

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

People v. Strange

2025 NY Slip Op 07180 (N.Y. Ct. App. 2025) · No. 915 KA 24-01594 · Decided December 23, 2025

OPINION

People v. Strange 2025 NY Slip Op 07180

PER CURIAM.

People v Strange (2025 NY Slip Op 07180) People v Strange 2025 NY Slip Op 07180 Decided on December 23, 2025 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 December 23, 2025

SUPREME COURT OF THE STATE OF NEW YORK

Appellate Division, Fourth Judicial Department PRESENT: LINDLEY, J.P., BANNISTER, GREENWOOD, NOWAK, AND HANNAH, JJ. 915 KA 24-01594

[*1]THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT,

v MARKELL STRANGE, DEFENDANT-APPELLANT. JULIE CIANCA, PUBLIC DEFENDER, ROCHESTER (TONYA PLANK OF COUNSEL), FOR DEFENDANT-APPELLANT. SANDRA DOORLEY, DISTRICT ATTORNEY, ROCHESTER (LISA GRAY OF COUNSEL), FOR RESPONDENT. Appeal from a judgment of the Monroe County Court (Michael L. Dollinger, J.), rendered July 17, 2024. The judgment convicted defendant, upon his plea of guilty, of attempted burglary in the first degree. It is hereby ORDERED that the judgment so appealed from is unanimously affirmed. Memorandum: Defendant appeals from a judgment convicting him, upon his plea of guilty, of attempted burglary in the first degree (Penal Law §§ 110.00, 140.30 [3]). Even assuming, arguendo, that defendant's waiver of the right to appeal is invalid (see People v Thomas , 34 NY3d 545, 565-566 [2019], cert denied — US &mdash, 140 S Ct 2634 [2020]) and thus does not preclude our review of his challenge to the severity of his sentence (see People v Pascalar , 221 AD3d 1538, 1538 [4th Dept 2023], lv denied 40 NY3d 1094 [2024]; People v Alls , 187 AD3d 1515, 1515 [4th Dept 2020]), we conclude that the sentence is not unduly harsh or severe. Entered: December 23, 2025 Ann Dillon Flynn Clerk of the Court

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