

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

People v. Matias

2026 NY Slip Op 00328 (N.Y. Ct. App. 2026) · No. Ind. No. 4295/17; Appeal No. 4883; Case No. 2020-02163 ·
Decided January 27, 2026

SUMMARY

The Appellate Division, First Department unanimously affirmed Jose Matias's conviction for second-degree assault and his four-year sentence as a second felony offender. The court held that his appeal waiver did not bar review of his suppression claim, but concluded that his post-Miranda statements were voluntary under the totality of the circumstances despite troubling assurances by the prosecutor regarding confidentiality. The court also found no basis to disturb the sentence.

CASE DETAILS

COURT	Supreme Court of the State of New York, Appellate Division, First Department
WRITING FOR THE COURT	Manzanet-Daniels, J.P.; Kennedy, J.; Shulman, J.; Michael, J.; Hagler, J.
JURISDICTION	New York Supreme Court, Appellate Division, First Department
DECIDED	January 27, 2026
DOCKET	Ind. No. 4295/17; Appeal No. 4883; Case No. 2020-02163
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed from a judgment of the Supreme Court, New York County, convicting him upon his guilty plea of assault in the second degree and sentencing him as a second felony offender to four years' imprisonment. He challenged the voluntariness of incriminating statements obtained after Miranda warnings and the denial of his suppression motion.
STANDARD OF REVIEW	The Appellate Division reviewed the motion court's factual findings for clear error and independently evaluated whether defendant's statements were voluntary under the totality of the circumstances.
PRECEDENTIAL VALUE	Published opinion; precedential within the applicable New York appellate hierarchy, subject to revision before publication in the Official Reports.

PARTIES

Jose Matias, Defendant-Appellant v. The People of the State of New York, Respondent

TOPICS

criminal procedure

miranda rights

suppression of evidence

appellate procedure

standard of review

PRACTICE AREAS

criminal procedure

appellate procedure

constitutional law

evidence

QUESTIONS PRESENTED

1. Whether defendant's guilty-plea waiver of the right to appeal barred appellate review of his suppression claim.
2. Whether the detective's and prosecutor's assurances concerning confidentiality rendered defendant's post-Miranda statements involuntary under the Due Process Clause.
3. Whether the motion court's factual findings denying suppression were clearly erroneous.
4. Whether defendant's sentence should be reduced.

HOLDINGS

1. The appeal waiver was ineffective to waive review of defendant's suppression claim because a defendant who pleads guilty after an adverse suppression ruling retains the right to appellate review of that ruling.
2. The statements were voluntary under the totality of the circumstances because the assurances, although troubling and potentially misleading, were not so fundamentally unfair or deceptive as to deny due process.
3. The motion court's findings were not clearly erroneous, and there was no basis to overturn the conviction on the suppression issue.
4. There was no basis for reducing the sentence.

KEY QUOTATIONS

"When Miranda warnings are properly provided, "the requisite inference of voluntariness may be relatively easily drawn" absent evidence of "official illegality potentially impairing the voluntariness of a subsequent admission"" ([*1])

"While we do not condone the prosecutor's statements in this case, we find that they were not sufficiently unfair or deceptive to render the defendant's statements involuntary." ([*1])

"To be clear, we are not announcing a blanket rule that the same or similar statements would not give rise to an involuntary confession in another context." ([*1])

FACTUAL BACKGROUND

Defendant was arrested after a home-invasion investigation in which victims identified him and described two apparent package delivery men who had attacked them. He received and waived Miranda warnings before two interrogation sessions, during which a detective and an assistant district attorney made statements assuring him that information about his purported accomplice would not be disclosed. Defendant subsequently admitted involvement, although he denied physically engaging with anyone at the apartment. The court considered his criminal history, familiarity with the criminal process, knowledge that the interviews were recorded, and the absence of an express promise of leniency or an explicit assurance that the statements were off the record.

