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

People v. Barnwell

2026 NY Slip Op 00255 (Supreme Court of the State of New York Appellate Division Second Judicial Department 2026) · No. 2023-01652 · Decided January 21, 2026

SUMMARY

The Appellate Division, Second Department affirmed Terrence Barnwell's judgment of conviction for criminal possession of a weapon in the third degree following his guilty plea. The court held that Barnwell knowingly, voluntarily, and intelligently waived his right to appeal, precluding review of his speedy-trial and excessive-sentence claims.

OPINION

PER CURIAM.

People v Barnwell (2026 NY Slip Op 00255) People v Barnwell 2026 NY Slip Op 00255 Decided on January 21, 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 21, 2026 SUPREME COURT OF THE STATE OF NEW YORK Appellate Division, Second Judicial Department ANGELA G. IANNACCI, J.P.

PAUL WOOTEN DEBORAH A. DOWLING JAMES P. MCCORMACK, JJ. 2023-01652 (Ind. No. 72027/21) [*1]The People of the State of New York, respondent, v Terrence Barnwell, appellant. Patricia Pazner, New York, NY (Brian Perbix and Joshua M. Levine of counsel), for appellant. Eric Gonzalez, District Attorney, Brooklyn, NY (Leonard Joblove, Michael Bierce, and Melissa Owen of counsel), for respondent.

DECISION & ORDER Appeal by the defendant from a judgment of the Supreme Court, Kings County (Raymond L. Rodriguez, J.), rendered September 16, 2022, convicting him of criminal possession of a weapon in the third degree, upon his plea of guilty, and imposing sentence. ORDERED that the judgment is affirmed. Contrary to the defendant's contention, the record demonstrates that he knowingly, voluntarily, and intelligently waived his right to appeal (see People v Thomas, 34 NY3d 545, 558-564; People v Lopez, 6 NY3d 248, 255-257; People v Corbin, 121 AD3d 803, 804-805).

The defendant's valid waiver of his right to appeal precludes appellate review of his challenge to the Supreme Court's denial of his motion to dismiss the indictment on the ground that he was

deprived of his statutory right to a speedy trial (see People v Detres, 237 AD3d 846; People v Montano, 235 AD3d 1003, 1003-1004; People v McLeod, 235 AD3d 999; People v Gore, 224 AD3d 848, 848-849), as well as his contention that the sentence imposed was excessive (see People v Montano, 235 AD3d at 1004; People v Cabral, 223 AD3d 839, 839; People v Stevens, 203 AD3d 958, 960-961).

IANNACCI, J.P., WOOTEN, DOWLING and MCCORMACK, JJ., concur. ENTER: Darrell M. Joseph Clerk of the Court

Retrieved from lawtools.ai · https://lawtools.ai/cases/state/supreme-court-of-the-state-of-new-york-appellate-division-second-department-supreme-court-of-the-sta/2026/people-v-barnwell-gnx0dl1g