to Driving While Ability Impaired by the Combined Influence of Drugs or of Alcohol and any Drug or Drugs (E Felony) and the matter was adjourned to April 2, 2019 for sentencing.

**STEPHEN L. SMYDER**, age 50, of Wayland, charged with Grand Larceny in the Fourth Degree (E Felony), appeared with his attorney and the matter was adjourned to April 23, 2019.

**NICK J. WILLIAMS**, age 36, of Leicester, charged with Driving While Intoxicated (E Felony), Driving with .08 of One Percent or More of Alcohol in His Blood (E Felony), Aggravated Unlicensed Operation of a Motor Vehicle in the First Degree (E Felony), Operating a Motor Vehicle without an Ignition Interlock Device (Misdemeanor), and Leaving the Scene of a Property Damage Accident, appeared with his attorney and the matter was adjourned for hearings.