

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

D36753
N/kmb

_____AD3d_____

Submitted - October 26, 2012

RANDALL T. ENG, P.J.
DANIEL D. ANGIOLILLO
RUTH C. BALKIN
SANDRA L. SGROI, JJ.

2011-10651

DECISION & ORDER

The People, etc., respondent,
v Gary Gillard, appellant.

(Ind. No. 42/00)

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

Thomas J. Spota, District Attorney, Riverhead, N.Y. (Rosalind C. Gray of counsel),
for respondent.

Appeal by the defendant, as limited by his motion, from a resentence of the County
Court, Suffolk County (Cohen, J.), imposed October 20, 2011, on the ground that the resentence was
excessive.

ORDERED that the resentence is affirmed.

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

ENG, P.J., ANGIOLILLO, BALKIN and SGROI, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

December 12, 2012

PEOPLE v GILLARD, GARY