

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

People v. Manning

2026 NY Slip Op 00408 (N.Y. Ct. App. 2026) · No. CR-23-0644 · Decided January 29, 2026

SUMMARY

The New York Appellate Division, Third Department affirmed a judgment convicting Jahmere Manning of second-degree murder based on his guilty plea and agreed-upon sentence of 20 years to life. The court held that Manning knowingly, intelligently, and voluntarily waived his right to appeal, and that the valid waiver barred his challenge to the severity of the agreed-upon sentence.

CASE DETAILS

COURT	Supreme Court of the State of New York, Appellate Division, Third Department
WRITING FOR THE COURT	Garry, P.J.; Aarons, J.; Pritzker, J.; McShan, J.; Corcoran, J.
JURISDICTION	New York Supreme Court, Appellate Division, Third Department
DECIDED	January 29, 2026
DOCKET	CR-23-0644
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed from a judgment of the Supreme Court, Albany County, convicting him upon his guilty plea of murder in the second degree and imposing the agreed-upon sentence of 20 years to life in prison.
STANDARD OF REVIEW	The Appellate Division reviewed the validity of the appeal waiver based on the plea colloquy and written waiver and reviewed whether the waiver barred the challenge to the severity of the agreed-upon sentence.
PRECEDENTIAL VALUE	published
PARTIES	Jahmere Manning v. The People of the State of New York

TOPICS

- appellate procedure
- criminal procedure
- plea bargaining
- sentencing
- preservation of error

PRACTICE AREAS

criminal procedure

appellate procedure

plea bargaining

sentencing

QUESTIONS PRESENTED

1. Whether defendant's combined oral and written waiver of the right to appeal was knowing, intelligent, and voluntary.
2. Whether the appeal waiver barred defendant's challenge to the severity of the agreed-upon sentence despite the claimed failure to advise him of the maximum sentence during the plea proceeding.

HOLDINGS

1. The combined oral and written waiver of defendant's right to appeal was knowing, intelligent, and voluntary and therefore valid.
2. The valid appeal waiver precluded defendant's challenge to the severity of the agreed-upon sentence.

KEY QUOTATIONS

“our review of the plea colloquy and the detailed written waiver, which he executed in open court after consultation with counsel, confirms that he made a knowing, intelligent and voluntary decision to waive his right to appeal”

“there [was] a specific sentence promise at the time of the waiver”

FACTUAL BACKGROUND

On May 3, 2021, Manning and an accomplice fired multiple gunshots toward a residence in Albany, and a victim was struck and killed. Manning was charged in a seven-count indictment. He pleaded guilty to second-degree murder in exchange for dismissal or satisfaction of the indictment and other pending charges, a promised sentence of 20 years to life, and a waiver of his right to appeal.

PROCEDURAL HISTORY

Manning was charged in a seven-count indictment arising from a fatal shooting. In satisfaction of the indictment and other pending charges, he pleaded guilty to second-degree murder under a negotiated agreement requiring a sentence of 20 years to life and waiving his right to appeal. The Supreme Court imposed the agreed-upon sentence, and the Appellate Division affirmed.

DISPOSITION

affirmed

CASES CITED

- People v. Lane, 233 AD3d 1207, 1208-1209 (3d Dep't 2024), lv denied 43 NY3d 945 (2025)
- People v. Moses, 236 AD3d 1201, 1201-1202 (3d Dep't 2025)

- People v. Joseph, 227 AD3d 1233, 1234-1235 (3d Dep't 2024), lv denied 42 NY3d 1053 (2024)
- People v. Grant, 294 AD2d 671, 672 (3d Dep't 2002), lv denied 98 NY2d 730 (2002)
- People v. Lococo, 92 NY2d 825, 827 (1998)
- People v. Fusco, 74 AD3d 1583, 1584 (3d Dep't 2010), lv denied 15 NY3d 851 (2010)
- People v. Bowden, 177 AD3d 1037, 1039 (3d Dep't 2019), lv denied 34 NY3d 1157 (2020)
- People v. Lopez, 6 NY3d 248, 256 (2006)
- People v. Sealey, 234 AD3d 1184, 1185 (3d Dep't 2025)

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