

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

D26536  
C/kmg

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

Submitted - March 3, 2010

WILLIAM F. MASTRO, J.P.  
STEVEN W. FISHER  
FRED T. SANTUCCI  
DANIEL D. ANGIOLILLO  
PLUMMER E. LOTT, JJ.

2009-01818

DECISION & ORDER

The People, etc., respondent,  
v Stanley Simeon, appellant.

(Ind. No. 08-00357)

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.

Appeal by the defendant from a judgment of the County Court, Rockland County  
(Bartlett, J.), rendered February 24, 2009, convicting him of burglary in the second degree, upon his  
plea of guilty, and imposing sentence.

ORDERED that the judgment is affirmed.

The defendant pleaded guilty with the full understanding that he would receive the  
sentence actually imposed and, therefore, he has no basis now to complain that his sentence was  
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 sentence imposed was not excessive (*see People v Suitte*, 90  
AD2d 80).

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

ENTER:

  
James Edward Pelzer

March 16, 2010

PEOPLE v SIMEON, STANLEY

Clerk of the Court

March 16, 2010

PEOPLE v SIMEON, STANLEY