

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

D55028
O/htr

_____AD3d_____

ALAN D. SCHEINKMAN, P.J.
MARK C. DILLON
ROBERT J. MILLER
SYLVIA O. HINDS-RADIX
ANGELA G. IANNACCI, JJ.

2015-10464

DECISION & ORDER

The People, etc., respondent,
v Luis Rodriguez, appellant.

(Ind. No. 4101/14)

Paul Skip Laisure, New York, NY (Michael Arthus of counsel), for appellant.

Eric Gonzalez, District Attorney, Brooklyn, NY (Leonard Joblove, and Morgan J. Dennehy of counsel; Robert Ho on the memorandum), for respondent.

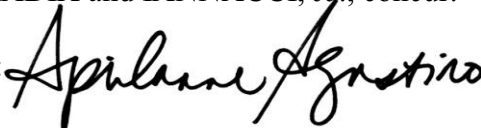
Appeal by the defendant, as limited by his motion, from a sentence of the Supreme Court, Kings County (Neil Jon Firetog, J.), imposed October 8, 2015, on the ground that the sentence was excessive.

ORDERED that the sentence is affirmed.

As the People correctly concede, the defendant's waiver of the right to appeal was invalid (*see People v Bradshaw*, 18 NY3d 257, 265; *People v Brown*, 122 AD3d 133; *People v Stewart*, 136 AD3d 624). However, the sentence imposed was not excessive (*see People v Suitte*, 90 AD2d 80).

SCHEINKMAN, P.J., DILLON, MILLER, HINDS-RADIX and IANNACCI, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

April 11, 2018

PEOPLE v RODRIGUEZ, LUIS