

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

The People of the State of New York v. Marques Garrett

People v. Garrett, 2026 NY Slip Op 02595 (N.Y. Ct. App. 2026) · No. KA 24-01571 · Decided April 24, 2026

SUMMARY

The Appellate Division, Fourth Department granted the motion to dismiss the appeal in People v. Garrett. The matter was remitted to Supreme Court, Erie County, to vacate the judgment of conviction and dismiss the indictment.

CASE DETAILS

COURT	Supreme Court of the State of New York, Appellate Division, Fourth Department
WRITING FOR THE COURT	Whalen, P.J.; Lindley, J.; Curran, J.; Bannister, J.; Montour, J.
JURISDICTION	New York Appellate Division, Fourth Department
DECIDED	April 24, 2026
DOCKET	KA 24-01571
DISPOSITION	remanded
PROCEDURAL POSTURE	Defendant-appellant's motion to dismiss the appeal was granted, and the matter was remitted to Supreme Court, Erie County.
PRECEDENTIAL VALUE	Published
PARTIES	Marques Garrett v. The People of the State of New York

TOPICS

appellate procedure criminal procedure post-conviction relief

PRACTICE AREAS

criminal procedure appellate procedure post-conviction relief

QUESTIONS PRESENTED

- Whether the defendant-appellant's motion to dismiss the appeal should be granted.
- What relief should be directed in Supreme Court, Erie County after dismissal of the appeal.

HOLDINGS

- 1. The motion to dismiss the appeal was granted.

KEY QUOTATIONS

“Motion to dismiss appeal granted. Matter remitted to Supreme Court, Erie County, to vacate judgment of conviction and dismiss indictment” ([*1])

FACTUAL BACKGROUND

The opinion contains no substantive factual background concerning the alleged offense or the underlying proceedings. It identifies Marques Garrett as the defendant-appellant and refers to a judgment of conviction and indictment in Supreme Court, Erie County.

PROCEDURAL HISTORY

The opinion provides no underlying factual or procedural history beyond identifying the appeal as arising from a criminal judgment of conviction. The Appellate Division granted the motion to dismiss the appeal and remitted the matter to Supreme Court, Erie County, for specified relief.

DISPOSITION

remanded

REMAND INSTRUCTIONS

Matter remitted to Supreme Court, Erie County, to vacate the judgment of conviction and dismiss the indictment.

CASES CITED

- People v Matteson, 75 NY2d 745, 747 [1989]

OPINION

People v. Garrett 2026 NY Slip Op 02595

PER CURIAM.

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This decision is uncorrected and subject to revision before publication in the Official Reports.

THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT,

v

MARQUES GARRETT, DEFENDANT-APPELLANT.

Decided on April 24, 2026

KA 24-01571.

Present: Whalen, P.J., Lindley, Curran, Bannister, And Montour, JJ. (Filed Apr. 24, 2026.)

MEMORANDUM AND ORDER

Motion to dismiss appeal granted. Matter remitted to Supreme Court, Erie County, to vacate judgment of conviction and dismiss indictment (*see* *People v Matteson*, 75 NY2d 745, 747 [1989]).

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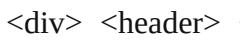
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PER CURIAM.

People v Garrett - 2026 NY Slip Op 02595

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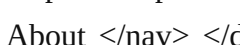


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Appellate Division, Fourth Department

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