

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

D56906
G/htr

_____AD3d_____

Submitted - May 16, 2018

JOHN M. LEVENTHAL, J.P.
LEONARD B. AUSTIN
JEFFREY A. COHEN
BETSY BARROS
LINDA CHRISTOPHER, JJ.

2016-00482

DECISION & ORDER

The People, etc., respondent,
v Javaine Henry, appellant.

(Ind. No. 10195/13)

Paul Skip Laisure, New York, NY (Denise A. Corsí of counsel), for appellant.

Eric Gonzalez, District Attorney, Brooklyn, NY (Leonard Joblove and Thomas M. Ross of counsel; Ruby D. Andrade on the memorandum), for respondent.

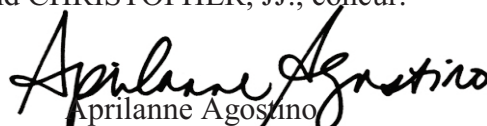
Appeal by the defendant, as limited by his motion, from a sentence of the Supreme Court, Kings County (Vincent DelGiudice, J.), imposed June 17, 2015, upon his plea of guilty, on the ground that the sentence was excessive.

ORDERED that the sentence is affirmed.

The record demonstrates that the defendant knowingly, voluntarily, and intelligently waived his right to appeal (*see People v Sanders*, 25 NY3d 337, 339-342; *People v Lopez*, 6 NY3d 248, 256). The defendant's valid waiver of his right to appeal precludes appellate review of his contention that the sentence imposed was excessive (*see People v Lopez*, 6 NY3d at 255-256; *People v Mendez*, 128 AD3d 854, 855; *People v Arcuri*, 97 AD3d 836, 836).

LEVENTHAL, J.P., AUSTIN, COHEN, BARROS and CHRISTOPHER, JJ., concur.

ENTER:


Aprilanne Agostino
Clerk of the Court

October 3, 2018

PEOPLE v HENRY, JAVAINÉ