

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

Decided and Entered: May 18, 2017

107357

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THE PEOPLE OF THE STATE OF  
NEW YORK,

Respondent,

v

MEMORANDUM AND ORDER

MICHAEL ODOM,

Appellant.

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Calendar Date: April 4, 2017

Before: Lynch, J.P., Devine, Clark, Mulvey and Aarons, JJ.

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Robert W. Linville, Public Defender, Hudson (Jessica Howser of counsel), for appellant.

Paul Czajka, District Attorney, Hudson (Trevor O. Flicke of counsel), for respondent.

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Appeal from a judgment of the County Court of Columbia County (Nichols, J.), rendered January 30, 2014, convicting defendant upon his plea of guilty of the crime of attempted course of sexual conduct against a child in the second degree.

Defendant waived indictment and pleaded guilty to the reduced charge of attempted course of sexual conduct against a child in the second degree and waived his right to appeal. County Court sentenced defendant in accordance with its sentencing commitment to a prison term of two years, followed by four years of postrelease supervision. Defendant appeals.

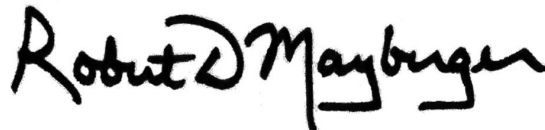
Defendant's sole contention on appeal is that the sentence imposed was harsh and excessive given, among other things, his remorse and acceptance of responsibility for the crime. However,

defendant's unchallenged waiver of the right to appeal precludes our review of this contention (see People v Guzman-Moore, 144 AD3d 1267, 1268 [2016], lv denied 29 NY3d 949 [2017]; People v Perkins, 140 AD3d 1401, 1403 [2016], lv denied 28 NY3d 1126 [2016]).

Lynch, J.P., Devine, Clark, Mulvey and Aarons, 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