

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

D22631
Y/prt

_____AD3d_____

Submitted - November 28, 2008

A. GAIL PRUDENTI, P.J.
ROBERT A. SPOLZINO
HOWARD MILLER
JOSEPH COVELLO
CHERYL E. CHAMBERS, JJ.

2007-11280

DECISION & ORDER

The People, etc., respondent,
v Antonio Diaz, appellant.

(Ind. No. 06-00833)

John R. Lewis, Sleepy Hollow, N.Y., for appellant.

Francis D. Phillips II, District Attorney, Goshen, N.Y. (Andrew R. Kass of counsel),
for respondent.

Appeal by the defendant, as limited by his motion, from a sentence of the County
Court, Orange County (DeRosa, J.), imposed November 21, 2007, on the ground that the sentence
was excessive.

ORDERED that the sentence is affirmed. No opinion.

PRUDENTI, P.J., SPOLZINO, MILLER, COVELLO and CHAMBERS, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

March 31, 2009

PEOPLE v DIAZ, ANTONIO