

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

People v. Govan

2026 NY Slip Op 00717 (N.Y. Ct. App. 2026) · No. 914 KA 24-00207 · Decided February 11, 2026

SUMMARY

The New York Supreme Court, Appellate Division, Fourth Department unanimously affirmed an order denying Darien Govan's motion to vacate a judgment of conviction under CPL 440.10. The court adopted the same memorandum issued in a related appeal.

CASE DETAILS

COURT	Supreme Court of the State of New York, Appellate Division, Fourth Judicial Department
WRITING FOR THE COURT	Lindley, J.P.; Bannister, J.; Greenwood, J.; Nowak, J.; Hannah, J.
JURISDICTION	Supreme Court of the State of New York, Appellate Division, Fourth Judicial Department
DECIDED	February 11, 2026
DOCKET	914 KA 24-00207
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal by permission from an order of Supreme Court, Monroe County, denying defendant's motion to vacate a judgment of conviction under CPL 440.10.
PRECEDENTIAL VALUE	published
PARTIES	Darien Govan v. The People of the State of New York

TOPICS

- post-conviction relief
- criminal procedure
- appellate procedure

PRACTICE AREAS

- criminal procedure
- post-conviction relief
- appellate procedure

QUESTIONS PRESENTED

1. Whether Supreme Court properly denied defendant's motion to vacate the judgment of conviction pursuant to CPL 440.10.

HOLDINGS

1. The order denying defendant's motion to vacate the judgment of conviction pursuant to CPL 440.10 is affirmed.

FACTUAL BACKGROUND

The opinion provides no substantive facts concerning the underlying criminal conviction or the grounds of defendant's CPL 440.10 motion. It addresses only the appeal from the order denying that motion and affirms the order by reference to the same memorandum issued in *People v. Govan*, appeal No. 1.

PROCEDURAL HISTORY

Defendant moved in Supreme Court, Monroe County, to vacate a judgment of conviction pursuant to CPL 440.10. Supreme Court denied the motion in an order entered January 3, 2024. The Appellate Division granted permission to appeal and unanimously affirmed.

DISPOSITION

affirmed

CASES CITED

- *People v. Govan* (appeal No. 1), AD3d [Feb. 11, 2026] [4th Dept 2026]

OPINION

PER CURIAM.

People v Govan (2026 NY Slip Op 00717) People v Govan 2026 NY Slip Op 00717 Decided on February 11, 2026 Appellate Division, Fourth Department Published by New York State Law Reporting Bureau pursuant to Judiciary Law § 431. This opinion is uncorrected and subject to revision before publication in the Official Reports. Decided on February 11, 2026 SUPREME COURT OF THE STATE OF NEW YORK Appellate Division, Fourth Judicial Department PRESENT: LINDLEY, J.P., BANNISTER, GREENWOOD, NOWAK, AND HANNAH, JJ. 914 KA 24-00207 [*1]THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, v DARIEN GOVAN, DEFENDANT-APPELLANT.

(APPEAL NO. 3.) JULIE CIANCA, PUBLIC DEFENDER, ROCHESTER (ALEXANDER PRIETO OF COUNSEL), FOR DEFENDANT-APPELLANT. DARIEN GOVAN, DEFENDANT-APPELLANT PRO SE. SANDRA DOORLEY, DISTRICT ATTORNEY, ROCHESTER (GRAZINA HARPER OF COUNSEL), FOR RESPONDENT. Appeal, by permission of a Justice

of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from an order of the Supreme Court, Monroe County (Victoria M. Argento, J.), entered January 3, 2024.

The order denied the motion of defendant to vacate a judgment of conviction pursuant to CPL 440.10. It is hereby ORDERED that the order so appealed from is unanimously affirmed. Same memorandum as in People v Govan ([appeal No. 1] — AD3d — [Feb. 11, 2026] [4th Dept 2026]). Entered: February 11, 2026 Ann Dillon Flynn Clerk of the Court