PROCEDURAL HISTORY

After an adverse suppression ruling concerning his incriminating statements, defendant pleaded guilty in October 2019 to assault in the second degree in exchange for a four-year prison sentence. The Supreme Court sentenced him as promised on February 21, 2020. The Appellate Division held that the appeal waiver did not bar review of the suppression claim, reached the merits, and unanimously affirmed.

DISPOSITION

affirmed

CASES CITED

- People v. Francisco, 171 A.D.3d 536, 537 (1st Dep't 2019), leave denied, 33 N.Y.3d 1104 (2019)
- People v. Aveni, 22 N.Y.3d 1114, 1117 (2014)
- People v. Guilford, 21 N.Y.3d 205, 208 (2013)
- People v. Tarsia, 50 N.Y.2d 1, 11 (1980)
- People v. Martin, 112 A.D.3d 453, 454 (1st Dep't 2013)
- People v. Shakoor, 198 A.D.3d 490, 491 (1st Dep't 2021), leave denied, 38 N.Y.3d 930 (2022)
- People v. Steadman, 82 N.Y.2d 1, 7 (1993)

OPINION

People v. Matias 2026 NY Slip Op 00328

PER CURIAM.

People v Matias (2026 NY Slip Op 00328) People v Matias 2026 NY Slip Op 00328 Decided on January 27, 2026 Appellate Division, First 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 and Entered: January 27, 2026 Before: Manzanet-Daniels, J.P., Kennedy, Shulman, Michael, Hagler, JJ. Ind. No. 4295/17|Appeal No. 4883|Case No. 2020-02163| [*1]The People of the State of New York, Respondent, v Jose Matias, Defendant-Appellant. Twyla Carter, The Legal Aid Society, New York (J.M. Boselli of counsel), for appellant. Alvin L. Bragg, Jr., District Attorney, New York (Ethan Solomon of counsel), for respondent. Judgment, Supreme Court, New York County (Laura Ward, J., at hearing; Steven Statsinger, J., at plea; Kate Paek, J., at sentencing), rendered February 21, 2020, convicting

defendant of assault in the second degree, and sentencing him, as a second felony offender, to a term of four years, unanimously affirmed. The waiver of the right to appeal that defendant executed at the time of his guilty plea was ineffective to waive review of his suppression claim. The court's statement that defendant's guilty plea automatically waived "the claim that any search, seizure, or interrogation was illegal" was incorrect, because by pleading guilty after an adverse suppression ruling, defendant retained the right to have this Court review that decision (see *People v Francisco* , 171 AD3d 536 , 537 [1st Dept 2019], lv denied 33 NY3d 1104 [2019]; CPL 710.70[2]). On the merits, the motion court correctly determined that the statements defendant made to a prosecutor after he properly received and waived his Miranda rights were voluntary in the context of this particular case (see *People v Aveni* , 22 NY3d 1114, 1117 [2014]; *People v Guilford* , 21 NY3d 205, 208 [2013]). When Miranda warnings are properly provided, "the requisite inference of voluntariness may be relatively easily drawn" absent evidence of "official illegality potentially impairing the voluntariness of a subsequent admission" (*Guilford* , 21 NY3d at 208). For example, false representations made during an interrogation will render the confession involuntary where "the deception was so fundamentally unfair as to deny due process" (*People v Tarsia* , 50 NY2d 1, 11 [1980]). The voluntariness of a defendant's statements must be determined by considering "the totality of the circumstances under which the statement was obtained" (*Aveni* , 22 NY3d at 1117). Defendant was convicted based upon an alleged home invasion that occurred in October 2017. The victims, who sustained serious injuries, described an altercation where two apparent package delivery men arrived at their front door, brandished a firearm, and attacked them. The victims provided descriptions of both men. The following day, defendant's wife reported to the police that her husband was involved in the incident. One of the victims then identified defendant in a photo array, and he was arrested shortly thereafter. Following the arrest, defendant was interviewed by the detective and prosecutor in two interrogation sessions. He was properly given Miranda warnings on both occasions. During both interviews, defendant was hesitant to identify his "friend," expressing fear for his family's safety. He also referred to his past as a confidential informant and reputation in the neighborhood as a "rat." The detective assured him: "Just so you know, this stays in here. This doesn't get released to anybody. This is, you know, for us . . . it doesn't go out to the public." Defendant continued to claim that he was innocent. The following day, defendant was interviewed by an assistant district attorney, and again was hesitant to disclose his friend's full name and other details regarding the incident. The prosecutor assured defendant that "I'm not going to tell anybody about you giving up somebody's name," reiterating that she wasn't going to "tell anybody about this conversation." The prosecutor continued to press defendant, saying "you might be scared of [your friend], but that shouldn't prevent you from telling me the truth here, because I'm not going to tell anybody about this, this conversation that we had, and neither is the detective." She then explained the further investigative steps that would be taken, including DNA testing, and urged defendant to tell the truth. Shortly thereafter, defendant admitted his involvement in the incident, although he continued

