

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

D35838
Y/hu

_____AD3d_____

Submitted - April 27, 2012

WILLIAM F. MASTRO, A.P.J.
ANITA R. FLORIO
RUTH C. BALKIN
CHERYL E. CHAMBERS, JJ.

2011-01536

DECISION & ORDER

The People, etc., respondent,
v Juan Dilone, appellant.

(Ind. No. 2348/09)

Robert C. Mitchell, Riverhead, N.Y. (Alfred C. Cicale of counsel), for appellant.

Thomas J. Spota, District Attorney, Riverhead, N.Y. (Anne E. Oh of counsel), for respondent.

Appeal by the defendant, as limited by his motion, from a sentence of the Supreme Court, Suffolk County (Hinrichs, J.), imposed December 13, 2010, on the ground that the sentence was excessive.

ORDERED that the sentence is affirmed.

Contrary to the defendant's contention, the sentence imposed was not excessive (*see People v Suitte*, 90 AD2d 80).

MASTRO, A.P.J., FLORIO, BALKIN and CHAMBERS, JJ., concur.

ENTER: 

Aprilanne Agostino
Clerk of the Court

August 15, 2012

PEOPLE v DILONE, JUAN