

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

People v. Wright

2026 NY Slip Op 00706 (N.Y. Ct. App. 2026) · No. 825 KA 19-01303 · Decided February 11, 2026

SUMMARY

The Appellate Division, Fourth Department affirmed a judgment convicting Jimmie Wright of first-degree manslaughter. The majority held that the evidence did not support a lesser-included charge of second-degree manslaughter and rejected Wright's claims concerning identification suppression and ineffective assistance of counsel. Justice Ogden dissented, concluding that the evidence and the jury's verdict supported the requested reckless manslaughter charge.

CASE DETAILS

COURT	Supreme Court of the State of New York, Appellate Division, Fourth Judicial Department
WRITING FOR THE COURT	Lindley, J.P.; Curran, J.; Bannister, J.; Ogden, J.; DelConte, J.
JURISDICTION	Supreme Court of the State of New York, Appellate Division, Fourth Department
DECIDED	February 11, 2026
DOCKET	825 KA 19-01303
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed from a Monroe County Supreme Court judgment convicting him, upon a jury verdict, of manslaughter in the first degree.
STANDARD OF REVIEW	The court reviewed whether the verdict was against the weight of the evidence by viewing the evidence in light of the charged elements. It reviewed the denial of a lesser-included-offense instruction under the reasonable-view-of-the-evidence standard and ineffective-assistance claims under the applicable New York standard.
PRECEDENTIAL VALUE	published
PARTIES	Jimmie Wright v. The People of the State of New York

TOPICS

lesser included offense instructions

jury instructions

standard of review

ineffective assistance

appellate procedure

PRACTICE AREAS

criminal law

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QUESTIONS PRESENTED

1. Whether the verdict convicting defendant of first-degree manslaughter was against the weight of the evidence.
2. Whether the trial court erred by refusing to instruct the jury on second-degree manslaughter as a lesser included offense.
3. Whether defense counsel was ineffective for failing to seek suppression of identification testimony in the pretrial omnibus motion.
4. Whether defendant established any additional claims of ineffective assistance of counsel.

HOLDINGS

1. The verdict convicting defendant of first-degree manslaughter was not against the weight of the evidence.
2. The trial court properly refused to instruct the jury on second-degree manslaughter because no reasonable view of the evidence supported a finding that defendant acted recklessly rather than intentionally.
3. Defendant was not denied effective assistance of counsel because a suppression motion challenging the identification testimony as unreliable would have had little or no chance of success.
4. Defendant's remaining ineffective-assistance claims lacked merit.

KEY QUOTATIONS

“the question simply is whether on any reasonable view of the evidence it is possible for the trier of the facts to acquit the defendant on the higher count and still find him guilty on the lesser one”

FACTUAL BACKGROUND

During an altercation involving numerous individuals, the victim was some distance away from the other ongoing fighting. Defendant ran up behind the victim and struck him in the head with a baseball bat with sufficient force to fracture the victim's skull into multiple pieces. A jury acquitted defendant of second-degree murder but convicted him of first-degree manslaughter.

PROCEDURAL HISTORY

Defendant was originally indicted for murder in the second degree. Following a jury trial, he was acquitted of that charge but convicted of manslaughter in the first degree. The Supreme Court, Monroe County, denied a

requested jury instruction on second-degree manslaughter and entered judgment on May 13, 2019. The Appellate Division affirmed.

DISPOSITION

affirmed

CASES CITED

- People v. Danielson, 9 NY3d 342, 349 (2007)
- People v. Bleakley, 69 NY2d 490, 495 (1987)
- People v. Colon, 219 AD3d 1675, 1675 (4th Dept 2023), lv denied 40 NY3d 1080 (2023)
- People v. Hull, 27 NY3d 1056, 1058 (2016)
- People v. Ott, 200 AD3d 1642, 1643 (4th Dept 2021), lv denied 38 NY3d 953 (2022), cert denied, 143 S. Ct. 403 (2022)
- People v. Green, 56 NY2d 427, 434-435 (1982), rearg denied 57 NY2d 775 (1982)
- People v. Stultz, 2 NY3d 277, 287 (2004), rearg denied 3 NY3d 702 (2004)
- People v. Rivera, 71 NY2d 705, 709 (1988)
- People v. Caban, 5 NY3d 143, 152 (2005)
- People v. Rivera, 23 NY3d 112, 120-121 (2014)
- People v. Holloway, 130 AD2d 933, 933 (4th Dept 1987), lv denied 70 NY2d 751 (1987)
- People v. McIntosh, 162 AD3d 1612, 1615-1616 (4th Dept 2018), affd 33 NY3d 1064 (2019)
- People v. Diaz, 66 AD2d 752, 752 (1st Dept 1978)
- People v. Collier, 303 AD2d 1008, 1009 (4th Dept 2003), lv denied 100 NY2d 579 (2003)