

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

D34489  
H/N/kmb

\_\_\_\_\_AD3d\_\_\_\_\_

Submitted - November 25, 2011

WILLIAM F. MASTRO, J.P.  
MARK C. DILLON  
ANITA R. FLORIO  
CHERYL E. CHAMBERS  
SANDRA L. SGROI, JJ.

---

2010-03107

DECISION & ORDER

The People, etc., respondent,  
v Todd Hollman, appellant.

(Ind. No. 12513/08)

---

Lynn W. L. Fahey, New York, N.Y. (David P. Greenberg of counsel), for appellant.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove and Diane R. Eisner 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 (Walsh J.), imposed March 18, 2010, as amended March 22, 2010.

ORDERED that the sentence is affirmed.

Under the circumstances of this case, the defendant's waiver of his right to appeal was not valid (*see People v Callahan*, 80 NY2d 248; *People v Hassan*, 88 AD3d 740; *People v Monsuri*, 83 AD3d 879; *cf. People v Ellis*, 69 AD3d 756). Nevertheless, the defendant's contention that the sentence imposed was excessive is without merit (*see People v Headspeth*, 78 AD3d 1418; *People v Butler*, 49 AD3d 894; *People v Suitte*, 90 AD2d 680).

The defendant's remaining contention is unpreserved for appellate review (*see People v Foster*, 87 AD3d 299, 304).

MASTRO, J.P., DILLON, FLORIO, CHAMBERS and SGROI, JJ., concur.

ENTER:   
Aprilanne Agostino  
Clerk of the Court

November 14, 2012

PEOPLE v HOLLMAN, TODD