

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

People v. Bones

2026 NY Slip Op 03557 · No. 296 KA 22-00018 · Decided June 5, 2026

SUMMARY

The New York Appellate Division, Fourth Department, affirmed a judgment convicting Anthony Bones upon his guilty plea to first-degree reckless endangerment. The court held that, even assuming his waiver of the right to appeal was invalid, the sentence was not unduly harsh or severe.

OPINION

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PER CURIAM.

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THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT,

v

ANTHONY BONES, DEFENDANT-APPELLANT. (APPEAL NO. 1.)

Supreme Court of the State of New York, Appellate Division, Fourth Judicial Department Decided on June 5, 2026 296 KA 22-00018 Present: Lindley, J.P., Curran, Ogden, Nowak, And Delconte, JJ. THE LEGAL AID BUREAU OF BUFFALO, INC., BUFFALO (AXELLE LECOMTE MATHEWSON OF COUNSEL), FOR DEFENDANT-APPELLANT. BRIAN D. SEAMAN, DISTRICT ATTORNEY, LOCKPORT (LAURA T. JORDAN OF COUNSEL), FOR RESPONDENT. Appeal from a judgment of the Niagara County Court (Matthew J. Murphy, III, J.), rendered August 24, 2021. The judgment convicted defendant upon his plea of guilty of reckless endangerment in the first degree. [*1] It is hereby ORDERED that the judgment so appealed from is unanimously affirmed. Memorandum: Defendant appeals in appeal No. 1 from a judgment convicting him upon a plea of guilty of reckless endangerment in the first degree (Penal Law § 120.25) and, in appeal No. 2, from a judgment convicting him upon a plea of guilty, in the same plea proceeding, of burglary in the third degree (§ 140.20). Even assuming, arguendo, in each appeal that defendant's waiver of the right to appeal is invalid and therefore does not preclude our review of his challenge to the severity of the sentence (see People v Harrison , 242

AD3d 1540 , 1541 [4th Dept 2025]; People v Free , 217 AD3d 1422, 1422 [4th Dept 2023]), we conclude in each appeal that the sentence is not unduly harsh or severe. Entered: June 5, 2026 Ann Dillon Flynn Clerk of the Court Court Decisions All Court Decisions Official Reports Service Bound Volumes Decision Search Resources RSS Feeds Style Manual Citation Tools Opinion Formatting & Privacy Guidelines Opinion Selection Criteria Legal Research Portal Site Index About About the Law Reporting Bureau About our Operations Contact Us Twitter Quick Contact Info 17 Lodge Street Albany, NY 12207 Phone: (518) 453-6900 Links to or from other sites do not signify endorsement or relationship with them.

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