

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

People v. Lassiter-Warren

2026 NY Slip Op 03000 · No. 2024-10470 · Decided May 13, 2026

SUMMARY

The Appellate Division, Second Department, affirmed a judgment convicting Javen N. Lassiter-Warren of criminal possession of a weapon in the second degree following his guilty plea. The court held that his valid waiver of the right to appeal precluded review of the County Court's discretionary denial of youthful offender treatment.

CASE DETAILS

COURT	Supreme Court of the State of New York, Appellate Division, Second Judicial Department
WRITING FOR THE COURT	Lara J. Genovesi, J.P.; Lillian Wan, J.; Carl J. Landicino, J.; Phillip Hom, J.
JURISDICTION	Supreme Court of the State of New York, Appellate Division, Second Judicial Department
DECIDED	May 13, 2026
DOCKET	2024-10470
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed from a judgment convicting him, upon his plea of guilty, of criminal possession of a weapon in the second degree and imposing sentence.
PRECEDENTIAL VALUE	published
PARTIES	Javen N. Lassiter-Warren v. The People of the State of New York

TOPICS

criminal procedure

appellate procedure

appellate jurisdiction

preservation of error

PRACTICE AREAS

criminal law

criminal procedure

appellate practice

QUESTIONS PRESENTED

1. Whether defendant's waiver of the right to appeal was valid.
2. Whether the valid waiver of the right to appeal barred appellate review of the County Court's discretionary determination denying youthful offender treatment.

HOLDINGS

1. Defendant knowingly, voluntarily, and intelligently waived his right to appeal.
2. A valid waiver of the right to appeal precludes appellate review of the County Court's discretionary determination to decline to grant youthful offender treatment.

KEY QUOTATIONS

*“The record demonstrates that the defendant knowingly, voluntarily, and intelligently waived his right to appeal” (*1)*

*“The defendant's valid waiver of his right to appeal precludes appellate review of the County Court's discretionary determination to decline to grant him youthful offender treatment” (*1)*

FACTUAL BACKGROUND

Defendant was convicted in the County Court, Dutchess County, of criminal possession of a weapon in the second degree after pleading guilty. The County Court imposed sentence and declined to grant youthful offender treatment. On appeal, the Appellate Division determined that defendant had knowingly, voluntarily, and intelligently waived his right to appeal.

PROCEDURAL HISTORY

The Dutchess County Court entered judgment on September 4, 2024, after defendant pleaded guilty to criminal possession of a weapon in the second degree and was sentenced. The Appellate Division affirmed, holding that defendant's valid waiver of the right to appeal barred review of the County Court's discretionary refusal to grant youthful offender treatment.

DISPOSITION

affirmed

CASES CITED

- People v. Thomas, 34 N.Y.3d 545
- People v. Batista, 167 A.D.3d 69
- People v. Pacherille, 25 N.Y.3d 1021, 1024
- People v. Cruz, 243 A.D.3d 920, 920-921

OPINION

PER CURIAM.

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2026 NY Slip Op 03000

May 13, 2026

Appellate Division, Second Department

Published by New York State Law Reporting Bureau pursuant to Judiciary Law § 431.

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

The People of the State of New York, respondent,

v

Javen N. Lassiter-Warren, appellant. (S.C.I. No. 70303/24)

Supreme Court of the State of New York, Appellate Division, Second Judicial Department

Decided on May 13, 2026

2024-10470

Lara J. Genovesi, J.P.

Lillian Wan

Carl J. Landicino

Phillip Hom, JJ.

Kelly M. Enderley, Poughkeepsie, NY, for appellant.

Anthony P. Parisi, District Attorney, Poughkeepsie, NY (Kirsten A. Rappleyea of counsel), for respondent.

[*1]

DECISION & ORDER

Appeal by the defendant from a judgment of the County Court, Dutchess County (Edward T. McLoughlin, J.), rendered September 4, 2024, convicting him of criminal possession of a weapon in the second degree, upon his plea of guilty, and imposing sentence.

ORDERED that the judgment is affirmed.

The record demonstrates that the defendant knowingly, voluntarily, and intelligently waived his right to appeal (*see People v Thomas*, 34 NY3d 545; *People v Batista*, 167 AD3d 69). The defendant's valid waiver of his right to appeal precludes appellate review of the County Court's discretionary determination to decline to grant him youthful offender treatment (*see People v Pacherille*, 25 NY3d 1021, 1024; *People v Cruz*, 243 AD3d 920, 920-921).

GENOVESI, J.P., WAN, LANDICINO and HOM, JJ., concur.

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PER CURIAM.

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Anthony P. Parisi, District Attorney, Poughkeepsie, NY (Kirsten A. Rappleyea of counsel), for respondent.

DECISION & ORDER

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GENOVESI, J.P., WAN, LANDICINO and HOM, JJ., concur.

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