

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

D34862  
C/prt

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

Submitted - January 27, 2012

WILLIAM F. MASTRO, A.P.J.  
MARK C. DILLON  
RANDALL T. ENG  
PLUMMER E. LOTT  
ROBERT J. MILLER, JJ.

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2010-08434

DECISION & ORDER

The People, etc., respondent,  
v Michael R. Palmer, appellant.

(Ind. No. 2189/08)

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

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove and Diane R. Eisner of counsel; Gregory Musso on the memorandum), for the respondent.

Appeal by the defendant, as limited by his motion, from a sentence of the Supreme Court, Kings County (Foley, J.), imposed November 4, 2009, on the ground that the sentence was excessive.

ORDERED that the sentence is affirmed.

The defendant's valid waiver of his right to appeal precludes appellate review of his claim that his sentence was excessive (*see People v Bradshaw*, 18 NY3d 257, 264-267; *People v Lopez*, 6 NY3d 248, 255).

MASTRO, A.P.J., DILLON, ENG, LOTT and MILLER, JJ., concur.

ENTER:

  
Aprilanne Agostino  
Clerk of the Court

May 8, 2012

PEOPLE v PALMER, MICHAEL R.