

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

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Submitted - August 27, 2010

A. GAIL PRUDENTI, P.J.  
STEVEN W. FISHER  
FRED T. SANTUCCI  
ARIEL E. BELEN  
PLUMMER E. LOTT, JJ.

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2009-05806

DECISION & ORDER

The People, etc., respondent,  
v Balendo Malary, appellant.

(Ind. No. 11147/06)

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Lynn W. L. Fahey New York, N.Y., for appellant.

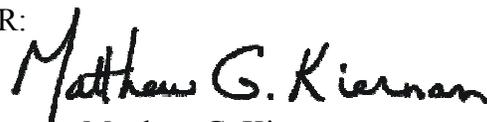
Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove and Victor Barall of counsel; Gaia Goffe on the memorandum), for respondent.

Appeal by the defendant, as limited by his motion, from a sentence of the Supreme Court, Kings County (Garnett, J.), imposed April 22, 2009, on the ground that the sentence was excessive.

ORDERED that the sentence is affirmed. No opinion.

PRUDENTI, P.J., FISHER, SANTUCCI, BELEN and LOTT, JJ., concur.

ENTER:

  
Matthew G. Kiernan  
Clerk of the Court

September 28, 2010

PEOPLE v MALARY, BALENDO