

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

D56601
M/htr

_____AD3d_____

Submitted - May 7, 2018

JOHN M. LEVENTHAL, J.P.
JEFFREY A. COHEN
SYLVIA O. HINDS-RADIX
ANGELA G. IANNACCI, JJ.

2013-07331

DECISION & ORDER

People of State of New York, respondent,
v Anthony Bennett, appellant.

The Legal Aid Society, New York, NY (Anita Aboagye-Agyeman of counsel), for appellant.

Richard A. Brown, District Attorney, Kew Gardens, NY (John M. Castellano, Johnnette Traill, Roni C. Piplani, and Jimei Hon of counsel), for respondent.


Appeal by the defendant from an order of the Supreme Court, Queens County (Steven W. Paynter, J.), dated June 6, 2013, which, after a hearing, designated him a level three sex offender pursuant to Correction Law article 6-C.

ORDERED that the order is affirmed, without costs or disbursements.

The defendant's contention that his sex offender designation should be vacated since he was never released into the community is unpreserved for appellate review (*see* CPL 470.05[2]) and, in any event, without merit (*see People v Gordon*, 147 AD3d 988).

LEVENTHAL, J.P., COHEN, HINDS-RADIX and IANNACCI, JJ., concur.

ENTER:


Aprilanne Agostino
Clerk of the Court

September 19, 2018

PEOPLE OF STATE OF NEW YORK v BENNETT