

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

D25322  
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Submitted - November 4, 2009

PETER B. SKELOS, J.P.  
ANITA R. FLORIO  
RUTH C. BALKIN  
ARIEL E. BELEN  
LEONARD B. AUSTIN, JJ.

2007-09736

DECISION & ORDER

The People, etc., respondent,  
v Tafari A. Barnett, appellant.

(Ind. No. 07-0105)

Brendan O'Meara, Yonkers, N.Y., for appellant.

Janet DiFiore, District Attorney, White Plains, N.Y. (Lois Cullen Valerio and Anthony J. Servino of counsel; Joseph A. Barca III on the brief), for respondent.

Appeal by the defendant from a judgment of the County Court, Westchester County (Neary, J.), rendered October 3, 2007, convicting him of assault in the second degree, upon his plea of guilty, and imposing sentence.

ORDERED that the judgment is affirmed.

Contrary to the defendant's contention, his claim that his waiver of his right to appeal was invalid does not, in and of itself, warrant reversal of the judgment of conviction or vacatur of the sentence imposed.

SKELOS, J.P., FLORIO, BALKIN, BELEN and AUSTIN, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court

December 8, 2009

PEOPLE v BARNETT, TAFARI A.