

SUPREME COURT OF THE STATE OF NEW YORK, APPELLATE DIVISION,
FIRST DEPARTMENT

People v. Talavera

2026 N.Y. Slip Op. 02794 (N.Y. Ct. App. 2026) · No. Appeal No. 6533; Case No. 2020-02110; Ind. No. 2989/18
· Decided May 5, 2026

SUMMARY

The Appellate Division, First Department unanimously affirmed a judgment of the Supreme Court, New York County, in a criminal case involving Irving Talavera. The court found the sentence not excessive.

CASE DETAILS

COURT	Supreme Court of the State of New York, Appellate Division, First Department
WRITING FOR THE COURT	Manzanet-Daniels, J.P.; Kapnick, J.; Rodriguez, J.; Pitt-Burke, J.; O'Neill Levy, J.
JURISDICTION	New York Supreme Court, Appellate Division, First Department
DECIDED	May 5, 2026
DOCKET	Appeal No. 6533; Case No. 2020-02110; Ind. No. 2989/18
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed from a judgment of the Supreme Court, New York County, rendered May 9, 2019.
PRECEDENTIAL VALUE	precedential
PARTIES	Irving Talavera v. The People of the State of New York

TOPICS

- sentencing
- appellate procedure
- criminal procedure

PRACTICE AREAS

- criminal law
- criminal procedure
- appellate practice
- sentencing

QUESTIONS PRESENTED

- Whether the sentence imposed by the Supreme Court, New York County, was excessive.

HOLDINGS

- 1. The sentence was not excessive.

KEY QUOTATIONS

“Said appeal having been argued by counsel for the respective parties, due deliberation having been had thereon, and finding the sentence not excessive, It is unanimously ordered that the judgment so appealed from be and the same is hereby affirmed.” ([*1])

FACTUAL BACKGROUND

The opinion provides no substantive facts concerning the underlying offense or the defendant's conduct. The appeal challenged a judgment of conviction or sentence rendered by the Supreme Court, New York County on May 9, 2019.

PROCEDURAL HISTORY

The appeal was taken from a criminal judgment rendered by the Supreme Court, New York County. The Appellate Division, First Department, concluded that the sentence was not excessive and unanimously affirmed the judgment.

DISPOSITION

affirmed

OPINION

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PER CURIAM.

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May 5, 2026

Appellate Division, First Department

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This decision is uncorrected and subject to revision before publication in the Official Reports.

The People of the State of New York, Respondent,

v

Irving Talavera, Defendant-Appellant.

Decided and Entered: May 05, 2026

Ind No. 2989/18|Appeal No. 6533|Case No. 2020-02110

Before: Manzanet-Daniels, J.P., Kapnick, Rodriguez, Pitt-Burke, O'Neill

Levy, JJ. </p> <div> <p>Caprice R. Jenerson, Office of the Appellate Defender, New York (Daniel P. Schumeister of counsel), for appellant.</p> <p>Alvin L. Bragg, Jr., District Attorney, New York (Hunter Baehren of counsel), for respondent.</p> </div> [*1] <p>An appeal having been taken to this Court by the above-named appellant from a judgment of the Supreme Court, New York County (Melissa Jackson, J.), rendered May 09, 2019,</p> <p>Said appeal having been argued by counsel for the respective parties, due deliberation having been had thereon, and finding the sentence not excessive,</p> <p>It is unanimously ordered that the judgment so appealed from be and the same is hereby affirmed.</p> <p>THIS CONSTITUTES THE DECISION AND ORDER OF THE SUPREME COURT, APPELLATE DIVISION, FIRST DEPARTMENT.</p> <p>ENTERED: May 5, 2026</p> <p>Counsel for appellant is referred to § 606.5, Rules of the Appellate Division, First Department.</p> </div> <div> <div> <p>Court Decisions</p> All Court Decisions Official Reports Service Bound Volumes Decision Search </div> <div> <p>Resources</p> RSS Feeds Style Manual Citation Tools Opinion Formatting & Privacy Guidelines Opinion Selection Criteria Legal Research Portal Site Index </div> <div> <p>About</p> About the Law Reporting Bureau About our Operations Contact Us Twitter </div> <div> <p>Quick Contact Info</p> <p>17 Lodge Street</p> <p>Albany, NY 12207</p> <p>Phone: (518) 453-6900</p> </div> </div> <div> <p>Links to or from other sites do not signify endorsement or relationship with them.</p> </div> </div>

PER CURIAM.

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PER CURIAM.

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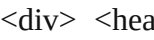
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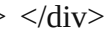
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