

APPELLATE DIVISION OF THE SUPREME COURT OF THE STATE OF NEW YORK, THIRD DEPARTMENT

People v. Sweeney

2026 NY Slip Op 00550 · No. CR-25-0032 · Decided February 5, 2026

SUMMARY

The Appellate Division, Third Department affirmed a judgment convicting Jake B. Sweeney upon his guilty plea to criminal possession of a weapon in the second degree. The court held that County Court obtained personal jurisdiction through a valid arraignment and the defendant’s subsequent appearances and guilty plea. It also upheld the defendant’s appeal waiver and concluded that the waiver barred his challenge to the severity of his sentence.

CASE DETAILS

COURT	Appellate Division of the Supreme Court of the State of New York, Third Department
WRITING FOR THE COURT	Mackey, J.; Garry, P.J.; Ceresia, J.; Fisher, J.; McShan, J.
JURISDICTION	New York Appellate Division, Third Department
DECIDED	February 5, 2026
DOCKET	CR-25-0032
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed from a County Court judgment convicting him upon his guilty plea of criminal possession of a weapon in the second degree and imposing an agreed-upon enhanced sentence.
STANDARD OF REVIEW	The court reviewed the validity of the arraignment and appeal waiver as questions of law based on the record; it enforced the valid appeal waiver against defendant's challenge to sentence severity.
PRECEDENTIAL VALUE	Published
PARTIES	Jake B. Sweeney v. The People of the State of New York

TOPICS

- criminal procedure
- arraignment
- right to counsel
- appellate procedure
- sentencing

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether County Court obtained personal jurisdiction over defendant despite an asserted failure to satisfy the statutory requirements for a valid arraignment.
2. Whether defendant's written waiver of the right to appeal was valid despite overbroad and inaccurate language.
3. Whether the valid appeal waiver barred defendant's challenge to the severity of his sentence.

HOLDINGS

1. County Court obtained personal jurisdiction over defendant because he was present at arraignment, represented by counsel, acknowledged receipt of the indictment, and waived formal reading; entry of a plea is not a statutory requirement of arraignment.
2. Defendant knowingly, voluntarily, and intelligently waived his right to appeal even though the written waiver contained overbroad and inaccurate language, because the court's oral colloquy clarified the separate nature of the waiver and identified appellate issues that remained reviewable.
3. The valid waiver of the right to appeal precluded defendant's challenge to the severity of his sentence.

KEY QUOTATIONS

"a failure to arraign does not prejudice the rights of a defendant who pleads guilty" (*1)

"defendant submitted to the court's jurisdiction through his subsequent appearances and his guilty plea" (*1)

FACTUAL BACKGROUND

Defendant was charged in a 10-count indictment with offenses related to his alleged possession of a loaded handgun. He appeared with counsel, acknowledged receipt of the indictment, waived formal reading, and pleaded guilty to criminal possession of a weapon in the second degree. After failing to appear for sentencing, he agreed to an enhanced sentence of 5½ years' imprisonment and five years of postrelease supervision in lieu of an Outley hearing.

PROCEDURAL HISTORY

Defendant initially pleaded guilty pursuant to an agreement providing for a 4½-year prison sentence and waived his right to appeal. After he failed to appear for sentencing, a bench warrant was issued and he was taken into custody. He later agreed to an enhanced 5½-year sentence in lieu of an Outley hearing, and County Court imposed that sentence. The Appellate Division affirmed.

DISPOSITION

affirmed

CASES CITED

- People v. Brooks, 118 A.D.3d 1123, 1123 (3d Dep't 2014), leave denied, 24 N.Y.3d 959 (2014)
- People v. Oakley, 112 A.D.3d 1064, 1064 (3d Dep't 2013), leave denied, 22 N.Y.3d 1140 (2014)
- People v. Cook, 134 A.D.3d 1241, 1242-1243 (3d Dep't 2015), leave denied, 26 N.Y.3d 1143 (2016)
- People v. Roberts, 6 A.D.3d 942, 943 (3d Dep't 2004), leave denied, 3 N.Y.3d 662 (2004)
- People v. Tiul-Putul, 211 A.D.3d 1184, 1185 (3d Dep't 2022)
- People v. Luckerson, 135 A.D.3d 1186, 1187 (3d Dep't 2016)
- People v. Miller, 27 A.D.3d 1017, 1017-1018 (3d Dep't 2006)
- People v. Thomas, 34 N.Y.3d 545, 559-560, 564 (2019)
- People v. Martin, 243 A.D.3d 968, 970 (3d Dep't 2025)
- People v. Lesson, 241 A.D.3d 1051, 1055 (3d Dep't 2025), leave denied, 44 N.Y.3d 1028 (2025)
- People v. Murauskas, 240 A.D.3d 1007, 1008 (3d Dep't 2025), leave denied, 43 N.Y.3d 1057 (2025)
- People v. Buchas, 226 A.D.3d 1217, 1218 (3d Dep't 2024)
- People v. Guilianelle, 233 A.D.3d 1179, 1180 (3d Dep't 2024), leave denied, 43 N.Y.3d 1009 (2025)
- People v. Sealey, 234 A.D.3d 1184, 1185 (3d Dep't 2025)
- People v. Smith, 232 A.D.3d 942, 942-943 (3d Dep't 2024)
- People v. Sutton, 237 A.D.3d 1317, 1318 (3d Dep't 2025)
- People v. Williams, 235 A.D.3d 1066, 1067 (3d Dep't 2025)
- People v. Patterson, 228 A.D.3d 1138, 1139 (3d Dep't 2024)