

**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

OPINION

People v. Carroll 2026 NY Slip Op 03542

PER CURIAM.

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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 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

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