

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

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Submitted - April 9, 2008

PETER B. SKELOS, J.P.
FRED T. SANTUCCI
JOSEPH COVELLO
WILLIAM E. McCARTHY
CHERYL E. CHAMBERS, JJ.

2007-04002

DECISION & ORDER

The People, etc., respondent,
v Eduardo Perez, appellant.

(Ind. No. 80226/91)

Alan Katz, Garden City, N.Y., for appellant.

Kathleen M. Rice, District Attorney, Mineola, N.Y. (Douglas Noll and Jason R. Richards of counsel), for respondent.

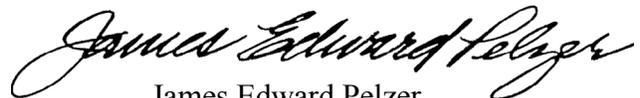
Appeal by the defendant from a judgment of the Supreme Court, Nassau County (Donnino, J.), rendered April 26, 2007, convicting him of burglary in the second degree and grand larceny in the second degree, upon his plea of guilty, and imposing sentence.

ORDERED that the judgment is affirmed.

By pleading guilty, the defendant forfeited his right to review of his claim that he was deprived of a speedy trial under CPL 30.30 (*see People v O'Brien*, 56 NY2d 1009, 1010). Moreover, the defendant could not validly reserve his right to obtain appellate review of his statutory speedy trial claim by obtaining, when he entered his plea, the consent of the prosecutor and the approval of the court (*see People v O'Brien*, 56 NY2d at 1010; *People v Douglas*, 46 AD3d 698).

SKELOS, J.P., SANTUCCI, COVELLO, McCARTHY and CHAMBERS, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

May 13, 2008

PEOPLE v PEREZ, EDUARDO