

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

Decided and Entered: March 8, 2018

108174

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THE PEOPLE OF THE STATE OF  
NEW YORK,

Respondent,

MEMORANDUM AND ORDER

v

ELVIN E. BRUNKER JR.,  
Appellant.

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Calendar Date: January 23, 2018

Before: Egan Jr., J.P., Lynch, Devine, Aarons and Pritzker, JJ.

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Kevin A. Jones, Ithaca, for appellant.

Weeden A. Wetmore, District Attorney, Elmira (Sophie J. Marmor of counsel), for respondent.

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Appeal from a judgment of the County Court of Chemung County (Rich Jr., J.), rendered August 15, 2014, convicting defendant upon his plea of guilty of the crime of forgery in the second degree.

In satisfaction of a 37-count indictment, defendant pleaded guilty to forgery in the second degree. County Court sentenced defendant, in accordance with the plea agreement, to a prison term of 2 to 6 years and imposed restitution. Defendant appeals.

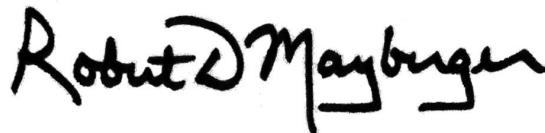
We are unpersuaded by defendant's sole contention on appeal that the sentence imposed was harsh and excessive. Given defendant's extensive criminal history spanning 20 years across multiple jurisdictions, we find no abuse of discretion or the existence of any extraordinary circumstances warranting a reduction of the agreed-upon sentence in the interest of justice

(see People v Gillespie, 125 AD3d 1017, 1018 [2015]; People v Mulligan-Moore, 112 AD3d 1154, 1155 [2013]).

Egan Jr., J.P., Lynch, Devine, Aarons and Pritzker, JJ.,  
concur.

ORDERED that the judgment is affirmed.

ENTER:

A handwritten signature in black ink that reads "Robert D. Mayberger". The signature is written in a cursive, slightly slanted style.

Robert D. Mayberger  
Clerk of the Court