

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

D57766
T/htr

_____AD3d_____

Submitted - September 11, 2018

MARK C. DILLON, J.P.
SHERI S. ROMAN
ROBERT J. MILLER
COLLEEN D. DUFFY, JJ.

2016-06202

DECISION & ORDER

The People, etc., respondent,
v Robert Hobbs, appellant.

(Ind. No. 14-00156)

James D. Licata, New City, NY (Ellen O'Hara Woods of counsel), for appellant.

Thomas P. Zugibe, District Attorney, New City, NY (Itamar J. Yeger of counsel), for respondent.

Appeal by the defendant from a judgment of the Supreme Court, Rockland County (William A. Kelly, J.), rendered May 17, 2016, convicting him of criminal possession of a weapon in the third degree, upon his plea of guilty, and imposing sentence.

ORDERED that the judgment is affirmed.

The defendant knowingly, voluntarily, and intelligently waived his right to appeal (*see People v Lopez*, 6 NY3d 248, 256-257; *People v Lyons*, 163 AD3d 589), and he does not challenge the validity of this waiver (*see People v McMahon*, 153 AD3d 728, 729). The defendant's valid waiver of his right to appeal precludes appellate review of his contention with respect to the denial of that branch of his omnibus motion which was to suppress his statements to law enforcement officials, and his contention that the sentence imposed was excessive (*see People v Kemp*, 94 NY2d 831, 833; *People v Lyons*, 163 AD3d at 589).

The defendant's remaining contention is without merit.

DILLON, J.P., ROMAN, MILLER and DUFFY, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

December 26, 2018

PEOPLE v HOBBS, ROBERT