

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

D35637
C/ct

_____AD3d_____

Submitted - June 21, 2012

REINALDO E. RIVERA, J.P.
RANDALL T. ENG
PLUMMER E. LOTT
ROBERT J. MILLER, JJ.

2010-02206

DECISION & ORDER

The People, etc., respondent,
v John Lanorith, appellant.

(Ind. No. 179/08)

Steven Banks, New York, N.Y. (William B. Carney of counsel), for appellant.

Daniel M. Donovan, Jr., District Attorney, Staten Island, N.Y. (Morrie I. Kleinbart and Anne Grady of counsel), for respondent.

Appeal by the defendant from a judgment of the Supreme Court, Richmond County (Rooney, J.), rendered January 25, 2010, convicting him of murder in the second degree, upon his plea of guilty, and imposing sentence.

ORDERED that the judgment is affirmed.

The defendant's knowing, voluntary, and intelligent waiver of his right to appeal forecloses appellate review of that branch of his omnibus motion which was to suppress certain identification testimony, and his contention that his sentence was excessive (*see People v Lopez*, 6 NY3d 248, 256-257; *People v Kemp*, 94 NY2d 831, 833).

RIVERA, J.P., ENG, LOTT and MILLER, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

July 18, 2012

PEOPLE v LANORITH, JOHN