

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

People v. Camacho

Camacho, 2026 NY Slip Op 00594 (Supreme Court of the State of New York Appellate Division First Department 2026) · No. Ind. No. 00484/21; Appeal No. 5765; Case No. 2024-00497 · Decided February 5, 2026

OPINION

PER CURIAM.

People v Camacho (2026 NY Slip Op 00594) People v Camacho 2026 NY Slip Op 00594 Decided on February 05, 2026 Appellate Division, First 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 and Entered: February 05, 2026 Before: Manzanet-Daniels, J.P., González, Shulman, Pitt-Burke, Chan, JJ. Ind No. 00484/21|Appeal No. 5765|Case No. 2024-00497| [*1]The People of the State of New York, Respondent, v Paulino Camacho, Defendant-Appellant.

Jenay Nurse Guilford, Center for Appellate Litigation, New York (Alec Miran of counsel), for appellant. Alvin L. Bragg, Jr., District Attorney, New York (Elizabeth T. Schmidt of counsel), for respondent. Order, Supreme Court, New York County (Gregory Carro, J.), entered on or about December 14, 2023, which adjudicated defendant a level three sexually violent predicate sex offender pursuant to the Sex Offender Registration Act (Correction Law art 6-C), unanimously affirmed, without costs.

The court providently exercised its discretion when it declined to grant a downward departure (see People v Gillotti, 23 NY3d 841, 861 [2014]; see also People v Lafrem, 242 AD3d 644, 644 [1st Dept 2025] [" Gillotti analysis... applies in full regardless of the applicability of an override"]). Defendant has an extensive criminal history, including numerous sex offenses.

He was adjudicated a level three offender based on an override, and there were no mitigating factors that were not adequately taken into account by the guidelines or outweighed by the seriousness of the underlying crime. THIS CONSTITUTES THE DECISION AND ORDER OF THE SUPREME COURT, APPELLATE DIVISION, FIRST DEPARTMENT. ENTERED: February 5, 2026

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