

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

D20502  
C/prt

\_\_\_\_\_AD3d\_\_\_\_\_

Submitted - June 27, 2008

A. GAIL PRUDENTI, P.J.  
REINALDO E. RIVERA  
MARK C. DILLON  
WILLIAM E. McCARTHY  
ARIEL E. BELEN, JJ.

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2006-05550

DECISION & ORDER

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

(Ind. No. 2168/05)

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Lynn W. L. Fahey, New York, N.Y. (Erica Horwitz of counsel), for appellant.

Richard A. Brown, District Attorney, Kew Gardens, N.Y. (John M. Castellano and Merri Turk Lasky of counsel; Michelle Kaszuba on the memorandum), for respondent.

Appeal by the defendant, as limited by his motion, from a sentence of the Supreme Court, Queens County (Kron, J.), imposed May 12, 2006, on the ground that the sentence was excessive.

ORDERED that the sentence is affirmed. No opinion.

PRUDENTI, P.J., RIVERA, DILLON, McCARTHY and BELEN, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court

September 30, 2008

PEOPLE v PEREZ, DAVID