

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

D57399
C/htr

_____AD3d_____

Submitted - October 31, 2018

RUTH C. BALKIN, J.P.
SANDRA L. SGROI
BETSY BARROS
LINDA CHRISTOPHER, JJ.

2015-07368

DECISION & ORDER

The People, etc., respondent,
v Cesar Velez, appellant.

(Ind. No. 1401/10)

Paul Skip Laisure, New York, NY (Erica Horwitz of counsel), for appellant.

Richard A. Brown, District Attorney, Kew Gardens, NY (John M. Castellano, Johnette Traill, and Danielle S. Fenn of counsel; Victoria Randall on the memorandum), for respondent.


Appeal by the defendant, as limited by his motion, from a sentence of the Supreme Court, Queens County (Gregory L. Lasak, J.), imposed May 6, 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, 256-257; *cf. People v Brown*, 122 AD3d 133, 145-146). The defendant's valid waiver of his right to appeal precludes review of his contention that the sentence imposed was excessive (*see People v Lopez*, 6 NY3d at 255-256).

BALKIN, J.P., SGROI, BARROS and CHRISTOPHER, JJ., concur.

ENTER:


Aprilanne Agostino
Clerk of the Court

November 28, 2018

PEOPLE v VELEZ, CESAR