

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

D32675
H/prt

_____AD3d_____

Submitted - October 7, 2011

REINALDO E. RIVERA, J.P.
ANITA R. FLORIO
THOMAS A. DICKERSON
PLUMMER E. LOTT, JJ.

2010-10529

DECISION & ORDER

The People, etc., respondent,
v Esther Hershko, appellant.

(Ind. No. 1737/09)

Matthew Muraskin, Port Jefferson, N.Y., for appellant.

Kathleen M. Rice, District Attorney, Mineola, N.Y. (Margaret E. Mainusch and
Judith R. Sternberg of counsel), for respondent.

Appeal by the defendant from a judgment of the County Court, Nassau County (Peck,
J.), rendered October 15, 2010, convicting her of burglary in the third degree, upon her plea of guilty,
and imposing sentence.

ORDERED that the judgment is affirmed.

Where a defendant knowingly, voluntarily, and intelligently waives the right to appeal
as part of a bargained-for plea agreement, the waiver will be upheld by the courts (*see People v
Walters*, 84 AD3d 984, *lv denied* 17 NY3d 823; *People v Russell*, 60 AD3d 706). Here, the
defendant's valid waiver of her right to appeal forecloses review of the claims she seeks to raise (*see
People v Walters*, 84 AD3d 984; *People v Haynes*, 70 AD3d 718; *People v Moore*, 67 AD3d 930).

RIVERA, J.P., FLORIO, DICKERSON and LOTT, JJ., concur.

ENTER:



Matthew G. Kiernan
Clerk of the Court

October 25, 2011

PEOPLE v HERSHKO, ESTHER