

NEW YORK COURT OF APPEALS

People v. Meyers

2026 NY Slip Op 03261 · No. No. 44 · Decided May 26, 2026

SUMMARY

The New York Court of Appeals affirmed the Appellate Division’s determination that a reconstruction hearing, rather than summary reversal and a new trial, was appropriate after substantial portions of the trial transcript were missing or inaccurately transcribed. The Court held that the reconstructed record, supported by testimony from trial participants and the trial judge’s notes, adequately protected the defendant’s right to appellate review and due process. The Court also rejected the defendant’s remaining claims concerning the trial, including challenges to an expert witness issue, the sufficiency of the evidence, and suppression of statements.

CASE DETAILS

COURT	New York Court of Appeals
WRITING FOR THE COURT	Wilson, Chief Judge; Rivera; Garcia; Singas; Cannataro; Halligan; Mackey
JURISDICTION	New York Court of Appeals
DECIDED	May 26, 2026
DOCKET	No. 44
DISPOSITION	affirmed
PROCEDURAL POSTURE	Criminal appeal from an Appellate Division order affirming convictions after the Appellate Division ordered a reconstruction hearing to address missing and irregular portions of the trial transcript.
STANDARD OF REVIEW	The court applied the presumption of regularity and required the defendant to identify potential appealable and reviewable issues that could not be adequately reviewed because of defects in the record. The legal-sufficiency claim was reviewed in the light most favorable to the People, and the suppression claim was reviewed for record support.
PRECEDENTIAL VALUE	published
PARTIES	Joseph A. Meyers v. The People

TOPICS

appellate procedure

criminal procedure

due process

standard of review

suppression of evidence

PRACTICE AREAS

criminal appellate procedure

criminal procedure

constitutional law

QUESTIONS PRESENTED

1. Whether the Appellate Division properly ordered a reconstruction hearing rather than summarily reversing the convictions and ordering a new trial.
2. Whether the reconstruction hearing produced a record adequate to protect Meyers's due-process right to appellate review.
3. Whether the reconstruction hearing procedures deprived Meyers of due process through inadequate access to trial exhibits and related materials.
4. Whether the alleged intimidation of a defense expert and counsel violated due process.
5. Whether the evidence was legally sufficient to support the convictions.
6. Whether statements made by Meyers to investigators should have been suppressed because he was allegedly in custody.

HOLDINGS

1. A reconstruction hearing is appropriate when the defendant fails to establish that reconstruction would be futile and available sources can provide an adequate basis to determine whether genuine appealable issues exist.
2. The reconstructed record was adequate, and Meyers failed to rebut the presumption of regularity because he did not identify a material appealable issue that could not be fairly reviewed due to defects in the record.
3. The reconstruction hearing did not violate due process where counsel was permitted to request specific documents, the People offered access to materials in their possession, and counsel did not identify specific missing exhibits, request an adjournment, or seek to recall witnesses.
4. No due-process violation occurred because defense counsel could have opposed the expert-preclusion motion and obtained a judicial determination, followed by appellate review if necessary.
5. The evidence was legally sufficient because, viewing it in the light most favorable to the People, a rational trier of fact could find the elements proven beyond a reasonable doubt.
6. The suppression claim failed because the available Huntley-hearing transcript supported County Court's determination that Meyers was not in custody.

KEY QUOTATIONS

“Although the transcript prepared by the court reporter at trial is utterly inexcusable, we affirm the Appellate Division's holding that, on the unique facts of this case, the results of the reconstruction hearing were sufficient to protect Mr. Meyers's right to an appeal.” (at 1)

“To obtain summary reversal based on a record defect, a defendant bears the “burden to establish that a reconstruction hearing would be futile”” (at 2)

“To establish the insufficiency of a reconstructed record, a defendant must identify (1) potential appealable and reviewable issues which (2) could not be adequately reviewed because of defects in the record” (at 3)

FACTUAL BACKGROUND

A fire destroyed David O'Dell's home and caused his death. Evidence connected Meyers and his wife to the fire, including a financial interest in O'Dell's death, video footage, cell-phone location data, and inconsistent statements to investigators. Meyers was convicted of multiple offenses after a jury trial, but substantial portions of the trial transcript were missing or filled with inaccurate entries such as "blah blah blah" and "untranscribable."

PROCEDURAL HISTORY

Meyers was convicted after a jury trial of murder, arson, falsifying business records, attempted insurance fraud, and conspiracy and received an aggregate indeterminate sentence including 23 years to life. During his appeal, substantial portions of the trial transcript were discovered to be missing or materially inaccurate. The Appellate Division held the appeal in abeyance and remitted for a reconstruction hearing. After a four-day hearing using testimony from trial participants and trial materials, the Appellate Division found the record adequate and affirmed. The Court of Appeals affirmed the Appellate Division.

DISPOSITION

affirmed

CASES CITED

- People v. Yavru-Sakuk, 98 NY2d 56 (2002)
- People v. Rivera, 39 NY2d 519 (1976)
- People v. Velasquez, 1 NY3d 44 (2003)
- People v. Harrison, 85 NY2d 794 (1995)
- People v. Parris, 4 NY3d 41 (2004)
- People v. Glass, 43 NY2d 283 (1977)
- People v. Strollo, 191 NY 42 (1908)
- Sage v. Fairchild-Swearingen Corp., 70 NY2d 579 (1987)
- Hecker v. State of New York, 20 NY3d 1087 (2013)
- People v. De Tore, 34 NY2d 199 (1974)
- People v. Cabey, 85 NY2d 417 (1995)
- People v. Cabrera, 41 NY3d 35 (2023)
- People v. Paulman, 5 NY3d 122 (2005)
- People v. Meyers, 191 AD3d 1406 (4th Dept 2021)

- People v. Meyers, 236 AD3d 1499 (4th Dept 2025)

Retrieved from lawtools.ai · <https://lawtools.ai/cases/state/new-york-court-of-appeals-new-york-court-of-appeals/2026/people-v-meyers-6p0y8911>