

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

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_____AD3d_____

Submitted - November 9, 2017

RUTH C. BALKIN, J.P.
JOHN M. LEVENTHAL
CHERYL E. CHAMBERS
ROBERT J. MILLER, JJ.

2015-11146

DECISION & ORDER

The People, etc., respondent,
v Jahvonne Chambers, appellant.

(Ind. No. 14-00508)

Mark Diamond, New York, NY, for appellant.

Anthony A. Scarpino, Jr., District Attorney, White Plains, NY (John Carmody and Steven A. Bender of counsel; Angelo Massagli on the brief), for respondent.

Appeal by the defendant from a judgment of the Supreme Court, Westchester County (Barry E. Warhit, J.), rendered September 24, 2015, convicting him of attempted robbery in the second degree, upon his plea of guilty, and imposing sentence.

ORDERED that the judgment is affirmed.

The defendant's contention relating to his waiver of inquiry pursuant to *People v Outley* (80 NY2d 702) is unpreserved for appellate review (*see* CPL 470.05[2]; *see also* *People v Humbach*, 153 AD3d 637, 637-638; *cf.* *People v Williams*, 27 NY3d 212; *People v Murray*, 15 NY3d 725, 726-727). We decline to review the defendant's contention in the exercise of our interest of justice jurisdiction (*see* *People v Humbach*, 153 AD3d at 638).

The defendant's challenge to the final order of protection entered against him is unpreserved for appellate review (*see* *People v Nieves*, 2 NY3d 310, 316-318; *People v Kumar*, 127

February 21, 2018


Page 1.

PEOPLE v CHAMBERS, JAHVONNE

AD3d 882, 883). We decline to review the defendant's contention in the exercise of our interest of justice jurisdiction (*see People v Kennedy*, 151 AD3d 1079, 1079-1080; *People v Bernardini*, 142 AD3d 671, 672; *People v Hunter*, 135 AD3d 958, 959; *People v Kumar*, 127 AD3d at 883).

BALKIN, J.P., LEVENTHAL, CHAMBERS and MILLER, JJ., concur.

ENTER:


Aprilanne Agostino
Clerk of the Court