

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

D16953
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_____AD3d_____

Submitted - October 25, 2007

HOWARD MILLER, J.P.
ROBERT A. LIFSON
DANIEL D. ANGIOLILLO
WILLIAM E. McCARTHY, JJ.

2005-11446

DECISION & ORDER

The People, etc., respondent,
v Ndukwe Kalu, appellant.

(Ind. No. 1800/03)

Steven Banks, New York, N.Y. (Cheryl Williams of counsel), for appellant.

Richard A. Brown, District Attorney, Kew Gardens, N.Y. (John M. Castellano, Sharon Y. Brodt, and William H. Branigan of counsel), for respondent.

Appeal by the defendant from a judgment of the Supreme Court, Queens County (Lewis, J.), rendered November 14, 2005, convicting him of assault in the second degree, upon his plea of guilty, and imposing sentence.

ORDERED that the judgment is affirmed.

We agree with the People that by entering his guilty plea, the defendant forfeited his contention that the integrity of the grand jury proceedings was impaired (*see* CPL 190.50, 210.20[1][c]; 210.35[5]; *People v Hansen*, 95 NY2d 227; *People v Wilkins*, 1 AD3d 962; *People v Thompson*, 287 AD2d 794; *People v Bowen*, 122 AD2d 64).

MILLER, J.P., LIFSON, ANGIOLILLO and McCARTHY, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

November 13, 2007

PEOPLE v KALU, NDUKWE