

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

Decided and Entered: December 4, 2025

CR-24-0413

THE PEOPLE OF THE STATE OF
NEW YORK,

Respondent,

v

MEMORANDUM AND ORDER

RASHEEM ANDREWS,

Appellant.

Calendar Date: November 14, 2025

Before: Clark, J.P., Aarons, Pritzker, Fisher and Powers, JJ.

Arnold S. Kronick, Tarrytown, for appellant.

Lee C. Kindlon, District Attorney, Albany (*Emily Schulz* of counsel), for respondent.

Appeal from a judgment of the County Court of Albany County (Andra Ackerman, J.), rendered October 23, 2023, convicting defendant upon his plea of guilty of the crime of criminal possession of a controlled substance in the third degree.

In July 2022, defendant waived indictment, agreed to be prosecuted by superior court information (hereinafter SCI) and pleaded guilty to criminal possession of a controlled substance in the third degree, in full satisfaction of the SCI and another pending charge. Pursuant to the terms of the plea agreement, defendant was required to enter a waiver of appeal and no promise was made as to the sentence to be imposed. County Court subsequently sentenced defendant, as a second felony offender, to a 10-year prison term, to be followed by three years of postrelease supervision. Defendant appeals.

We affirm. Defendant's sole contention on appeal is that this Court should reduce his sentence in the interest of justice; however, his unchallenged waiver of the right to appeal precludes this claim (*see People v Hardy*, ___ AD3d ___, ___, 242 NYS3d 431, 431 [3d Dept 2025]; *People v Malu*, 200 AD3d 1350, 1351 [3d Dept 2021]; *see also People v Lopez*, 6 NY3d 248, 256 [2006]; *People v Seaberg*, 74 NY2d 1, 8-10 [1989]).

Clark, J.P., Aarons, Pritzker, Fisher and Powers, JJ., concur.

ORDERED that the judgment is affirmed.

ENTER:

A handwritten signature in black ink that reads "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