

*State of New York
Supreme Court, Appellate Division
Third Judicial Department*

Decided and Entered: September 25, 2025

CR-22-2304

THE PEOPLE OF THE STATE OF
NEW YORK,

Respondent,

v

MEMORANDUM AND ORDER

TYKAINE THOMPSON-WEBB,
Appellant.

Calendar Date: August 29, 2025

Before: Clark, J.P., Aarons, Lynch, Ceresia and Powers, JJ.

Todd G. Monahan, Schenectady, for appellant.

Andrew J. Wylie, District Attorney, Plattsburgh (*Vivian Joo* of counsel), for respondent.

Appeal from a judgment of the County Court of Clinton County (Keith Bruno, J.), rendered October 14, 2022, convicting defendant upon his plea of guilty of the crime of aggravated harassment of an employee by an incarcerated individual.

Defendant pleaded guilty to the crime of aggravated harassment of an employee by an incarcerated individual with the understanding that he would be sentenced, as a second felony offender, to a prison term of 2 to 4 years, which would run consecutively to the sentence he was currently serving. The plea agreement also required defendant to waive the right to appeal. County Court thereafter imposed the agreed-upon sentence, and defendant appeals.

We affirm. Defendant's sole contention on appeal – that the imposed sentence is unduly harsh and severe – is precluded by his unchallenged appeal waiver (*see People v Willetts*, 234 AD3d 1020, 1021 [3d Dept 2025], *lv denied* 43 NY3d 966 [2025]; *People v Nolan*, 224 AD3d 996, 998 [3d Dept 2024], *lv denied* 42 NY3d 929 [2024]; *People v Deans*, 202 AD3d 1161, 1162 [3d Dept 2022]).

Clark, J.P., Aarons, Lynch, Ceresia and Powers, JJ., concur.

ORDERED that the judgment is affirmed.

ENTER:

A handwritten signature in black ink, reading "Robert D. Mayberger". The signature is written in a cursive, flowing style with a large, stylized "R" and "M".

Robert D. Mayberger
Clerk of the Court