

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

People v. Colombe

2026 NY Slip Op 00285 · No. CR-22-2012 · Decided January 22, 2026

SUMMARY

The New York Appellate Division, Third Department affirmed Gerald Colombe's judgment of conviction for burglary in the second degree following his guilty plea and agreed-upon sentence. The court granted appellate counsel's request to withdraw after finding no nonfrivolous issues, including based on the record and defendant's pro se submissions.

OPINION

People v. Colombe 2026 NY Slip Op 00285

PER CURIAM.

People v Colombe (2026 NY Slip Op 00285) People v Colombe 2026 NY Slip Op 00285 Decided on January 22, 2026 Appellate Division, Third 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 22, 2026 CR-22-2012 [*1] The People of the State of New York, Respondent, v Gerald Colombe, Appellant. Calendar Date: January 2, 2026 Before: Clark, J.P., Aarons, Reynolds Fitzgerald, Fisher and Mackey, JJ. Lisa A. Burgess, Indian Lake, for appellant, and appellant pro se. J. Anthony Jordan, District Attorney, Fort Edward (Taylor Fitzsimmons of counsel), for respondent. Appeal from a judgment of the County Court of Washington County (Kelly McKeighan, J.), rendered September 23, 2022, convicting defendant upon his plea of guilty of the crime of burglary in the second degree. In satisfaction of a nine-count indictment, defendant pleaded guilty to burglary in the second degree and agreed to waive his right to appeal. In accordance with the terms of the plea agreement, County Court sentenced defendant, as a second felony offender, to a prison term of seven years, to be followed by five years of postrelease supervision. Defendant appeals. Appellate counsel seeks to be relieved of her assignment of representing defendant upon the ground that there are no nonfrivolous issues to be raised on appeal. Based upon our review of the record, counsel's brief and defendant's pro se submissions, we agree. Accordingly, the judgment of conviction is affirmed, and counsel's request for leave to withdraw is granted (see People v Cruwys , 113 AD2d 979, 980 [3d Dept 1985], lv denied 67 NY2d 650 [1986]; see generally People v Beaty , 22 NY3d 490 [2014]; People v Stokes , 95 NY2d 633 [2001]). Clark, J.P., Aarons, Reynolds Fitzgerald, Fisher and Mackey, JJ., concur. ORDERED that the judgment is affirmed, and application to be relieved of assignment granted.

Retrieved from lawtools.ai · <https://lawtools.ai/cases/state/new-york-appellate-division-third-department-supreme-court-of-the-state-of-new-york-appellate-divisi/2026/people-v-colombe-cmulxebc>