

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

D34600  
H/ct

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

Submitted - March 9, 2012

ANITA R. FLORIO, J.P.  
RUTH C. BALKIN  
PLUMMER E. LOTT  
ROBERT J. MILLER, JJ.

2011-05714  
2011-05715

DECISION & ORDER

The People, etc., respondent, v  
Gary L. Dozier, appellant.

(Ind. No. 10-0738; S.C.I. No. 11-190S)

Mark Diamond, New York, N.Y., for appellant.

Janet DiFiore, District Attorney, White Plains, N.Y. (Steven A. Bender and Richard Longworth Hecht of counsel), for respondent.

Appeals by the defendant from (1) a judgment of the County Court, Westchester County (Hubert, J.), rendered April 21, 2011, convicting him of attempted burglary in the second degree under Indictment No. 10-0738, upon his plea of guilty, and imposing sentence, and (2) a judgment of the same court, also rendered April 21, 2011, convicting him of obstructing governmental administration in the second degree under Superior Court Information No. 11-190S, upon his plea of guilty, and imposing sentence.

ORDERED that the judgments are affirmed.

The defendant's contention that his pleas of guilty were not knowingly, voluntarily, and intelligently made is unpreserved for appellate review, since he did not move to withdraw his pleas on this ground prior to sentencing (*see* CPL 220.60[3], 470.05[2]; *People v Cullum*, 93AD3d 856). In any event, the defendant's contention is without merit.

The defendant's contention that the sentencing court erred in denying his application for a "violent felony override" is without merit (*see generally* *People v Williams*, 84 AD3d 1417;

May 15, 2012

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PEOPLE v DOZIER, GARY L.

*People v Cumberbatch*, 24 Misc 3d 412).

FLORIO, J.P., BALKIN, LOTT and MILLER, JJ., concur.

ENTER:

A handwritten signature in black ink, reading "Aprilanne Agostino". The signature is written in a cursive, flowing style.

Aprilanne Agostino  
Clerk of the Court