

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

D32603
G/prt

_____AD3d_____

Submitted - October 5, 2011

WILLIAM F. MASTRO, J.P.
RUTH C. BALKIN
CHERYL E. CHAMBERS
SANDRA L. SGROI, JJ.

2010-05685

DECISION & ORDER

The People, etc., respondent,
v Jose Quiridumbay-Jerez, appellant.

(S.C.I. No. 10-00015)

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;
Salvatore Perrotto on the brief), for respondent.

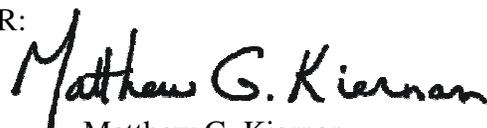
Appeal by the defendant from a judgment of the County Court, Rockland County
(Apotheker, J.), rendered May 3, 2010, convicting him of driving while intoxicated as a felony, upon
his plea of guilty, and imposing sentence.

ORDERED that the judgment is affirmed.

Since the defendant pleaded guilty with the understanding that he would receive the
sentence which was thereafter actually imposed, he has no basis now to complain that the sentence
imposed was excessive (*see People v Johnson*, 81 AD3d 663; *People v Bunn*, 79 AD3d 1143, 1143-
1144; *People v Kazepis*, 101 AD2d 816, 817).

MASTRO, J.P., BALKIN, CHAMBERS and SGROI, JJ., concur.

ENTER:



Matthew G. Kiernan
Clerk of the Court

October 18, 2011

PEOPLE v QUIRIDUMBAY-JEREZ, JOSE