

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

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_____AD3d_____

Submitted - March 12, 2018

CHERYL E. CHAMBERS, J.P.
SHERI S. ROMAN
BETSY BARROS
LINDA CHRISTOPHER, JJ.

2016-10861

DECISION & ORDER

The People, etc., respondent,
v Teodoro Garcia-Mendoza, appellant.

(Ind. No. 2902-14)

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

Timothy D. Sini, District Attorney, Riverhead, NY (Alfred J. Croce of counsel), for respondent.

Appeal by the defendant from a judgment of the Supreme Court, Suffolk County (Barbara Kahn, J.), imposed January 22, 2016, upon his conviction of criminal sexual act in the first degree and endangering the welfare of a child, upon his plea of guilty, and imposing sentence.

ORDERED that the judgment is affirmed.

The record demonstrates that the defendant knowingly, voluntarily, and intelligently waived his right to appeal (*see People v Bryant*, 28 NY3d 1094; *People v Sanders*, 25 NY3d 337). The defendant's valid appeal waiver precludes review of his excessive sentence claim (*see People v Edwin L.*, 142 AD3d 718; *People v Conway*, 140 AD3d 1185).

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

ENTER:



Aprilanne Agostino
Clerk of the Court

April 11, 2018

PEOPLE v GARCIA-MENDOZA, TEODORO