

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

People v. Carroll

2026 NY Slip Op 03542 (N.Y. Ct. App. 2026) · No. KA 24-00512 · Decided June 5, 2026

SUMMARY

The New York Supreme Court, Appellate Division, Fourth Department unanimously affirmed a judgment convicting Jacob Carroll, upon his guilty plea, of arson in the second degree. The court held that, even assuming the defendant’s waiver of the right to appeal was invalid, the challenge to the severity of his sentence lacked merit because the sentence was not unduly harsh or severe.

CASE DETAILS

COURT	Supreme Court of the State of New York, Appellate Division, Fourth Judicial Department
WRITING FOR THE COURT	Whalen, P.J.; Bannister, J.; Montour, J.; Greenwood, J.; Hannah, J.
JURISDICTION	New York Supreme Court, Appellate Division, Fourth Department
DECIDED	June 5, 2026
DOCKET	KA 24-00512
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed from a judgment of the Erie County Court convicting him upon his guilty plea of arson in the second degree. He challenged the validity of his appeal waiver and the severity of his sentence.
PRECEDENTIAL VALUE	Published opinion
PARTIES	Jacob Carroll, defendant-appellant v. The People of the State of New York, respondent

TOPICS

- sentencing
- criminal procedure
- appellate procedure
- standard of review

PRACTICE AREAS

- criminal law
- criminal procedure
- appellate practice

QUESTIONS PRESENTED

1. Whether defendant's waiver of the right to appeal was knowingly, intelligently, and voluntarily entered.
2. Whether defendant's sentence was unduly harsh or severe.

HOLDINGS

1. The sentence was not unduly harsh or severe.
2. The court did not decide the validity of the appeal waiver; it assumed, for purposes of analysis, that the waiver was invalid.

KEY QUOTATIONS

“Even assuming, arguendo, that defendant's waiver of the right to appeal is invalid and therefore does not preclude our review of his challenge to the severity of his sentence, we conclude that the sentence is not unduly harsh or severe.” ([*1])

FACTUAL BACKGROUND

Defendant pleaded guilty to arson in the second degree under Penal Law § 150.15. The resulting judgment included a sentence that defendant challenged on appeal as unduly harsh and severe, along with a challenge to the knowing, intelligent, and voluntary nature of his waiver of the right to appeal.

PROCEDURAL HISTORY

The Erie County Court, with James F. Bargnesi, J., rendered judgment on October 23, 2023, after defendant pleaded guilty to arson in the second degree. Defendant appealed to the Appellate Division, Fourth Department, which unanimously affirmed the judgment.

DISPOSITION

affirmed

CASES CITED

- People v. John, 244 AD3d 1782, 1782 (4th Dep't 2025)
- People v. Swiderski, 217 AD3d 1416, 1417 (4th Dep't 2023)

OPINION

People v. Carroll 2026 NY Slip Op 03542

PER CURIAM.

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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 JACOB CARROLL, DEFENDANT-APPELLANT. Supreme Court of the State of New York, Appellate Division, Fourth Judicial Department Decided on June 5, 2026 273 KA 24-00512 Present: Whalen, P.J., Bannister, Montour, Greenwood, And Hannah, JJ. THE LEGAL AID BUREAU OF BUFFALO, INC., BUFFALO (NICHOLAS P. DIFONZO OF COUNSEL), FOR DEFENDANT-APPELLANT. MICHAEL J. KEANE, DISTRICT ATTORNEY, BUFFALO (PAUL J. WILLIAMS, III, OF COUNSEL), FOR RESPONDENT. Appeal from a judgment of the Erie County Court (James F. Bargnesi, J.), rendered October 23, 2023. The judgment convicted defendant upon a plea of guilty of arson in the second degree. [*1] 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 arson in the second degree (Penal Law § 150.15), defendant contends that his waiver of the right to appeal was not knowingly, intelligently, and voluntarily entered and that his sentence is unduly harsh and severe. Even assuming, arguendo, that defendant's waiver of the right to appeal is invalid and therefore does not preclude our review of his challenge to the severity of his sentence (see People v John , 244 AD3d 1782 , 1782 [4th Dept 2025]; People v Swiderski , 217 AD3d 1416 , 1417 [4th Dept 2023]), we conclude that the sentence is not unduly harsh or severe. Entered: June 5, 2026 Ann Dillon Flynn Clerk of the Court
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