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Enhanced State Prison Sentence for Violation of Terms of Guilty Plea



ALBANY, NY- District Attorney P. David Soares announced today that **RICARDO MOORE**, 42, of Latham, was sentenced to 7 years in State Prison, to be followed by 3 years of Post Release Supervision, before the Honorable Peter A. Lynch in Albany County Court this afternoon.

On July 8, 2013, MOORE pleaded guilty to (1) Count of Criminal Possession of a Controlled Substance in the Third Degree, a Class B Felony.

On June 29, 2013, the defendant was pulled over by an officer from the Colonie Police Department for multiple vehicle and traffic infractions. The officer detected an odor of marijuana coming from MOORE's vehicle, which, when confronted by the officer about the odor, prompted him to voluntarily surrender 2 bags of marijuana that were in the glove box. A subsequent search of the vehicle found MOORE to be in possession of 19.6 grams of crack cocaine.

At the time of the guilty plea, MOORE was informed by the Court that he would receive a sentence of up to 4 years in State Prison if he was not arrested for any offense prior to the sentencing date. The defendant agreed to be bound by these conditions and his guilty plea was accepted.

However, prior to the sentencing date, MOORE was arrested and charged with (1) Count of Criminal Sale of a Controlled Substance in the Third Degree, (1) Count of Criminal Possession of a Controlled Substance in the Third Degree, and (1) Count of Criminal Possession of a Controlled Substance in the Fourth Degree.

At sentencing this afternoon, the Court found the defendant to be in violation of the conditions of his guilty plea and enhanced his sentence to 7 years in State Prison.

This case was prosecuted by Assistant District Attorney Kurt Haas of the Street Crimes Unit.

For more information please contact Cecilia Walsh (518) 275-4710.

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