

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

D55937  
C/htr

\_\_\_\_\_AD3d\_\_\_\_\_

Argued - March 26, 2018

JOHN M. LEVENTHAL, J.P.  
SANDRA L. SGROI  
HECTOR D. LASALLE  
VALERIE BRATHWAITE NELSON, JJ.

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2017-01408

DECISION & ORDER

The People, etc., respondent,  
v Robert Harris, appellant.

(Ind. No. 4462/16)

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Mark Diamond, New York, NY, for appellant.

Eric Gonzalez, District Attorney, Brooklyn, NY (Leonard Joblove and Jill Oziemblewski of counsel; Masha Simonova on the brief), for respondent.

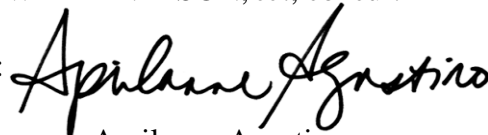
Appeal by the defendant from a judgment of the Supreme Court, Kings County (Elizabeth A. Foley, J.), rendered January 5, 2017, convicting him of assault in the third degree, upon his plea of guilty, and imposing sentence.

ORDERED that the judgment is affirmed.

The defendant's contention that his plea was not knowing, voluntary, and intelligent due to the Supreme Court's failure to advise him, at the time of his plea, that an order of protection would be imposed upon him at sentencing is unpreserved for appellate review (*see People v White*, 144 AD3d 1057; *People v Deal*, 115 AD3d 975, 976), as is his challenge to the issuance of the order of protection at the time of sentencing (*see People v Powell*, 158 AD3d 824; *People v Chambers*, 158 AD3d 774; *People v Maher*, 157 AD3d 967). We decline to review these contentions in the exercise of our interest of justice jurisdiction.

LEVENTHAL, J.P., SGROI, LASALLE and BRATHWAITE NELSON, JJ., concur.

ENTER:



Aprilanne Agostino  
Clerk of the Court

July 5, 2018

PEOPLE v HARRIS, ROBERT