

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

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____AD3d____

Submitted - March 24, 2009

STEVEN W. FISHER, J.P.
HOWARD MILLER
CHERYL E. CHAMBERS
LEONARD B. AUSTIN, JJ.

2008-01704

DECISION & ORDER

The People, etc., respondent,
v Gary Waters, appellant.

(Ind. No. 1710-07)

Matthew Muraskin, Coram, N.Y., for appellant.

Thomas J. Spota, District Attorney, Riverhead, N.Y. (Karla Lato of counsel), for respondent.

Appeal by the defendant from a judgment of the County Court, Suffolk County (Braslow, J.), rendered December 28, 2007, convicting him of burglary in the second degree (three counts), upon his plea of guilty, and imposing sentence.

ORDERED that the judgment is affirmed.

Contrary to the defendant's contention, he was properly advised of the "precise post-release supervision term" he was facing during the plea proceeding (*People v Sanchez*, 55 AD3d 326, 327; see *People v Catu*, 4 NY3d 242). His challenges to the voluntariness of his plea of guilty are without merit.

FISHER, J.P., MILLER, CHAMBERS and AUSTIN, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

May 19, 2009

PEOPLE v WATERS, GARY