

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

D57228  
T/htr

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

Argued - June 7, 2018

REINALDO E. RIVERA, J.P.  
CHERYL E. CHAMBERS  
COLLEEN D. DUFFY  
ANGELA G. IANNACCI, JJ.

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2016-11319

DECISION & ORDER

The People, etc., respondent,  
v Yoni Basurto-Lopez, appellant.

(Ind. No. 252/15)

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Paul Skip Laisure, New York, NY (David P. Greenberg of counsel), for appellant.

Michael E. McMahon, District Attorney, Staten Island, NY (Morrie I. Kleinbart and Alexander Fumelli of counsel), for respondent.

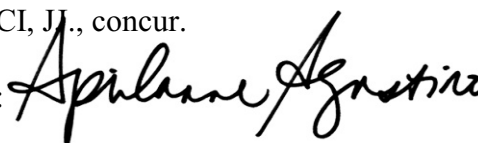
Appeal by the defendant from a judgment of the Supreme Court, Richmond County (Stephen J. Rooney, J.), rendered September 19, 2016, convicting him of robbery in the second degree, upon his plea of guilty, and imposing sentence.

ORDERED that the judgment is affirmed.

The record demonstrates that the defendant knowingly, voluntarily, and intelligently waived his right to appeal (*see People v Lyons*, 161 AD3d 1196; *People v Marrero*, 153 AD3d 1364; *People v Miranda*, 144 AD3d 844). The defendant's valid waiver of his right to appeal precludes review of his contention that the sentencing court improvidently exercised its discretion in declining to grant him youthful offender treatment (*see People v Pacherille*, 25 NY3d 1021, 1024; *People v Lafontant*, 160 AD3d 662; *People v McCray*, 145 AD3d 740; *People v Drammeh*, 100 AD3d 650, 651; *People v Franko*, 98 AD3d 525).

RIVERA, J.P., CHAMBERS, DUFFY and IANNACCI, JJ., concur.

ENTER:



Aprilanne Agostino  
Clerk of the Court

November 7, 2018

PEOPLE v BASURTO-LOPEZ, YONI