

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

D56634
G/htr

_____AD3d_____

Submitted - May 22, 2018

CHERYL E. CHAMBERS, J.P.
LEONARD B. AUSTIN
JEFFREY A. COHEN
COLLEEN D. DUFFY, JJ.

2017-02700
2017-02715

DECISION & ORDER

The People, etc., respondent,
v Raiquan Falls, appellant.

(Ind. Nos. 15-578, 15-599)

Thomas R. Villecco, Jericho, NY, for appellant.

David M. Hoovler, District Attorney, Goshen, NY (Robert H. Middlemiss of counsel), for respondent.

Appeals by the defendant from two judgments of the County Court, Orange County (Craig Stephen Brown, J.), both rendered February 21, 2017, convicting him of criminal sale of a controlled substance in the third degree under Indictment No. 15-578, and criminal sale of a controlled substance in or near school grounds under Indictment No. 15-599, upon his pleas of guilty, and imposing sentences.

ORDERED that the judgments are affirmed.

The County Court, at the request of defense counsel, conducted a hearing pursuant to CPL 730.30, at which the People presented the testimony of a psychiatrist and a psychologist, both of whom examined the defendant and found him to be competent to stand trial. It was not an improvident exercise of discretion for the court to have accepted their assessment (*see People v Phillips*, 16 NY3d 510, 517).

CHAMBERS, J.P., AUSTIN, COHEN and DUFFY, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

September 19, 2018

PEOPLE v FALLS, RAIQUAN