

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

D35979
G/kmb

_____AD3d_____

Submitted - June 29, 2012

WILLIAM F. MASTRO, A.P.J.
REINALDO E. RIVERA
ARIEL E. BELEN
SHERI S. ROMAN
SANDRA L. SGROI, JJ.

2011-06207

DECISION & ORDER

The People, etc., respondent, v Luis Pantaleon,
also known as Jose Flores, appellant.

(Ind. No. 103/03)

Steven Banks, New York, N.Y. (Eve Kessler of counsel), for appellant.

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

Appeal by the defendant, as limited by his motion, from a sentence of the Supreme
Court, Richmond County (Rienzi, J.), imposed May 26, 2011, upon his plea of guilty, 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 review of his contention
that the sentence imposed was excessive (*see People v Bradshaw*, 18 NY3d 257, 264-267; *People
v Ramos*, 7 NY3d 737, 738; *People v Lopez*, 6 NY3d 248, 255; *People v Hidalgo*, 91 NY2d 733,
735; *People v Azeez*, 95 AD3d 1349; *People v Foy*, 89 AD3d 1103).

MASTRO, A.P.J., RIVERA, BELEN, ROMAN and SGROI, JJ., concur.

ENTER:


Aprilanne Agostino
Clerk of the Court

September 19, 2012

PEOPLE v PANTALEON, LUIS, also known as FLORES, JOSE