

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

D32832
W/kmb

_____AD3d_____

Submitted - October 17, 2011

PETER B. SKELOS, J.P.
L. PRISCILLA HALL
PLUMMER E. LOTT
SHERI S. ROMAN, JJ.

2010-07666
2010-07667
2010-07668

DECISION & ORDER

The People, etc., respondent,
v James Wright, appellant.

(Ind. Nos. 2653/06, 1236/07, 3580/07)

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

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove and Maria Park of counsel; Tiffany L. Henry on the brief), for respondent.

Appeals by the defendant from three resentences of the Supreme Court, Kings County (DiMango, J.), all imposed August 4, 2010, upon his convictions of grand larceny in the third degree (three counts, one as to each indictment), upon his pleas of guilty.

ORDERED that the resentences are affirmed.

The defendant's purported waiver of his right to appeal was ineffective (*see People v Grant*, 83 AD3d 862, 863; *People v Bradshaw*, 76 AD3d 566, 569-570, *lv granted* 15 NY3d 896).

Contrary to the defendant's contention, however, the resentences imposed were not excessive (*see People v Suite*, 90 AD2d 80, 85).

SKELOS, J.P., HALL, LOTT and ROMAN, JJ., concur.

ENTER:


Matthew G. Kiernan
Clerk of the Court

November 9, 2011

PEOPLE v WRIGHT, JAMES