

Supreme Court of the State of New York
Appellate Division: Second Judicial Department

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_____AD3d_____

Submitted - December 20, 2006

DAVID S. RITTER J.P.
GLORIA GOLDSTEIN
ANITA R. FLORIO
JOSEPH COVELLO, JJ.

2005-07383

DECISION & ORDER

The People, etc., respondent,
v Robert Brock, appellant.

(Ind. No. 05-00104)

Scott M. Bishop, White Plains, N.Y., for appellant.

Janet DiFiore, District Attorney, White Plains, N.Y. (David C. Pilato, Richard Longworth Hecht, and Anthony J. Servino of counsel), for respondent.

Appeal by the defendant from a judgment of the Supreme Court, Westchester County (Zambelli, J.), rendered June 21, 2005, convicting him of robbery in the first degree, upon his plea of guilty, and imposing sentence.

ORDERED that the judgment is affirmed.

The defendant contends that the sentence imposed exceeded the maximum of the range of sentences originally promised. That contention is unpreserved for appellate review since the defendant did not object to the sentence on that ground or move to withdraw his plea at the time of sentencing (*see People v Hurley*, 75 NY2d 887; *People v Covington*, 28 AD3d 575).

RITTER, J.P., GOLDSTEIN, FLORIO and COVELLO, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

February 6, 2007

PEOPLE v BROCK, ROBERT