

SUPREME COURT OF THE STATE OF NEW YORK, APPELLATE DIVISION,
SECOND JUDICIAL DEPARTMENT

People v. Ariyarajah

2026 NY Slip Op 03684 · No. 2024-09395, 2024-09414 · Decided June 10, 2026

SUMMARY

The Appellate Division, Second Department affirmed judgments convicting Vignendra Ariyarajah of first-degree assault and second-degree health care fraud following guilty pleas. The court held that the Supreme Court properly denied his motion to withdraw the pleas without a hearing because the pleas were knowing, voluntary, and intelligent, and his coercion and ineffective-assistance claims lacked merit. The court also determined that he was properly advised of the immigration consequences of the pleas and failed to establish prejudice.

CASE DETAILS

COURT	Supreme Court of the State of New York, Appellate Division, Second Judicial Department
WRITING FOR THE COURT	Angela G. Iannacci, J.P.; Paul Wooten; Lourdes M. Ventura; Lisa S. Ottley
JURISDICTION	Supreme Court of the State of New York, Appellate Division, Second Judicial Department
DECIDED	June 10, 2026
DOCKET	2024-09395, 2024-09414
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed from two judgments entered after guilty pleas to assault in the first degree and health care fraud in the second degree. Before sentencing, he moved to withdraw his pleas under CPL 220.60(3), but the Supreme Court denied the motion without a hearing and imposed sentences pursuant to the plea agreements.
STANDARD OF REVIEW	A motion to withdraw a guilty plea rests within the trial court's sound discretion and generally will not be disturbed absent an improvident exercise of discretion.
PRECEDENTIAL VALUE	Published New York Appellate Division decision
PARTIES	Vignendra Ariyarajah v. The People of the State of New York

TOPICS

plea bargaining

ineffective assistance

criminal procedure

immigration

appellate procedure

PRACTICE AREAS

criminal procedure

plea bargaining

ineffective assistance

immigration consequences of criminal convictions

appellate procedure

QUESTIONS PRESENTED

1. Whether the Supreme Court improvidently exercised its discretion by denying without a hearing the defendant's motion under CPL 220.60(3) to withdraw his guilty pleas.
2. Whether alleged coercion or misleading advice by defense counsel required withdrawal of the pleas.
3. Whether defense counsel's alleged failure to advise the defendant about immigration consequences constituted ineffective assistance under the United States Constitution and prejudiced the defendant.

HOLDINGS

1. The Supreme Court properly denied the defendant's motion to withdraw his guilty pleas because the record showed that the pleas were knowingly, voluntarily, and intelligently entered and did not establish innocence, fraud, mistake, coercion, or involuntariness.
2. The defendant failed to establish ineffective assistance or prejudice because, even if counsel did not independently advise him about immigration consequences, the Supreme Court properly provided that advice, and there was no reasonable probability that the defendant would have rejected the plea agreements and proceeded to trial.

KEY QUOTATIONS

“A motion to withdraw a plea of guilty rests within the sound discretion of the court and generally will not be disturbed absent an improvident exercise of discretion” ([*1])

“In the plea context, the defendant must show that there is a reasonable probability that, but for counsel's errors, he [or she] would not have pleaded guilty and would have insisted on going to trial, or that the outcome of the proceedings would have been different” ([*2])

FACTUAL BACKGROUND

The defendant entered guilty pleas to assault in the first degree and health care fraud in the second degree under separate indictments. Before sentencing, he sought to withdraw the pleas, asserting that he had been coerced or misled by counsel and that counsel had failed to advise him of immigration consequences. The plea record, including his sworn statements, showed that the pleas were knowing, voluntary, and intelligent, and that the Supreme Court itself properly advised him of the immigration consequences.

PROCEDURAL HISTORY

The defendant pleaded guilty under two indictments in the Supreme Court, Kings County. He moved before sentencing to withdraw both pleas, alleging coercion, misleading advice, ineffective assistance, and inadequate advice concerning immigration consequences. The trial court denied the motion without a hearing and sentenced him according to the plea agreements; the Appellate Division affirmed.

DISPOSITION

affirmed

CASES CITED

- People v. Hernandez, 242 AD3d 1112, 1113
- People v. Hollmond, 191 AD3d 120, 136
- People v. Turner, 195 AD3d 953, 954
- People v. Matos, 176 AD3d 976, 976
- People v. Roberts, 210 AD3d 1014, 1015
- People v. Fellows, 208 AD3d 682, 683
- People v. Smith, 201 AD3d 822, 823
- Strickland v. Washington, 466 US 668, 687-688
- People v. Alexander, 208 AD3d 1247, 1248
- People v. Ramroop, 236 AD3d 931, 931-932
- People v. Parson, 27 NY3d 1107, 1108
- People v. Singh, 231 AD3d 749, 750

OPINION

People v. Ariyarajah 2026 NY Slip Op 03684

PER CURIAM.

