

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

D16886
C/kmg

_____AD3d_____

Submitted - July 31, 2007

A. GAIL PRUDENTI, P.J.
WILLIAM F. MASTRO
GABRIEL M. KRAUSMAN
ROBERT A. LIFSON
RUTH C. BALKIN, JJ.

2005-05870

DECISION & ORDER

The People, etc., respondent,
v Felipe Vargas-Ortiz, appellant.

(Ind. No. 249/99)

Steven Banks, New York, N.Y. (William B. Carney of counsel), for appellant.

Daniel M. Donovan, Jr., District Attorney, Staten Island, N.Y. (Morrie I. Kleinbart and James Ching of counsel), for respondent.

Appeal by the defendant, as limited by his motion, from a resentence of the Supreme Court, Richmond County (Rooney, J.), imposed June 8, 2005, on the ground that the resentence is excessive.

ORDERED that the resentence is affirmed. No opinion.

PRUDENTI, P.J., MASTRO, KRAUSMAN, LIFSON and BALKIN, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

November 13, 2007

PEOPLE v VARGAS-ORTIZ, FELIPE