to claim that he had not physically engaged with anyone at the apartment where the alleged home invasion occurred. In October of 2019, following an adverse ruling on his suppression motion regarding his incriminatory statements, defendant ultimately pleaded guilty to assault in the second degree in exchange for a prison sentence of four years. In February 2020, he was sentenced as promised. While we do not condone the prosecutor's statements in this case, we find that they were not sufficiently unfair or deceptive to render the defendant's statements involuntary. In this context, we find that the prosecutor's remarks — and particularly, her promise that she was not going to tell "anybody" about defendant's statements — while troubling, were not "so fundamentally unfair as to deny due process" (*People v Tarsia* , 50 NY2d 1, 11 [1980]). As the motion court's findings made in connection with denying defendant's motion to suppress were not "clearly erroneous" (see e.g. *People v Martin* , 112 AD3d 453 , 454 [1st Dept 2013]), there is no basis to overturn the conviction. Defendant has a lengthy criminal history, and was familiar with the criminal process at the time he was arrested and interrogated. It is uncontested that he knew that the interviews were being recorded. His statements to the detective and prosecutor further confirm his understanding that the interviews were being preserved, and could potentially be used against him. Defendant was not offered unqualified confidentiality, and it was not specifically conveyed to him that his statements were off the record and would not be offered at trial. Nor did the prosecutor "expressly promise defendant leniency in exchange for his cooperation" (*People v Shakoor* , 198 AD3d 490 , 491 [1st Dept 2021], lv denied 38 NY3d 930 [2022]). Finally, given the overwhelming evidence of defendant's guilt, he would not have been particularly motivated to speak in exchange for a promise not to use his statements against him in court. Thus, even insofar as the prosecutor's statements may have falsely assured defendant that she would withhold information from defendant's accomplice, this deception was not "so fundamentally unfair as to deny due process" (*People v Tarsia* , 50 NY2d 1, 11 [1980]; see also CPL 60.45[2][b][ii]). To be clear, we are not announcing a blanket rule that the same or similar statements would not give rise to an involuntary confession in another context. As noted, the voluntariness of a defendant's statements must be determined by considering "the totality of the circumstances under which the statement was obtained" (*Aveni* , 22 NY3d at 1117). In this case, we find the prosecutor's statements, at best, were carelessly overbroad and confusing, and at worst, were strategically intended to lull defendant into a false sense of security. We thus take this opportunity to remind the People that prosecutors "must deal fairly with the accused" (*People v Steadman*, 82 NY2d 1, 7 [1993]). While we are not convinced that happened here, under the totality of the circumstances, we must affirm. We perceive no basis for reducing the sentence. THIS CONSTITUTES THE DECISION AND ORDER OF THE SUPREME COURT, APPELLATE DIVISION, FIRST DEPARTMENT. ENTERED: January 27, 2026