

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

D25805  
O/kmg

\_\_\_\_\_AD3d\_\_\_\_\_

Submitted - December 16, 2009

REINALDO E. RIVERA, J.P.  
JOSEPH COVELLO  
DANIEL D. ANGIOLILLO  
JOHN M. LEVENTHAL  
SHERI S. ROMAN, JJ.

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2008-05017  
2010-00416

DECISION & ORDER

The People, etc., respondent,  
v Wilfredo Torres, appellant.

(Ind. Nos. 07-00378, 07-00329)

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Ellen O'Hara Woods, Nyack, N.Y., for appellant.

Thomas P. Zugibe, District Attorney, New City, N.Y. (Itamar J. Yeger of counsel),  
for respondent.

Appeals by the defendant from two judgments of the County Court, Rockland County (Bartlett, J.), both rendered April 29, 2008, convicting him of criminal possession of a controlled substance in the third degree and conspiracy in the fourth degree under Indictment No. 07-00378, and conspiracy in the fourth degree under Indictment No. 07-00329, upon his pleas of guilty, and imposing sentences.

ORDERED that the judgments are affirmed.

The defendant pleaded guilty with the full understanding that he would receive the sentences actually imposed and, therefore, he has no basis now to complain that his sentences were excessive (*see People v Kazepis*, 101 AD2d 816, 817; *People v Ubiles*, 59 AD3d 572; *People v*

January 19, 2010

Page 1.

PEOPLE v TORRES, WILFREDO

*Grigg*, 53 AD3d 629, 630). In any event, under the circumstances, the sentences imposed were not excessive (see *People v Suitte*, 90 AD2d 80).

RIVERA, J.P., COVELLO, ANGIOLILLO, LEVENTHAL and ROMAN, JJ., concur.

ENTER:

A handwritten signature in black ink that reads "James Edward Pelzer". The signature is written in a cursive, flowing style.

James Edward Pelzer  
Clerk of the Court