

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

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_____AD3d_____

Submitted - May 16, 2018

RUTH C. BALKIN, J.P.
CHERYL E. CHAMBERS
SHERI S. ROMAN
JOSEPH J. MALTESE
FRANCESCA E. CONNOLLY, JJ.

2017-01271

DECISION & ORDER

The People, etc., respondent,
v Thomas Sanders, appellant.

(Ind. No. 973/16)

Paul Skip Laisure, New York, NY (David P. Greenberg of counsel), for appellant.

Eric Gonzalez, District Attorney, Brooklyn, NY (Leonard Joblove and Victor Barall 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 (Miriam Cyrulnik, J., at plea; William Miller, J., at sentence), imposed January 9, 2017, upon his plea of guilty, on the ground that the sentence was excessive.

ORDERED that the sentence is affirmed.

Contrary to the defendant's contention, the record demonstrates that he knowingly, intelligently, and voluntarily waived his right to appeal (*see People v Lopez*, 6 NY3d 246, 257; *People v Brown*, 122 AD3d 133, 144). The defendant's valid appeal waiver precludes appellate review of his excessive sentence claim (*see People v Lopez*, 6 NY3d at 255; *People v Edwin L.*, 142 AD3d 718).

BALKIN, J.P., CHAMBERS, ROMAN, MALTESE and CONNOLLY, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

June 13, 2018

PEOPLE v SANDERS, THOMAS