

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

D15567
W/cb

_____AD3d_____

Submitted - April 27, 2007

WILLIAM F. MASTRO, J.P.
JOSEPH COVELLO
DANIEL D. ANGIOLILLO
THOMAS A. DICKERSON, JJ.

2005-00491

DECISION & ORDER

The People, etc., respondent,
v Hubert S. Hines, appellant.

(Ind. No. 967/03)

Neal D. Futerfas, White Plains, N.Y., for appellant.

Francis D. Phillips II, District Attorney, Goshen, N.Y. (David R. Huey of counsel),
for respondent.

Appeal by the defendant from a judgment of the County Court, Orange County (Berry, J.), rendered July 13, 2004, convicting him of two counts of robbery in the first degree, upon his plea of guilty, and imposing sentence.

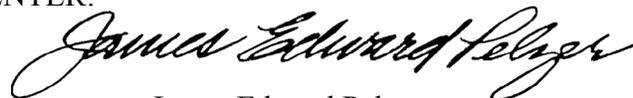
ORDERED that the judgment is affirmed.

The defendant executed a written waiver of his right to appeal. The waiver of the right to appeal encompassed any claim that the sentence imposed was excessive (*see People v Blair*, 26 AD3d 513), as well as any claim that the defendant was entitled to youthful offender treatment (*see People v Friedlander*, 11 AD3d 556).

The defendant's remaining contention is unpreserved for appellate review.

MASTRO, J.P., COVELLO, ANGIOLILLO and DICKERSON, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

June 19, 2007

PEOPLE v HINES, HUBERT S.