

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

D25287
G/kmg

_____AD3d_____

Submitted - November 10, 2009

STEVEN W. FISHER, J.P.
DANIEL D. ANGIOLILLO
PLUMMER E. LOTT
SANDRA L. SGROI, JJ.

2006-11138

DECISION & ORDER

The People, etc., respondent,
v Vladimir Kirkorov, appellant.

(Ind. No. 2674/03)

Steven Banks, New York, N.Y. (Natalie Rea of counsel), for appellant.

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

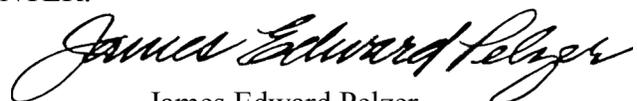
Appeal by the defendant, as limited by his brief, from a sentence of the Supreme Court, Queens County (McGann, J.), imposed July 25, 2006, upon his conviction of insurance fraud in the third degree, after his plea of guilty.

ORDERED that the sentence is affirmed.

The defendant knowingly, voluntarily, and intelligently waived his right to appeal (*see People v Ramos*, 7 NY3d 737, 738; *People v Lopez*, 6 NY3d 248, 255; *People v Seaberg*, 74 NY2d 1, 9). The defendant's valid and unrestricted waiver of his right to appeal precludes review of his claim that the sentence imposed was excessive (*see People v Lopez*, 6 NY3d at 256; *People v Stewart*, 66 AD3d 924; *People v Cennamo*, 66 AD3d 795; *People v Powell*, 60 AD3d 974, 975).

FISHER, J.P., ANGIOLILLO, LOTT and SGROI, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

December 15, 2009

PEOPLE v KIRKOROV, VLADIMIR