

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

D18397  
Y/hu

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Submitted - February 11, 2008

REINALDO E. RIVERA, J.P.  
PETER B. SKELOS  
FRED T. SANTUCCI  
JOHN M. LEVENTHAL, JJ.

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2006-03502  
2006-03503

DECISION & ORDER

The People, etc., respondent,  
v Amjad Alqam, appellant.

(Ind. Nos. 128/05, 156/05)

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Ralph Cherchian, Forest Hills, N.Y., for appellant.

Daniel M. Donovan, Jr., District Attorney, Staten Island, N.Y. (Morrie I. Kleinbart  
and Lauren-Brooke Eisen of counsel), for respondent.

Appeals by the defendant from (1) a judgment of the Supreme Court, Richmond County (Rienzi, J.), rendered March 16, 2006, convicting him of criminal contempt in the first degree under Indictment No. 128/05, upon his plea of guilty, and (2) a judgment of the same court (Rooney, J.), also rendered March 16, 2006, convicting him of criminal contempt in the first degree (three counts), endangering the welfare of a child (two counts) and resisting arrest under Indictment No. 156/05, upon a jury verdict, and imposing sentences.

ORDERED that the judgments are affirmed.

The defendant's challenge to the judgment convicting him of a single count of criminal contempt in the first degree (*see* Penal Law § 215.51[c]), upon his plea of guilty, is barred because the plea encompassed a waiver of the right to appeal, and the waiver was knowingly, voluntary, and intelligently made (*see People v Seaberg*, 74 NY2d 1, 11).

There is no merit to the defendant's challenge to the judgment convicting him of three counts of criminal contempt in the first degree (*see* Penal Law § 215.51[b], [c]), two counts of

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endangering the welfare of a child (*see* Penal Law § 260.10), and resisting arrest (*see* Penal Law § 205.30), upon a jury verdict. Viewing the evidence in the light most favorable to the prosecution (*see People v Contes*, 60 NY2d 620, 621), we find that it was legally sufficient to establish the defendant's guilt beyond a reasonable doubt (*see People v Calabria*, 3 NY3d 80, 81-82). Moreover, upon the exercise of our factual review power (*see* CPL 470.15[5]), we are satisfied that the verdict of guilt was not against the weight of the evidence (*see People v Romero*, 7 NY3d 633, 643).

The sentences imposed were not excessive (*see People v Suite*, 90 AD2d 80).

RIVERA, J.P., SKELOS, SANTUCCI and LEVENTHAL, JJ., concur.

ENTER:

A handwritten signature in black ink, reading "James Edward Pelzer". The signature is written in a cursive, flowing style.

James Edward Pelzer  
Clerk of the Court