

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

D54333  
G/htr

\_\_\_\_\_AD3d\_\_\_\_\_

Submitted - October 27, 2017

CHERYL E. CHAMBERS, J.P.  
JEFFREY A. COHEN  
BETSY BARROS  
LINDA CHRISTOPHER, JJ.

---

2016-06867

DECISION & ORDER

The People, etc., respondent,  
v Andrew Crimmins, appellant.

(Ind. No. 2363-15)

---

Laurette D. Mulry, Riverhead, NY (Alfred J. Cicale of counsel), for appellant.

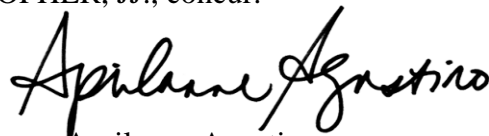
Timothy Sini, District Attorney, Riverhead, NY (Edward A. Bannan of counsel), for respondent.

Appeal by the defendant from a judgment of the County Court, Suffolk County (Martin Efman, J.), rendered May 24, 2016, convicting him of burglary in the third degree (two counts), upon his plea of guilty, and imposing sentence.

ORDERED that the judgment is affirmed.

Contrary to the People's contention, the defendant's waiver of his right to appeal was invalid (*see People v Bradshaw*, 18 NY3d 257, 265; *People v Lopez*, 6 NY3d 248, 256; *People v Callahan*, 80 NY2d 273, 280). However, the sentence imposed was not excessive (*see People v Suitte*, 90 AD2d 80).

CHAMBERS, J.P., COHEN, BARROS and CHRISTOPHER, JJ., concur.

ENTER:   
Aprilanne Agostino  
Clerk of the Court

January 10, 2018

PEOPLE v CRIMMINS, ANDREW