

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

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C/htr

_____AD3d_____

ALAN D. SCHEINKMAN, P.J.
REINALDO E. RIVERA
LEONARD B. AUSTIN
JEFFREY A. COHEN
BETSY BARROS, JJ.

2016-04668

DECISION & ORDER

The People, etc., respondent,
v Austin Jones, appellant.

(Ind. No. 5022/15)

Paul Skip Laisure, New York, NY (Hannah Zhao of counsel), for appellant.

Eric Gonzalez, District Attorney, Brooklyn, NY (Leonard Joblove and Rhea A. Grob of counsel; Robert Ho on the memorandum), for respondent.

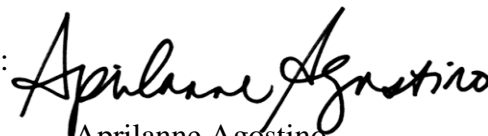
Appeal by the defendant, as limited by his motion, from a sentence of the Supreme Court, Kings County (Betty J. Williams, J.), imposed March 30, 2016, on the ground that the sentence was excessive.

ORDERED that the sentence is affirmed.

The defendant's waiver of his right to appeal was invalid (*see People v Bradshaw*, 18 NY3d 257, 265; *People v Rennick*, 123 AD3d 1146; *People v Reyes*, 121 AD3d 820; *People v Coleman*, 116 AD3d 708) and, thus, does not preclude review of his excessive sentence claim. However, the sentence imposed was not excessive (*see People v Suitte*, 90 AD2d 80).

SCHEINKMAN, P.J., RIVERA, AUSTIN, COHEN and BARROS, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

February 21, 2018

PEOPLE v JONES, AUSTIN