

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

D33797
W/prt

_____AD3d_____

Submitted - October 28, 2011

WILLIAM F. MASTRO, A.P.J.
RUTH C. BALKIN
L. PRISCILLA HALL
SHERI S. ROMAN, JJ.

2010-03553

DECISION & ORDER

The People, etc., respondent,
v Jose Abreu, appellant.

(Ind. No. 9126/09)

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

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove and Keith Dolan of counsel; Apeksha Vora on the memorandum), for respondent.

Appeal by the defendant, as limited by his motion, from a sentence of the Supreme Court, Kings County (Chun, J.), imposed March 30, 2010, on the ground that the sentence was excessive.

ORDERED that the sentence is affirmed.

The sentence imposed was not excessive (*see People v Suitte*, 90 AD2d 80).

MASTRO, A.P.J., BALKIN, HALL and ROMAN, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

January 31, 2012

PEOPLE v ABREU, JOSE