People v Ariyarajah - 2026 NY Slip Op 03684 skip to main content It appears you are using Adblock. Please disable Adblock to best experience our website. Law Reporting Bureau Thomas J.K. Smith, State Reporter Court Decisions Resources About Home All Court Decisions Decisions People v Ariyarajah 2026 NY Slip Op 03684 June 10, 2026 Appellate Division, Second Department Published by New York State Law Reporting Bureau pursuant to Judiciary Law § 431. This decision is uncorrected and subject to revision before publication in the Official Reports. The People of the State of New York, respondent, v Vignendra Ariyarajah, appellant. (Ind. Nos. 319/19, 74295/21) Supreme Court of the State of New York, Appellate Division, Second Judicial Department Decided on June 10, 2026 2024-09395, 2024-09414 Angela G. Iannacci, J.P. Paul Wooten Lourdes M. Ventura Lisa S. Ottley, JJ. Richard E. Mischel, P.C., New York, NY, for appellant. Eric Gonzalez, District Attorney, Brooklyn, NY (Leonard Joblove, Amy Appelbaum, and Simcha Engelen of counsel), for respondent. [*1] DECISION & ORDER Appeals by the defendant from two judgments of the Supreme Court, Kings County (Danny K. Chun, J.), both

rendered August 23, 2024, convicting him of assault in the first degree under Indictment No. 319/19 and health care fraud in the second degree under Indictment No. 74295/21, upon his pleas of guilty, and imposing sentences. ORDERED that the judgments are affirmed. The defendant entered pleas of guilty to assault in the first degree (Penal Law § 120.10[3]) under Indictment No. 319/19 and health care fraud in the second degree (Penal Law § 177.20) under Indictment No. 74295/21. Prior to sentencing, the defendant moved pursuant to CPL 220.60(3) to withdraw his pleas of guilty. The Supreme Court denied the defendant's motion without a hearing and sentenced the defendant in accordance with the terms of the plea agreements. A motion to withdraw a plea of guilty rests within the sound discretion of the court and generally will not be disturbed absent an improvident exercise of discretion (see CPL 220.60[3]; *People v Hernandez* , 242 AD3d 1112 , 1113). In general, such a motion must be premised upon some evidence of possible innocence or fraud, mistake, coercion, or involuntariness in taking the plea (see *People v Hernandez* , 242 AD3d at 1113; *People v Hollmond* , 191 AD3d 120, 136). Here, the record demonstrates that the defendant's pleas of guilty were entered knowingly, voluntarily, and intelligently (see *People v Turner* , 195 AD3d 953, 954 ; *People v Matos* , 176 AD3d 976 , 976). The defendant's contentions that he was coerced or misled by his counsel into entering a plea of guilty are belied by his statements made under oath at the plea proceeding (see *People v Roberts* , 210 AD3d 1014, 1015 ; *People v Fellows* , 208 AD3d 682 , 683). Moreover, defense counsel's alleged statements to the defendant warning him of the possible outcome if he proceeded to trial did not constitute coercion (see *People v Smith* , 201 AD3d 822, 823). Further, contrary to the defendant's contention, the Supreme Court did not improvidently exercise its discretion in denying the defendant's motion pursuant to CPL 220.60(3) to withdraw his pleas of guilty on the ground that he was deprived of the effective assistance of [*2] counsel under the United States Constitution. To prevail on a claim of ineffective assistance of counsel under the United States Constitution, the defendant must show that counsel's representation fell below an objective standard of reasonableness and that the deficient performance prejudiced the defense (see *Strickland v Washington* , 466 US 668, 687-688 ; *People v Alexander* , 208 AD3d 1247, 1248). "In the plea context, the defendant must show that there is a reasonable probability that, but for counsel's errors, he [or she] would not have pleaded guilty and would have insisted on going to trial, or that the outcome of the proceedings would have been different" (*People v Ramroop* , 236 AD3d 931 , 931-932 [internal quotation marks omitted]; see *People v Parson* , 27 NY3d 1107, 1108). Here, although the defendant contends that defense counsel failed to advise him regarding the immigration consequences of his pleas of guilty, the record demonstrates that the defendant was properly advised of those consequences by the Supreme Court (see *People v Ramroop* , 236 AD3d at 932). Thus, the defendant cannot show prejudice resulting from defense counsel's alleged failure to provide that advice himself and there is no reasonable probability that the defendant would not have entered his pleas of guilty but for counsel's alleged deficiency (see *id.* ; *People v Singh* , 231 AD3d 749 , 750). Accordingly, the Supreme Court properly denied the defendant's motion pursuant to CPL 220.60(3) to withdraw his

pleas of guilty. The defendant's remaining contentions are without merit. IANNACCI, J.P., WOOTEN, VENTURA and OTTLEY, JJ., concur. ENTER: Darrell M. Joseph Clerk of the Court
Court Decisions All Court Decisions Official Reports Service Bound Volumes Decision Search
Resources RSS Feeds Style Manual Citation Tools Opinion Formatting & Privacy Guidelines
Opinion Selection Criteria Legal Research Portal Site Index About About the Law Reporting
Bureau About our Operations Contact Us Twitter Quick Contact Info 17 Lodge Street Albany, NY
12207 Phone: (518) 453-6900 Links to or from other sites do not signify endorsement or
relationship with them.

Retrieved from lawtools.ai · <https://lawtools.ai/cases/state/supreme-court-of-the-state-of-new-york-appellate-division-second-judicial-department-supreme-court-o/2026/people-v-ariyarah-22ljlxc>