

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

D55208
L/htr

_____AD3d_____

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

2016-02047

DECISION & ORDER

The People, etc., respondent,
v William L. Johnson, appellant.

(Ind. No. 501/14)

Paul Skip Laisure, New York, NY, for appellant.

Richard A. Brown, District Attorney, Kew Gardens, NY (John M. Castellano, Johnette Traill, and Anastasia Spanakos of counsel; Max Lubin on the memorandum), for respondent.

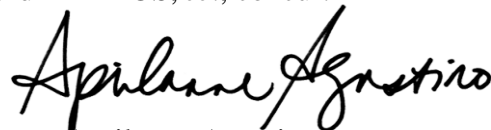
Appeal by the defendant, as limited by his motion, from a sentence of the Supreme Court, Queens County (Deborah Stevens Modica, J.), imposed March 24, 2015, upon his plea of guilty, on the ground that the sentence was excessive.

ORDERED that the sentence is affirmed.

The defendant's purported 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

April 25, 2018

PEOPLE v JOHNSON, WILLIAM L.