

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

Decided and Entered: January 29, 2026

113322

THE PEOPLE OF THE STATE OF
NEW YORK,

Respondent,

v

MEMORANDUM AND ORDER

JOHN MOLONEY JR.,

Appellant.

Calendar Date: January 2, 2026

Before: Aarons, J.P., Fisher, McShan, Powers and Mackey, JJ.

Stephan R. Weiss, Schenectady, for appellant.

J. Anthony Jordan, District Attorney, Fort Edward (*Taylor Fitzsimmons* of counsel), for respondent.

Appeal from a judgment of the County Court of Washington County (Kelly McKeighan, J.), rendered October 15, 2021, convicting defendant upon his plea of guilty of the crime of criminal contempt in the first degree.

In satisfaction of a six-count indictment, defendant pleaded guilty to criminal contempt in the first degree and agreed to waive his right to appeal. County Court sentenced defendant, as a second felony offender, to the agreed-upon sentence of 1½ to 3 years in prison. Defendant appeals.

Appellate counsel seeks to be relieved of his assignment of representing defendant on the ground that there are no nonfrivolous issues to be raised on appeal. Upon our review of the record and appellate counsel's brief, we agree. Therefore, the judgment is

affirmed and counsel's application to be relieved of assignment is granted (*see People v Cruwys*, 113 AD2d 979, 980 [3d Dept 1985], *lv denied* 67 NY2d 650 [1986]; *see generally People v Beaty*, 22 NY3d 490, 492-493 [2014]; *People v Stokes*, 95 NY2d 633, 638-639 [2001]).

Aarons, J.P., Fisher, McShan, Powers and Mackey, JJ., concur.

ORDERED that the judgment is affirmed, and application to be relieved of assignment granted.

ENTER:

A handwritten signature in black ink that reads "Robert D. Mayberger". The signature is written in a cursive, slightly slanted style.

Robert D. Mayberger
Clerk of the Court