

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

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Submitted - May 16, 2018

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

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2017-05816

DECISION & ORDER

The People, etc., respondent,  
v Timothy Earl Perry, also known as “Dog,” appellant.

(Ind. No. 20/17)

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Thomas N. N. Angell, Poughkeepsie, NY (Steven Levine of counsel), for appellant.

William V. Grady, District Attorney, Poughkeepsie, NY (Kirsten A. Rappleyea of counsel), for respondent.


Appeal by the defendant from a judgment of the County Court, Dutchess County (Edward T. McLoughlin, J.), rendered May 3, 2017, convicting him of criminal sale 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 Sanders*, 25 NY3d 337, 339-340, 341-342; *People v Lopez*, 6 NY3d 248, 256; *People v Calvi*, 89 NY2d 868, 871) 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 PERRY, TIMOTHY EARL, also known as “DOG”