

State of New York  
Supreme Court, Appellate Division  
Third Judicial Department

Decided and Entered: January 22, 2009

101646

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THE PEOPLE OF THE STATE OF  
NEW YORK,

Respondent,

v

MEMORANDUM AND ORDER

JANICA MOORE,

Appellant.

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Calendar Date: December 18, 2008

Before: Cardona, P.J., Peters, Lahtinen, Kane and Stein, JJ.

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Erin C. Morigerato, Albany, for appellant.

Kevin C. Kortright, District Attorney, Fort Edward  
(Katherine G. Henley of counsel), for respondent.

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Appeal from a judgment of the County Court of Washington County (McKeighan, J.), rendered February 14, 2008, convicting defendant upon her plea of guilty of the crime of promoting prison contraband in the first degree.

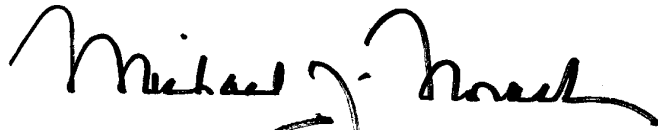
Waiving her right to appeal, defendant pleaded guilty to promoting prison contraband in the first degree. County Court thereafter sentenced defendant as negotiated to six months in jail and five years of probation. Defendant now appeals.

The sole contention advanced by defendant is that the sentence imposed is harsh and excessive. She is precluded from making such a challenge, however, given that she validly waived her right to appeal (see People v Wilson, 53 AD3d 928, 929 [2008]). Accordingly, the judgment is affirmed.

Cardona, P.J., Peters, Lahtinen, Kane and Stein, JJ.,  
concur.

ORDERED that the judgment is affirmed.

ENTER:

A handwritten signature in black ink, appearing to read "Michael J. Novack". The signature is fluid and cursive, with a large loop at the end.

Michael J. Novack  
Clerk of the Court