

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

D56479  
C/htr

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Argued - May 10, 2018

ALAN D. SCHEINKMAN, P.J.  
REINALDO E. RIVERA  
ROBERT J. MILLER  
HECTOR D. LASALLE, JJ.

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2016-09117  
2016-09119

DECISION & ORDER

The People, etc., respondent, v Andy M. Gayot,  
also known as Andrew Gayot, appellant.

(Ind. Nos. 482-14, 462-15)

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Laurette D. Mulry, Riverhead, NY (Louis E. Mazzola of counsel), for appellant.

Timothy D. Sini, District Attorney, Riverhead, NY (Rosalind C. Gray of counsel),  
for respondent.

Appeal by the defendant from two judgments of the County Court, Suffolk County (Barbara Kahn, J.), both rendered July 27, 2016, the first convicting him under Indictment No. 482-14 of sex trafficking (two counts), compelling prostitution, promoting prostitution in the second degree (two counts), promoting prostitution in the third degree, strangulation in the second degree, criminal obstruction of breathing, rape in the third degree (two counts), criminal sexual act in the third degree (two counts), endangering the welfare of a child (two counts), criminal possession of a controlled substance in the third degree, criminal possession of a controlled substance in the fourth degree, criminal possession of a controlled substance in the seventh degree (two counts), criminally using drug paraphernalia, and criminal possession of a weapon in the third degree, and the second convicting him under Indictment No. 462-15 of sex trafficking (two counts), promoting prostitution in the second degree, promoting prostitution in the third degree, criminal sexual act in the first degree (two counts), strangulation in the second degree, criminal obstruction of breathing in the second degree, assault in the second degree, assault in the third degree, petit larceny (three counts), and criminal possession of a weapon in the third degree, both after a nonjury trial, and imposing sentences.

ORDERED that the judgments are affirmed.

September 12, 2018

PEOPLE v GAYOT, ANDY M., also known as GAYOT, ANDREW

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The defendant contends that the evidence recovered from his home should have been suppressed since there was not a proper basis for a probation search. However, this contention is unpreserved for appellate review because the defendant never moved for such suppression (*see* CPL 470.05 [2]; *People v Watts*, 309 AD2d 628, 629; *People v Hines*, 289 AD2d 40). We decline to review the defendant's contention pursuant to our interest of justice jurisdiction.

The record shows that defense counsel provided meaningful representation to the defendant, and, thus, he was not deprived of the effective assistance of counsel (*see People v Benevento*, 91 NY2d 708; *People v Baldi*, 54 NY2d 137).

The sentences imposed were not excessive (*see People v Suitte*, 90 AD2d 80).

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

ENTER:

A handwritten signature in black ink that reads "Aprilanne Agostino". The signature is written in a cursive, flowing style.

Aprilanne Agostino  
Clerk of the Court