

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

People v. McGeachy

McGeachy, 2026 NY Slip Op 02469 (Supreme Court of the State of New York Appellate Division First Department 2026) · No. Ind No. 1630/17; Appeal No. 6466; Case No. 2024-01429 · Decided April 23, 2026

SUMMARY

The Appellate Division, First Department, unanimously affirmed a judgment resentencing Marques McGeachy to an aggregate term of 16 years. The court held that Supreme Court properly considered and denied youthful offender treatment and found no basis to reduce the sentence.

CASE DETAILS

COURT	Supreme Court of the State of New York, Appellate Division, First Department
WRITING FOR THE COURT	Manzanet-Daniels, J.P.; Kennedy, J.; González, J.; Pitt-Burke, J.; Rosado, J.
JURISDICTION	New York Appellate Division, First Department
DECIDED	April 23, 2026
DOCKET	Ind No. 1630/17; Appeal No. 6466; Case No. 2024-01429
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed from a judgment of resentence that denied youthful offender treatment and resentenced him to an aggregate term of 16 years.
STANDARD OF REVIEW	Abuse of discretion; the appellate court reviewed whether the lower court providently exercised its discretion in denying youthful offender treatment and whether any basis existed to reduce the sentence.
PRECEDENTIAL VALUE	Published appellate decision
PARTIES	Marques McGeachy, Defendant-Appellant v. The People of the State of New York, Respondent

TOPICS

- sentencing
- criminal procedure
- appellate procedure

PRACTICE AREAS

criminal law

sentencing

appellate practice

QUESTIONS PRESENTED

1. Whether the sentencing court properly exercised its discretion in denying defendant youthful offender treatment.
2. Whether defendant's sentence should be reduced on appeal.

HOLDINGS

1. The denial of youthful offender treatment was proper because the sentencing court fully considered the appropriate factors, and its discretionary determination was provident.
2. The court found no basis to reduce the sentence.

KEY QUOTATIONS

*“Although defendant was eligible for youthful offender treatment (CPL 720.10[1]), the record demonstrates that the court fully considered the proper factors in evaluating whether youthful offender status was appropriate” (*1)*

*“We discern no basis upon which to disturb that discretionary determination, considering that defendant was convicted for his participation with a violent gang as an accomplice to murder, participated in multiple shootings, and engaged in violent conduct over a span of several months, involving multiple victims” (*1)*

FACTUAL BACKGROUND

Defendant was convicted for participating with a violent gang as an accomplice to murder. The record also showed that he participated in multiple shootings and engaged in violent conduct over several months involving multiple victims. The sentencing court denied youthful offender treatment and imposed an aggregate 16-year sentence.

PROCEDURAL HISTORY

The Supreme Court, New York County, rendered a judgment of resentence on December 13, 2023, resentencing defendant to an aggregate term of 16 years. Defendant appealed, and the Appellate Division, First Department, unanimously affirmed.

DISPOSITION

affirmed

CASES CITED

- People v. Cruickshank, 105 A.D.2d 325, 334 (3d Dep't 1985)
- People v. Dawn Maria C., 67 N.Y.2d 625 (1986)

- People v. Edwards, 227 A.D.3d 513, 513 (1st Dep't 2024), lv. denied, 42 N.Y.3d 1019 (2024)

OPINION

PER CURIAM.

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April 23, 2026

Appellate Division, First Department

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The People of the State of New York,

Respondent,

v

Marques McGeachy, Defendant-Appellant.

Decided and Entered: April 23, 2026

Ind No. 1630/17|Appeal No. 6466|Case No. 2024-01429

Before: Manzanet-Daniels, J.P., Kennedy, González, Pitt-Burke, Rosado, JJ.

Law Office of Noah A. Kinigstein, New York (Noah A. Kinigstein of counsel), for appellant.

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

*1

Judgment of resentence, Supreme Court, New York County (Ellen Biben, J.), rendered December 13, 2023, resentencing defendant to an aggregate term of 16 years, unanimously affirmed.

The court properly denied youthful offender treatment.

Although defendant was eligible for youthful offender treatment (CPL 720.10[1]), the record demonstrates that the court fully considered the proper factors in evaluating whether youthful offender status was appropriate (*see* *People v Cruickshank*, 105 AD2d 325, 334 [3d Dept 1985], *affd sub nom. People v Dawn Maria C.*, 67 NY2d 625 [1986]), and it providently exercised its discretion in declining to do so.

We discern no basis upon which to disturb that discretionary determination, considering that defendant was convicted for his participation with a violent gang as an accomplice to murder, participated in multiple shootings, and engaged in violent conduct over a span of several months, involving multiple victims (*see* *People v Edwards*, 227 AD3d 513, 513 [1st Dept 2024], *lv denied* 42 NY3d 1019 [2024]).

We perceive no basis for reducing the sentence.

THIS CONSTITUTES THE DECISION AND ORDER OF THE SUPREME

COURT, APPELLATE DIVISION, FIRST DEPARTMENT.</p> <p>ENTERED: April 23, 2026</p> </div> <div> <footer> <div> <p>Court Decisions</p> All Court Decisions Official Reports Service Bound Volumes Decision Search </div> <div> <p>Resources</p> RSS Feeds Style Manual Citation Tools Opinion Formatting & Privacy Guidelines Opinion Selection Criteria Legal Research Portal Site Index </div> <div> <p>About</p> About the Law Reporting Bureau About our Operations Contact Us Twitter </div> <div> <p>Quick Contact Info</p> <p>17 Lodge Street</p> <p>Albany, NY 12207</p> <p>Phone: (518) 453-6900</p> </div> </footer> </div> <div> <p>Links to or from other sites do not signify endorsement or relationship with them.</p> </div> </div>

PER CURIAM.

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Although defendant was eligible for youthful offender treatment (CPL 720.10[1]), the record demonstrates that the court fully considered the proper factors in evaluating whether youthful offender status was appropriate (*see* *People v Cruickshank*, 105 AD2d 325, 334 [3d Dept 1985], *affd sub nom. People v Dawn Maria C.*, 67 NY2d 625 [1986]), and it providently exercised its discretion in declining to do so.

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ENTERED: April 23, 2026

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