

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

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_____AD3d_____

Submitted - February 24, 2012

WILLIAM F. MASTRO, A.P.J.
PETER B. SKELOS
JOHN M. LEVENTHAL
LEONARD B. AUSTIN
JEFFREY A. COHEN, JJ.

2011-01408

DECISION & ORDER

The People, etc., respondent,
v Jeremiah R. Herman, appellant.

(Ind. No. 2151-10)

Karl E. Bonheim, Riverhead, N.Y., for appellant.

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

Appeal by the defendant, as limited by his motion, from a sentence of the County Court, Suffolk County (Kahn, J.), imposed January 18, 2011, 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., SKELOS, LEVENTHAL, AUSTIN and COHEN, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

June 27, 2012

PEOPLE v HERMAN, JEREMIAH R.