

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

D29130
Y/kmb

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Submitted - August 27, 2010

A. GAIL PRUDENTI, P.J.
PETER B. SKELOS
ANITA R. FLORIO
JOHN M. LEVENTHAL
LEONARD B. AUSTIN, JJ.

2009-05782
2009-05787
2009-05789

DECISION & ORDER

The People, etc., respondent,
v Felix Diaz, appellant.

(Ind. Nos. 3915/05, 7144/07)

Lynn W. L. Fahey, New York, N.Y. (Winston McIntosh of counsel), for appellant.

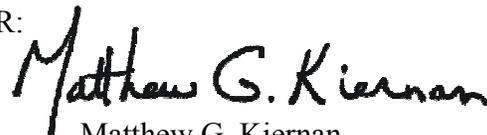
Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove and Diane R. Eisner of counsel; Claibourne Henry on the brief), for respondent.

Appeal by the defendant, as limited by his motion, from two sentences of the Supreme Court, Kings County (Tomei, J.), both imposed June 3, 2009, under Indictment Nos. 3915/05 and 7144/07, respectively, and an amended sentence of the same court imposed June 10, 2009, under Indictment No. 7144/07, on the ground that the sentences and the amended sentence were excessive.

ORDERED that the sentences and the amended sentence are affirmed. No opinion.

PRUDENTI, P.J., SKELOS, FLORIO, LEVENTHAL and AUSTIN, JJ., concur.

ENTER:



Matthew G. Kiernan
Clerk of the Court

November 23, 2010

PEOPLE v DIAZ, FELIX