

SUPREME COURT OF THE STATE OF NEW YORK
Appellate Division, Fourth Judicial Department

624

KA 23-01105

PRESENT: WHALEN, P.J., CURRAN, GREENWOOD, NOWAK, AND KEANE, JJ.

THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT,

V

MEMORANDUM AND ORDER

ANDREW M. WILSON, DEFENDANT-APPELLANT.

THOMAS L. PELYCH, HORNELL, FOR DEFENDANT-APPELLANT.

BRITTANY GROME ANTONACCI, DISTRICT ATTORNEY, AUBURN (CHRISTOPHER T. VALDINA OF COUNSEL), FOR RESPONDENT.

Appeal from a judgment of the Cayuga County Court (Thomas G. Leone, J.), rendered June 1, 2023. The judgment convicted defendant upon a guilty plea of aggravated family offense.

It is hereby ORDERED that the judgment so appealed from is unanimously affirmed.

Memorandum: On appeal from a judgment convicting him upon his plea of guilty of aggravated family offense (Penal Law § 240.75), defendant contends that County Court erred in imposing an enhanced sentence based upon defendant's postplea conduct. Because defendant did not object to the enhanced sentence or move to withdraw his guilty plea or to vacate the judgment of conviction, he failed to preserve that contention for our review (*see People v Roberto*, 224 AD3d 1367, 1368 [4th Dept 2024]; *People v Bishop*, 198 AD3d 1381, 1382 [4th Dept 2021], *lv denied* 37 NY3d 1095 [2021]). We reject defendant's contention that the enhanced sentence is unduly harsh and severe.

Entered: November 15, 2024

Ann Dillon Flynn
Clerk of the Court