

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

D35904
W/prt

_____AD3d_____

Submitted - March 30, 2012

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

2011-10236

DECISION & ORDER

The People, etc., respondent,
v Linda Oliver, appellant.

(Ind. No. 797/11)

Foley Griffin, LLP, Garden City, N.Y. (John Healy of counsel), for appellant.

Kathleen M. Rice, District Attorney, Mineola, N.Y. (Robert A. Schwartz and Laurie K. Gibbons of counsel), for respondent.

Appeal by the defendant, as limited by her motion, from a sentence of the Supreme Court, Nassau County (Carter, J.), imposed September 27, 2011, on the ground that the sentence was illegal.

ORDERED that the sentence is affirmed.

Contrary to the defendant's contention, the sentence imposed did not violate Penal Law § 60.01(2)(d) (*cf.* Penal Law § 60.21). Accordingly, the sentence imposed was not illegal.

MASTRO, A.P.J., SKELOS, LEVENTHAL, AUSTIN and COHEN, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

August 29, 2012

PEOPLE v OLIVER, LINDA