

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

D55250
C/htr

_____AD3d_____

Submitted - January 26, 2018

ALAN D. SCHEINKMAN, P.J.
SHERI S. ROMAN
JEFFREY A. COHEN
COLLEEN D. DUFFY
HECTOR D. LASALLE, JJ.

2016-09190

DECISION & ORDER

The People, etc., respondent,
v Justin Smith, appellant.

(Ind. No. 8874/14)

Paul Skip Laisure, New York, NY (Lynn W. L. Fahey of counsel), for appellant.

Eric Gonzalez, District Attorney, Brooklyn, NY (Leonard Joblove and Seth M. Lieberman of counsel; Masha Simonova on the memorandum), for respondent.

Appeal by the defendant, as limited by his motion, from a sentence of the Supreme Court, Kings County (William M. Harrington, J.), imposed July 12, 2016, upon his plea of guilty, on the ground that the sentence was excessive.

ORDERED that the sentence is affirmed.

The defendant's valid waiver of his right to appeal precludes appellate review of his contention that the sentence imposed was excessive (*see People v Bradshaw*, 18 NY3d 257, 267; *People v Lopez*, 6 NY3d 248, 255).

SCHEINKMAN, P.J., ROMAN, COHEN, DUFFY and LASALLE, JJ., concur.

ENTER:


Aprilanne Agostino
Clerk of the Court

May 2, 2018

PEOPLE v SMITH, JUSTIN