

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

People v. Willis

2026 NY Slip Op 00158 · No. 2024-01145; 2024-09725 · Decided January 14, 2026

SUMMARY

The Appellate Division, Second Department, affirmed two judgments convicting Jerod F. Willis of controlled-substance offenses following guilty pleas. The court held that his challenge to the validity of one plea was unpreserved, that his appellate-rights waiver was valid, and that the sentences were not excessive.

CASE DETAILS

COURT	Supreme Court of the State of New York, Appellate Division, Second Judicial Department
WRITING FOR THE COURT	Mark C. Dillon, J.P.; Valerie Brathwaite Nelson, J.; Carl J. Landicino, J.; Susan Quirk, J.
JURISDICTION	Supreme Court of the State of New York, Appellate Division, Second Judicial Department
DECIDED	January 14, 2026
DOCKET	2024-01145; 2024-09725
DISPOSITION	affirmed
PROCEDURAL POSTURE	The defendant appealed from two County Court judgments entered after guilty pleas, challenging the validity of one plea and the sentences imposed.
STANDARD OF REVIEW	The court applied preservation principles to the unpreserved guilty-plea challenge, reviewed the record for the validity of the plea, enforced the valid waiver of appellate rights, and reviewed the sentence under Superior Court Information No. 125/21 for excessiveness.
PRECEDENTIAL VALUE	Published opinion; precedential under applicable New York law.
PARTIES	Jerod F. Willis v. The People of the State of New York

TOPICS

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preservation of error

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criminal procedure

PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether the defendant's challenge to the validity of his guilty plea under Indictment No. 37/23 was preserved for appellate review.
2. Whether the guilty plea under Indictment No. 37/23 was knowingly, voluntarily, and intelligently entered.
3. Whether the defendant validly waived his right to appeal under Indictment No. 37/23.
4. Whether the sentence imposed under Indictment No. 37/23 was excessive despite the appellate waiver.
5. Whether the sentence imposed under Superior Court Information No. 125/21 was excessive.

HOLDINGS

1. A defendant's challenge to the validity of a guilty plea is unpreserved where the defendant neither moves to withdraw the plea nor otherwise objects to its entry before sentencing.
2. The guilty plea under Indictment No. 37/23 was knowingly, voluntarily, and intelligently entered.
3. The defendant validly waived his right to appeal under Indictment No. 37/23.
4. The defendant's valid waiver of the right to appeal precluded appellate review of his claim that the sentence imposed under Indictment No. 37/23 was excessive.
5. The sentence imposed under Superior Court Information No. 125/21 was not excessive.

FACTUAL BACKGROUND

Willis pleaded guilty under Superior Court Information No. 125/21 to criminal possession of a controlled substance in the third degree and criminal possession of a controlled substance in the fourth degree. Under Indictment No. 37/23, he pleaded guilty to two counts of criminal sale of a controlled substance in the third degree. The County Court imposed sentences on December 4, 2023, and Willis challenged the validity of one plea and the severity of the sentences on appeal.

PROCEDURAL HISTORY

The Dutchess County Court entered two judgments on December 4, 2023, convicting Willis upon guilty pleas of controlled-substance possession and sale offenses and imposing sentences. Willis appealed to the Appellate Division, which affirmed both judgments.

DISPOSITION

affirmed

CASES CITED

- People v. Peque, 22 NY3d 168, 182
- People v. Sougou, 26 NY3d 1052, 1054
- People v. Lopez, 6 NY3d 248, 256
- People v. Lopez, 6 NY3d 248, 255-256
- People v. McCorkle, 230 AD3d 1337
- People v. Suitte, 90 AD2d 80

OPINION

PER CURIAM.

People v Willis (2026 NY Slip Op 00158) People v Willis 2026 NY Slip Op 00158 Decided on January 14, 2026 Appellate Division, Second 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 January 14, 2026 SUPREME COURT OF THE STATE OF NEW YORK Appellate Division, Second Judicial Department MARK C. DILLON, J.P.

VALERIE BRATHWAITE NELSON CARL J. LANDICINO SUSAN QUIRK, JJ. 2024-01145 2024-09725 [*1]The People of the State of New York, respondent, v Jerod F. Willis, appellant. (S.C.I. No. 125/21; Ind. No. 37/23) Margaret M. Walker, Poughkeepsie, NY (Jennifer Burton of counsel), for appellant. Anthony P. Parisi, District Attorney, Poughkeepsie, NY (Kirsten A. Rappleyea of counsel), for respondent.

DECISION & ORDER Appeals by the defendant from two judgments of the County Court, Dutchess County (Jessica Segal, J.), both rendered December 4, 2023, convicting him of criminal possession of a controlled substance in the third degree and criminal possession of a controlled substance in the fourth degree under Superior Court Information No. 125/21, and criminal sale of a controlled substance in the third degree (two counts) under Indictment No. 37/23, upon his pleas of guilty, and imposing sentences.

ORDERED that the judgments are affirmed. The defendant's challenge to the validity of his plea of guilty under Indictment No. 37/23 is unpreserved for appellate review because the defendant did not move to withdraw his plea or otherwise object to its entry prior to the County Court imposing sentence (see People v Peque, 22 NY3d 168, 182).

In any event, the record demonstrates that the defendant's plea of guilty was entered knowingly, voluntarily, and intelligently (see People v Sougou, 26 NY3d 1052, 1054). Contrary to the defendant's contention, the record demonstrates that he validly waived his right to appeal under Indictment No. 37/23 (see People v Lopez, 6 NY3d 248, 256; People v McCorkle, 230 AD3d 1337).

The defendant's valid waiver of his right to appeal precludes appellate review of his contention that the sentence imposed under that indictment was excessive (see *People v Lopez*, 6 NY3d at 255-256; *People v McCorkle*, 230 AD3d at 1337).

The sentence imposed under Superior Court Information No. 125/21 was not excessive (see *People v Suite*, 90 AD2d 80). DILLON, J.P., BRATHWAITE NELSON, LANDICINO and QUIRK, JJ., concur. ENTER: Darrell M. Joseph Clerk of the Court