

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

Decided and Entered: May 21, 2015

106185

THE PEOPLE OF THE STATE OF
NEW YORK,

Respondent,

v

MEMORANDUM AND ORDER

JORGE MARRERO,

Appellant.

Calendar Date: March 31, 2015

Before: Peters, P.J., Lahtinen, Garry and Rose, JJ.

Andrew Kossover, Public Defender, Kingston (Michael K. Gould of counsel), for appellant.

D. Holley Carnright, District Attorney, Kingston (Joan Gudesblatt Lamb of counsel), for respondent.

Appeal from a judgment of the County Court of Ulster County (Williams, J.), rendered August 15, 2013, convicting defendant upon his plea of guilty of the crime of assault in the first degree.

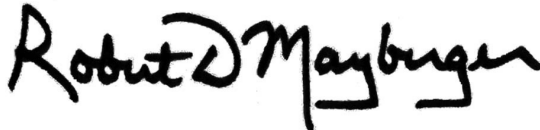
Defendant was charged in an indictment with numerous crimes following an incident in which he shot his girlfriend in the face at close range causing her serious injuries and rendering her blind in both eyes. In full satisfaction of the indictment, he pleaded guilty to assault in the first degree and waived his right to appeal. In accord with the plea agreement, he was sentenced to 18 years in prison to be followed by five years of postrelease supervision. He now appeals.

Defendant's sole claim is that his sentence is harsh and excessive. However, given defendant's valid waiver of the right to appeal, we are precluded from considering it (see People v Lopez, 6 NY3d 248, 256 [2006]; People v Brown, 125 AD3d 1049, 1049 [2015]). We therefore affirm the judgment of conviction.

Peters, P.J., Lahtinen, Garry and Rose, 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