

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

D55585
G/hu

_____AD3d_____

Submitted - April 18, 2018

REINALDO E. RIVERA, J.P.
ROBERT J. MILLER
COLLEEN D. DUFFY
HECTOR D. LASALLE, JJ.

2016-09443

DECISION & ORDER

The People, etc., respondent,
v David Thiong, appellant.

(S.C.I. No. 16-00081)

Neal D. Futerfas, White Plains, NY, for appellant.

Anthony A. Scarpino, Jr., District Attorney, White Plains, NY (Jennifer Spencer and William C. Milaccio of counsel), for respondent.

Appeal by the defendant from a judgment of the County Court, Westchester County (Rolf M. Thorsen, J.), rendered August 12, 2016, convicting him of attempted criminal possession of a controlled substance in the third degree, upon his plea of guilty, and imposing sentence.

ORDERED that the judgment is affirmed.

The defendant's valid waiver of his right to appeal (*see People v Ramos*, 7 NY3d 737, 738; *People v Lopez*, 6 NY3d 248, 256; *People v Muniz*, 91 NY2d 570, 575) precludes appellate review of his contention that the sentence imposed was excessive (*see People v Seaberg*, 74 NY2d 1, 9).

RIVERA, J.P., MILLER, DUFFY and LASALLE, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

June 13, 2018

PEOPLE v THIONG, DAVID