

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

D22409  
G/kmg

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

Submitted - February 4, 2009

WILLIAM F. MASTRO, J.P.  
STEVEN W. FISHER  
ANITA R. FLORIO  
RANDALL T. ENG, JJ.

---

2006-08295

DECISION & ORDER

The People, etc., respondent,  
v Edward Perry, appellant.

(Ind. No. 2215/05)

---

Robert C. Mitchell, Riverhead, N.Y. (Alfred J. Cicale of counsel), for appellant.

Thomas J. Spota, District Attorney, Riverhead, N.Y. (Ronnie Jane Lamm of counsel),  
for respondent.

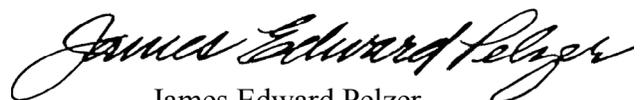
Appeal by the defendant from a judgment of the County Court, Suffolk County  
(Crecca, J.), rendered August 18, 2006, convicting him of manslaughter in the first degree, upon his  
plea of guilty, and imposing sentence.

ORDERED that the judgment is affirmed.

To the extent that the defendant's contentions regarding the alleged involuntariness  
of his guilty plea and the ineffectiveness of his counsel can be reviewed in light of his waiver of his  
right to appeal, the record refutes his claims (*see People v Ramsey*, 49 AD3d 565). To the extent that  
the defendant's claims are predicated on matter dehors the record, they may not be reviewed on direct  
appeal (*see People v Rusielewicz*, 45 AD3d 704).

MASTRO, J.P., FISHER, FLORIO and ENG, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

March 17, 2009

PEOPLE v PERRY, EDWARD