

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

D72669  
O/hr

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Submitted - June 7, 2023

BETSY BARROS, J.P.  
VALERIE BRATHWAITE NELSON  
JOSEPH J. MALTESE  
WILLIAM G. FORD  
BARRY E. WARHIT, JJ.

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2019-05482

DECISION & ORDER

The People, etc., respondent,  
v Romario Wright, appellant.

(Ind. No. 9665/17)

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Patricia Pazner, New York, NY (Angad Singh of counsel), for appellant.

Eric Gonzalez, District Attorney, Brooklyn, NY (Leonard Joblove and Morgan J. Dennehy of counsel; Lauren Slattery on the brief), for respondent.

Appeal by the defendant, as limited by his motion, from a sentence of the Supreme Court, Kings County (Vincent M. Del Giudice, J.), imposed April 23, 2019, sentencing him to a determinate term of imprisonment of 10 years, to be followed by a period of postrelease supervision of 5 years, upon his conviction of robbery in the second degree, and indeterminate terms of imprisonment of 1 to 3 years upon each of his convictions of grand larceny in the fourth degree (three counts), with all sentences to run concurrently, upon his plea of guilty, on the ground that the sentence was excessive.

ORDERED that the sentence is modified, as a matter of discretion in the interest of justice, by reducing the sentence imposed upon the conviction of robbery in the second degree from a determinate term of imprisonment of 10 years, to be followed by a period of postrelease supervision of 5 years, to a determinate term of imprisonment of 4 years, to be followed by a period of postrelease supervision of 5 years; as so modified, the sentence is affirmed.

“In considering whether a sentence is unduly harsh or severe under the circumstances, we exercise our discretion giving consideration to, ‘among other things, the crime charged, the particular circumstances of the individual before the court and the purpose of a penal sanction, i.e.,

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societal protection, rehabilitation, and deterrence” (*People v Kordish*, 140 AD3d 981, 982-983, quoting *People v Farrar*, 52 NY2d 302, 305; see *People v Keith*, 201 AD3d 738). In light of all of the facts and circumstances of this case, we exercise our discretion in the interest of justice and reduce the sentence to the extent indicated herein (see *People v Suitte*, 90 AD2d 80).

BARROS, J.P., BRATHWAITE NELSON, MALTESE, FORD and WARHIT, JJ., concur.

ENTER:

  
Maria T. Fasulo  
Clerk of the Court