

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

D28485
W/ct

_____AD3d_____

Argued - September 7, 2010

JOSEPH COVELLO, J.P.
FRED T. SANTUCCI
RUTH C. BALKIN
LEONARD B. AUSTIN, JJ.

2010-00895

DECISION & ORDER

The People, etc., respondent,
v Jadon T. Scott, appellant.

(Ind. No. 2006N-08)

Michael L. Soshnick, Mineola, N.Y., for appellant.

Kathleen M. Rice, District Attorney, Mineola, N.Y. (Barbara Kornblau and Joanna Hershey of counsel; Matthew C. Frankel on the brief), for respondent.

Appeal by the defendant from a judgment of the County Court, Nassau County (Grella, J.), rendered January 22, 2010, convicting him of attempted criminal possession of a weapon in the second degree and aggravated unlicensed operation of a motor vehicle in the third degree, upon his plea of guilty, and imposing sentence.

ORDERED that the judgment is affirmed, and the matter is remitted to the County Court, Nassau County, for further proceedings pursuant to CPL 460.50(5).

The County Court providently exercised its discretion in denying the defendant's motion to withdraw his plea of guilty (*see* CPL 220.60[3]). The record supports the County Court's determination that the defendant's plea was entered knowingly, voluntarily, and intelligently (*see People v Hill*, 9 NY3d 189, 191, *cert denied* 553 US 1048; *People v Fiumefreddo*, 82 NY2d 536, 543; *People v Harris*, 61 NY2d 9, 17). Although the defendant claims, inter alia, that he was coerced into pleading guilty, his claims are belied by the record (*see People v Samuel*, 208 AD2d 776, 776-

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777; *People v Jackson*, 203 AD2d 302, 303; see also *People v Elting*, 18 AD3d 770, 771; *People v Jones*, 232 AD2d 505, 505-506).

COVELLO, J.P., SANTUCCI, BALKIN and AUSTIN, JJ., concur.

ENTER:

A handwritten signature in black ink that reads "Matthew G. Kiernan". The signature is written in a cursive, slightly slanted style.

Matthew G. Kiernan
Clerk of the Court