

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

People v. Moloney

Moloney, 2026 NY Slip Op 00405 (Supreme Court of the State of New York Appellate Division Third
Department 2026) · No. 113322 · Decided January 29, 2026

OPINION

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PER CURIAM.

People v Moloney (2026 NY Slip Op 00405) People v Moloney 2026 NY Slip Op 00405
Decided on January 29, 2026 Appellate Division, Third 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:January 29, 2026
113322 [*1]The People of the State of New York, Respondent, v John Moloney Jr., Appellant.
Calendar Date:January 2, 2026 Before:Aarons, J.P., Fisher, McShan, Powers and Mackey, JJ.
Stephan R. Weiss, Schenectady, for appellant. J. Anthony Jordan, District Attorney, Fort Edward
(Taylor Fitzsimmons of counsel), for respondent. Appeal from a judgment of the County Court of
Washington County (Kelly McKeighan, J.), rendered October 15, 2021, convicting defendant
upon his plea of guilty of the crime of criminal contempt in the first degree. In satisfaction of a
six-count indictment, defendant pleaded guilty to criminal contempt in the first degree and agreed
to waive his right to appeal. County Court sentenced defendant, as a second felony offender, to the
agreed-upon sentence of 1½ to 3 years in prison. Defendant appeals. Appellate counsel seeks to be
relieved of his assignment of representing defendant on the ground that there are no nonfrivolous
issues to be raised on appeal. Upon our review of the record and appellate counsel's brief, we
agree. Therefore, the judgment is affirmed and counsel's application to be relieved of assignment
is granted (see People v Cruwys , 113 AD2d 979, 980 [3d Dept 1985], lv denied 67 NY2d 650
[1986]; see generally People v Beaty , 22 NY3d 490, 492-493 [2014]; People v Stokes , 95 NY2d
633, 638-639 [2001]). Aarons, J.P., Fisher, McShan, Powers and Mackey, JJ., concur. ORDERED
that the judgment is affirmed, and application to be relieved of assignment granted.