

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

D33836
O/prt

_____AD3d_____

Submitted - January 13, 2012

DANIEL D. ANGIOLILLO, J.P.
THOMAS A. DICKERSON
LEONARD B. AUSTIN
JEFFREY A. COHEN, JJ.

2010-07247

DECISION & ORDER

The People, etc., respondent,
v Jovan Jones, appellant.

(Ind. No. 2521/09)

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

Thomas J. Spota, District Attorney, Riverhead, N.Y. (Lauren Tan of counsel), for respondent.

Appeal by the defendant from a judgment of the County Court, Suffolk County (Weber, J.), rendered June 2, 2010, convicting him of criminal possession of a weapon in the second degree, upon his plea of guilty, and imposing sentence.

ORDERED that the judgment is affirmed.

The defendant's contention that his plea of guilty was not knowing, voluntary, and intelligent is unreserved for appellate review, since he did not move to withdraw the plea on that ground (*see* CPL 470.05[2]; *People v Toxey*, 86 NY2d 725, 726; *People v Carr*, 89 AD3d 1033). In any event, the defendant's plea of guilty was entered knowingly, voluntarily, and intelligently (*see People v Harris*, 61 NY2d 9, 16; *People v Jones*, 183 AD2d 918).

ANGIOLILLO, J.P., DICKERSON, AUSTIN and COHEN, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

February 7, 2012

PEOPLE v JONES, JOVAN