

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

D25965  
W/hu

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Submitted - January 6, 2010

STEVEN W. FISHER, J.P.  
FRED T. SANTUCCI  
DANIEL D. ANGIOLILLO  
L. PRISCILLA HALL  
PLUMMER E. LOTT, JJ.

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2008-10254  
2010-00460  
2010-00461

DECISION & ORDER

The People, etc., respondent,  
v Michael Mathsen, appellant.

(Ind. Nos. 08-00170, 08-00171,  
S.C.I. No. 08-00339)

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James D. Licata, New City, N.Y. (Lois Cappelletti of counsel), for appellant.

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

Appeals by the defendant from three judgments of the County Court, Rockland County (Alfieri, J.), all rendered September 22, 2008, convicting him of burglary in the first degree under Indictment No. 08-00170, burglary in the third degree under Indictment No. 08-00171, and burglary in the third degree under Superior Court Information No. 08-00339, 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 are

February 2, 2010

Page 1.

PEOPLE v MATHSEN, MICHAEL

excessive (*see People v Ubiles*, 59 AD3d 572; *People v Grigg*, 53 AD3d 629, 630; *People v Kazepis*, 101 AD2d 816, 817). In any event, the sentences imposed were not excessive (*see People v Farrar*, 52 NY2d 302, 308; *People v Alvarez*, 166 AD2d 603; *People v Suitte*, 90 AD2d 80).

FISHER, J.P., SANTUCCI, ANGIOLILLO, HALL and LOTT, JJ., concur.

ENTER:

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

James Edward Pelzer  
Clerk of the Court