

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

**People v. Harris**

Harris, 2026 NY Slip Op 01530 (Supreme Court of the State of New York Appellate Division Second Judicial  
Department 2026) · No. 2023-08324 · Decided March 18, 2026

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**SUMMARY**

The Appellate Division, Second Department, affirmed the defendant's judgment of conviction for attempted criminal possession of a weapon in the second degree following his guilty plea. The court held that his challenges to the plea were unpreserved and meritless, concluded that the sentence was legal, and found that his remaining sentencing claims were waived by his valid appeal waiver.

**OPINION**

PER CURIAM.

People v Harris ( 2026 NY Slip Op 01530 ) People v Harris 2026 NY Slip Op 01530 Decided on March 18, 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 March 18, 2026 SUPREME COURT OF THE STATE OF NEW YORK Appellate Division, Second Judicial Department COLLEEN D. DUFFY, J.P.

PAUL WOOTEN LAURENCE L. LOVE SUSAN QUIRK, JJ. 2023-08324 [\*1]The People of the State of New York, respondent, v Darrell D. Harris, appellant. (S.C.I. No. 71932/23) Sabato Caponi, Bohemia, NY, for appellant. Raymond A. Tierney, District Attorney, Riverhead, NY (Michelle E. Haddad of counsel), for respondent. DECISION & ORDER Appeal by the defendant from a judgment of the County Court, Suffolk County (Anthony Senft, Jr., J.), rendered August 21, 2023, convicting him of attempted criminal possession of a weapon in the second degree, upon his plea of guilty, and imposing sentence.

ORDERED that the judgment is affirmed. The defendant was convicted, upon his plea of guilty, of attempted criminal possession of a weapon in the second degree (Penal Law §§ 110.00, 265.03) and sentenced as a second violent felony offender.

The defendant's contentions regarding his plea of guilty are unpreserved for appellate review and, in any event, without merit ( see CPL 220.60[3]; 440.10; 470.05[2]; People v Sharlow, 116 AD2d 603, 604 ). Contrary to the defendant's contention, the sentence imposed was legal ( see People v

Jackson, 153 AD3d 726 ). His remaining contentions regarding the sentence are waived by his valid waiver of the right to appeal ( see People v Dancy, 177 AD3d 995 ).

DUFFY, J.P., WOOTEN, LOVE and QUIRK, JJ., concur. ENTER: Darrell M. Joseph Clerk of the Court

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