

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

People v. Alvarez

2026 N.Y. Slip Op. 03240 (Supreme Court of the State of New York Appellate Division First Department 2026)
· No. Ind. No. 962/18; Appeal No. 6674; Case No. 2019-1864 · Decided May 21, 2026

OPINION

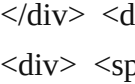
People v. Alvarez 2026 NY Slip Op 03240

PER CURIAM.

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PER CURIAM.

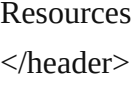
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People v Alvarez

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May 21, 2026

Appellate Division, First Department

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The People of the State of New York, Respondent,

v

Tyler Alvarez, Defendant-Appellant.

Decided and Entered: May 21, 2026

Ind No. 962/18|Appeal No. 6674|Case No. 2019-1864

Before: Kennedy, J.P., Scarpulla, Mendez, Rodriguez, Rosado, JJ.

Twyla Carter, The Legal Aid Society, New York (Graham Ball of counsel), for appellant.

Alvin L. Bragg, Jr., District Attorney, New York (Nathan Morgante of counsel), for respondent.

Judgment, Supreme Court, New York County (Ellen N. Biben, J.), rendered November 27, 2018, unanimously modified, as a matter of discretion in the interest of justice, to the extent of vacating the surcharge and fees imposed on defendant at sentencing, and otherwise affirmed.

Said appeal having been argued by counsel for the respective parties, due deliberation having been had thereon, and finding the sentence not excessive,

However, based on our own interest of justice powers, we vacate the mandatory surcharge and fees imposed on defendant at sentencing (*People v Chirinos*, 190 AD3d 434 [1st Dept 2021]). We note that the People do not oppose this relief.

THIS CONSTITUTES THE DECISION AND ORDER OF THE SUPREME COURT, APPELLATE DIVISION, FIRST DEPARTMENT.

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