

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

D14306
C/cb

_____AD3d_____

Submitted - November 24, 2006

A. GAIL PRUDENTI, P.J.
WILLIAM F. MASTRO
DAVID S. RITTER
ANITA R. FLORIO
ROBERT A. LIFSON, JJ.

2005-04248

DECISION & ORDER

The People, etc., respondent,
v Juan Batista, appellant.

(Ind. No. 1572/03)

Lynn W. L. Fahey, New York, N.Y. (Barry Stendig of counsel), for appellant.

Richard A. Brown, District Attorney, Kew Gardens, N.Y. (Karen Wigle Weiss and John M. Castellano of counsel), for respondent.

Appeal by the defendant, as limited by his motion, from a sentence of the Supreme Court, Queens County (Hanophy, J.), imposed April 20, 2005, on the ground that the sentence is excessive.

ORDERED that the sentence is affirmed. No opinion.

PRUDENTI, P.J., MASTRO, RITTER, FLORIO and LIFSON, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

March 13, 2007

PEOPLE v BATISTA, JUAN