

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

D22561  
Y/hu

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Submitted - March 4, 2009

ROBERT A. SPOLZINO, J.P.  
DAVID S. RITTER  
JOSEPH COVELLO  
ARIEL E. BELEN, JJ.

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2007-10806

DECISION & ORDER

The People, etc., respondent,  
v Paris Powell, appellant.

(Ind No. 07-00094)

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James D. Licata, New City, N.Y., for appellant.

Thomas P. Zugibe, District Attorney, New City, N.Y. (Itamar J. Yeger of counsel;  
Coleen A. Fortes on the brief), for respondent.

Appeal by the defendant from a judgment of the County Court, Rockland County  
(Kelly, J.), rendered October 3, 2007, convicting him of driving while intoxicated as a felony, upon  
his plea of guilty, and imposing sentence.

ORDERED that the judgment is affirmed.

The defendant's valid and unrestricted waiver of his right to appeal, executed as part  
of his plea agreement, precludes review of his claim that the sentence imposed was excessive (*see*  
*People v Ramos*, 7 NY3d 737, 738; *People v Lopez*, 6 NY3d 248, 255; *People v Seaberg*, 74 NY2d  
1, 9).

SPOLZINO, J.P., RITTER, COVELLO and BELEN, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

March 24, 2009

PEOPLE v POWELL, PARIS