

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

Decided and Entered: April 19, 2018

108310

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THE PEOPLE OF THE STATE OF  
NEW YORK,

Respondent,

v

MEMORANDUM AND ORDER

MARESA CHAPMAN,

Appellant.

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Calendar Date: March 2, 2018

Before: Egan Jr., J.P., Devine, Clark, Aarons and Rumsey, JJ.

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Marshall Nadan, Kingston, for appellant.

P. David Soares, District Attorney, Albany (Michael C. Wetmore of counsel), for respondent.

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Appeal from a judgment of the County Court of Albany County (Herrick, J.), rendered January 25, 2016, convicting defendant upon her plea of guilty of the crime of attempted assault in the first degree.

In satisfaction of a six-count indictment, defendant pleaded guilty to attempted assault in the first degree and waived her right to appeal, both orally and in writing. In accordance with the terms of the plea agreement, she was sentenced as a second felony offender to 8½ years in prison, to be followed by five years of postrelease supervision. She now appeals.

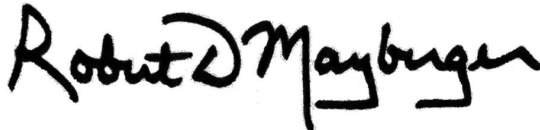
Defendant's sole contention is that her sentence is harsh and excessive. She is, however, precluded from raising this claim by her unchallenged waiver of the right to appeal (see

People v Lopez, 6 NY3d 248, 255-256 [2006]; People v Gause, 157 AD3d 1167, 1168 [2018], lv denied \_\_\_ NY3d \_\_\_ [Mar. 22, 2018]; People v Odom, 150 AD3d 1484, 1485 [2017]). Therefore, the judgment of conviction is affirmed.

Egan Jr., J.P., Devine, Clark, Aarons and Rumsey, 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