

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

D27263
W/prt

_____AD3d_____

Submitted - April 6, 2010

STEVEN W. FISHER, J.P.
MARK C. DILLON
THOMAS A. DICKERSON
RANDALL T. ENG, JJ.

2006-02549

DECISION & ORDER

The People, etc., respondent,
v Gerry Haynes, appellant.

(Ind. No. 2809/04)

Randall D. Unger, Bayside, N.Y., for appellant, and appellant pro se.

Richard A. Brown, District Attorney, Kew Gardens, N.Y. (John M. Castellano, Merri Turk Lasky, Jeanette Lifschitz, and Jaclyn Belson of counsel; Kerry Carroll on the brief), for respondent.

Appeal by the defendant from a judgment of the Supreme Court, Queens County (Kron, J.), rendered January 24, 2006, convicting him of attempted robbery in the second degree, upon his plea of guilty, and imposing sentence.

ORDERED that the judgment is affirmed.

The defendant's valid waiver of his right to appeal forecloses review of the claims he seeks to raise (*see People v Haynes*, 70 AD3d 718; *People v Burke*, 25 AD3d 722).

FISHER, J.P., DILLON, DICKERSON and ENG, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

May 11, 2010

PEOPLE v HAYNES, GERRY