

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

D57126  
M/htr

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

Argued - May 29, 2018

RUTH C. BALKIN, J.P.  
LEONARD B. AUSTIN  
HECTOR D. LASALLE  
ANGELA G. IANNACCI, JJ.

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2016-10295

DECISION & ORDER

The People, etc., respondent,  
v Juan Garcia, appellant.

(Ind. No. 976/15)

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Laurette D. Mulry, Riverhead, NY (Alfred J. Cicale of counsel), for appellant.

Timothy D. Sini, District Attorney, Riverhead, NY (Michael J. Brennan of counsel),  
for respondent.

Appeal by the defendant from a judgment of the County Court, Suffolk County  
(Timothy Mazzei, J.), rendered August 16, 2016, convicting him of criminal possession of a  
controlled substance in the second degree, upon his plea of guilty, and imposing sentence.

ORDERED that the judgment is affirmed.

The record demonstrates that the defendant knowingly, voluntarily, and intelligently  
waived his right to appeal (*see People v Bryant*, 28 NY3d 1094; *People v Sanders*, 25 NY3d 337).  
The defendant's valid waiver of his right to appeal precludes review of his contentions regarding the  
denial of his suppression motion and the excessiveness of his sentence (*see People v Callahan*, 80  
NY2d 273; *People v Corbin*, 121 AD3d 803; *People v Abdul*, 112 AD3d 644).

BALKIN, J.P., AUSTIN, LASALLE and IANNACCI, JJ., concur.

ENTER:



Aprilanne Agostino  
Clerk of the Court

October 31, 2018

PEOPLE v GARCIA, JUAN