

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

D15430
Y/cb

_____AD3d_____

Submitted - May 3, 2007

ROBERT A. SPOLZINO, J.P.
PETER B. SKELOS
MARK C. DILLON
WILLIAM E. McCARTHY, JJ.

2005-11593

DECISION & ORDER

The People, etc., respondent,
v Albert Norworthy, appellant.

(Ind. No. 659/05)

Marianne Karas, Armonk, N.Y., for appellant.

Kathleen M. Rice, District Attorney, Mineola, N.Y. (Tammy J. Smiley of counsel;
Michael A. Sabella on the brief), for respondent.

Appeal by the defendant from a judgment of the County Court, Nassau County
(Donnino, J.), rendered November 16, 2005, convicting him of manslaughter in the first degree, upon
his plea of guilty, and imposing sentence.

ORDERED that the judgment is affirmed.

The defendant's voluntary, knowing, and intelligent waiver of his right to appeal
forecloses appellate review of his challenge to the denial, after a hearing, of that branch of his
omnibus motion which was to suppress identification testimony (*see People v Kemp*, 94 NY2d 831;
People v Peoples, 34 AD3d 503; *People v Malik*, 6 AD3d 461).

SPOLZINO, J.P., SKELOS, DILLON and McCARTHY, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

June 5, 2007

PEOPLE v NORWORTHY, ALBERT