

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

Decided and Entered: March 12, 2026

CR-23-2149

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THE PEOPLE OF THE STATE OF  
NEW YORK,

Respondent,

v

MEMORANDUM AND ORDER

PAUL STREEKS,

Appellant.

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Calendar Date: February 6, 2026

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

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*Thomas J. Butler*, Albany, for appellant.

*Lee C. Kindlon*, District Attorney, Albany (*Caroline B. McCaffrey* of counsel), for respondent.

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Appeal from a judgment of the County Court of Albany County (Andra Ackerman, J.), rendered November 3, 2022, convicting defendant upon his plea of guilty of the crime of manslaughter in the first degree.

In satisfaction of a four-count indictment, defendant pleaded guilty to the reduced charge of manslaughter in the first degree and agreed to waive his right to appeal. Pursuant to the terms of the plea agreement, County Court sentenced defendant to a prison term of 25 years, to be followed by five years of postrelease supervision. Defendant appeals.

Defendant's sole contention on appeal is that the agreed-upon sentence is unduly harsh and requests that it be reduced in the interest of justice. However, this argument is

foreclosed by his unchallenged waiver of the right to appeal, which includes the right to invoke this Court's interest of justice jurisdiction to reduce the sentence (*see People v Lopez*, 6 NY3d 248, 255 [2006]; *People v Hardy*, 243 AD3d 968, 968 [3d Dept 2025]; *People v Malu*, 200 AD3d 1350, 1351 [3d Dept 2021]).

Clark, J.P., Aarons, Pritzker, Ceresia 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, slightly slanted style.

Robert D. Mayberger  
Clerk of the Court