

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

OPINION

PER CURIAM.

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People v McGeachy

2026 NY Slip Op 02469

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.

ENTERED: April 23, 2026

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PER CURIAM.

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