

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

People v. Caple

2026 NY Slip Op 00792 · No. 2023-12349 · Decided February 11, 2026

SUMMARY

The Appellate Division, Second Department affirmed Anthony Caple's sentence following his guilty plea. The court held that Caple knowingly, voluntarily, and intelligently waived his right to appeal, precluding review of his claim that the sentence was excessive.

CASE DETAILS

COURT	Supreme Court of the State of New York, Appellate Division, Second Judicial Department
WRITING FOR THE COURT	Betsy Barros, J.P.; Cheryl E. Chambers, J.; Deborah A. Dowling, J.; Carl J. Landicino, J.; Phillip Hom, J.
JURISDICTION	Supreme Court of the State of New York, Appellate Division, Second Department
DECIDED	February 11, 2026
DOCKET	2023-12349
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed from a sentence imposed after his guilty plea, arguing that the sentence was excessive; the appeal was limited by his motion.
PRECEDENTIAL VALUE	Published
PARTIES	Anthony Caple v. The People of the State of New York

TOPICS

sentencing

criminal procedure

appellate procedure

PRACTICE AREAS

criminal law

criminal procedure

sentencing

appellate procedure

QUESTIONS PRESENTED

1. Whether defendant's valid waiver of the right to appeal precluded appellate review of his claim that the sentence imposed after his guilty plea was excessive.

HOLDINGS

1. A valid waiver of the right to appeal, made knowingly, voluntarily, and intelligently, precludes appellate review of the defendant's contention that the sentence imposed was excessive.

KEY QUOTATIONS

*“The defendant's valid waiver of his right to appeal precludes appellate review of his contention that the sentence imposed was excessive” (*1)*

FACTUAL BACKGROUND

Anthony Caple pleaded guilty in the Supreme Court, Richmond County. The court imposed sentence on November 21, 2023. On appeal, Caple challenged the sentence as excessive, but the record showed that he had knowingly, voluntarily, and intelligently waived his right to appeal.

PROCEDURAL HISTORY

The Supreme Court, Richmond County, imposed sentence on November 21, 2023, following defendant's guilty plea. Defendant appealed, contending that the sentence was excessive. The Appellate Division affirmed the sentence because defendant knowingly, voluntarily, and intelligently waived his right to appeal.

DISPOSITION

affirmed

CASES CITED

- People v. Bolton, 235 AD3d 995
- People v. Young, 225 AD3d 903
- People v. Lopez, 6 NY3d 248, 256

OPINION

PER CURIAM.

People v Caple (2026 NY Slip Op 00792) People v Caple 2026 NY Slip Op 00792 Decided on February 11, 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 February 11, 2026 SUPREME COURT OF THE STATE OF NEW YORK Appellate Division, Second Judicial Department BETSY BARROS, J.P.

CHERYL E. CHAMBERS DEBORAH A. DOWLING CARL J. LANDICINO PHILLIP HOM, JJ. 2023-12349 (Ind. No. 70511/23) [*1]The People of the State of New York, respondent, v Anthony Caple, appellant. Patricia Pazner, New York, NY (Sankeerth Sarahdi of counsel), for appellant. Michael E. McMahon, District Attorney, Staten Island, NY (Thomas B. Litsky and Matthew B. White of counsel), for respondent.

DECISION & ORDER Appeal by the defendant, as limited by his motion, from a sentence of the Supreme Court, Richmond County (Lisa Grey, J.), imposed November 21, 2023, upon his plea of guilty, on the ground that the sentence was excessive. ORDERED that the sentence is affirmed.

The record demonstrates that the defendant knowingly, voluntarily, and intelligently waived his right to appeal (see People v Bolton, 235 AD3d 995; People v Young, 225 AD3d 903). The defendant's valid waiver of his right to appeal precludes appellate review of his contention that the sentence imposed was excessive (see People v Lopez, 6 NY3d 248, 256). BARROS, J.P., CHAMBERS, DOWLING, LANDICINO and HOM, JJ., concur.

ENTER: Darrell M. Joseph Clerk of the Court