

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

People v. Ryan

2026 NY Slip Op 01384 · No. 2021-03403 · Decided March 11, 2026

SUMMARY

The Appellate Division, Second Department, affirmed Dennis Ryan’s convictions for criminal possession of weapons. The court held that the defendant waived his statutory speedy-trial rights, that the People’s initial certificate of compliance was valid, and that suppression of his statements and physical evidence was properly denied. The court also found the evidence legally sufficient, rejected the requested lesser-included-offense charge, and upheld the sentence.

CASE DETAILS

COURT	Appellate Division of the Supreme Court of the State of New York, Second Judicial Department
WRITING FOR THE COURT	Angela G. Iannacci, J.P.; Paul Wooten, J.; Deborah A. Dowling, J.; Laurence L. Love, J.
JURISDICTION	New York Appellate Division, Second Department
DECIDED	March 11, 2026
DOCKET	2021-03403
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed from a judgment of the County Court, Suffolk County, entered after a jury verdict convicting him of three counts of criminal possession of a weapon in the second degree and four counts of criminal possession of a weapon in the third degree. The appeal also brought up for review the denial of suppression motions and the denial of defendant’s CPL 30.30 speedy-trial motion.
STANDARD OF REVIEW	The court reviewed suppression findings with deference to the County Court’s credibility determinations; viewed trial evidence in the light most favorable to the prosecution for legal sufficiency; independently reviewed the weight of the evidence while according great deference to the jury; and reviewed the sentence for excessiveness.
PRECEDENTIAL VALUE	Published

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Dennis Ryan v. The People of the State of New York

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QUESTIONS PRESENTED

1. Whether the indictment should have been dismissed under CPL 30.30 because the People allegedly failed to declare readiness within the statutory speedy-trial period.
2. Whether the People's initial certificate of compliance was valid and whether the statement of readiness was illusory because certain discovery materials were disclosed later.
3. Whether Ryan's statements and the physical evidence obtained through the search of his home should have been suppressed.
4. Whether the evidence was legally sufficient and whether the verdict was against the weight of the evidence.
5. Whether the trial court should have charged criminal possession of a weapon in the fourth degree as a lesser included offense.
6. Whether the sentence imposed was excessive.

HOLDINGS

1. The motion to dismiss under CPL 30.30 was properly denied because Ryan expressly waived his speedy-trial rights on April 11, 2019, never revoked the waiver, and only four days were chargeable to the People.
2. The People's initial certificate of compliance filed July 20, 2020, was valid, and the resulting statement of readiness was not illusory.
3. Suppression was properly denied because Ryan was not in custody when he made pre-warning statements and thereafter knowingly, intelligently, and voluntarily waived his Miranda rights, gave a written statement, and consented to the search of his home.
4. The evidence was legally sufficient to establish guilt beyond a reasonable doubt, and the verdict was not against the weight of the evidence.
5. The County Court properly denied a request to charge criminal possession of a weapon in the fourth degree as a lesser included offense because there was no reasonable view of the evidence supporting guilt of the lesser offense but not the greater offenses.
6. The sentence imposed was not excessive.

KEY QUOTATIONS

“Once a defendant has alleged that more than the statutorily prescribed time has elapsed without a declaration of readiness by the People, the People bear the burden of establishing sufficient excludable delay” ([*2])

“A defendant is charged with a felony, the People are required to be ready for trial within six months of the commencement of the criminal action” ([*2])

“A valid [COC] and readiness declaration will not be rendered illusory by subsequent diligent disclosures made in good faith” ([*2])

“It is the People’s burden to prove beyond a reasonable doubt that statements of a defendant they intend to rely upon at trial are voluntary” ([*2])

“To do that, they must show that the statements were not products of coercion, either physical or psychological, or, in other words, that they were given as a result of a free and unconstrained choice by their maker” ([*3])

FACTUAL BACKGROUND

Detectives interviewed Ryan at a hospital after he reported being shot in the hand by an unidentified assailant. During the interview, Ryan changed his account and stated that he had shot himself in his backyard. After receiving Miranda warnings, he gave a written statement and consented in writing to a search of his home. The prosecution also presented evidence concerning Ryan's possession of weapons, and a jury convicted him of multiple weapon-possession offenses.

PROCEDURAL HISTORY

The County Court denied defendant's motions to suppress statements and physical evidence and denied, without a hearing, his motion to dismiss the indictment on statutory speedy-trial grounds. On April 2, 2025, the Appellate Division remitted the speedy-trial issue for opposition papers, a hearing if necessary, a new determination, and a report. After receiving the County Court's August 12, 2025 report, the Appellate Division affirmed the judgment.

DISPOSITION

affirmed

CASES CITED

- People v. Ryan, 237 AD3d 754, 755-756
- People v. McPhaul, 227 AD3d 1111, 1111
- People v. Brown, 214 AD3d 823, 824
- People v. Beasley, 16 NY3d 289, 292
- People ex rel. Nieves v. Molina, 207 AD3d 797, 798
- People v. Berkowitz, 50 NY2d 333, 348-349
- People v. Waldron, 6 NY3d 463, 467

- People v. Perkins, 184 AD3d 776, 777
- People v. Benard, 69 AD3d 952, 953
- People v. Newman, 37 AD3d 621, 621-622
- People v. Serrano, 234 AD3d 879, 882
- People v. Bay, 41 NY3d 200, 213
- People v. Sombillo, 244 AD3d 873, 874
- People v. McMahon, 237 AD3d 746, 751-752
- People v. Deas, 226 AD3d 823, 826
- People v. Drayton, 231 AD3d 1057, 1060
- People v. Henderson, 237 AD3d 853, 854
- People v. Walker, 232 AD3d 1215, 1217
- People v. Thomas, 22 NY3d 629, 641
- People v. Guilford, 21 NY3d 205, 208
- Miranda v. Arizona, 384 US 436, 448
- People v. Santos, 200 AD3d 1075, 1076
- People v. Hirji, 185 AD3d 1053, 1055-1056
- People v. O'Brien, 186 AD3d 1406, 1407-1408
- People v. Contes, 60 NY2d 620
- People v. Danielson, 9 NY3d 342, 348
- People v. Bleakley, 69 NY2d 490, 495
- People v. Romero, 7 NY3d 633, 644
- People v. Harriott, 181 AD3d 863, 864
- People v. Suitte, 90 AD2d 80