

SUPREME COURT OF THE STATE OF NEW YORK
Appellate Division, Fourth Judicial Department

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KA 22-01454

PRESENT: LINDLEY, J.P., CURRAN, BANNISTER, GREENWOOD, AND NOWAK, JJ.

THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT,

V

MEMORANDUM AND ORDER

KALIK MCMILLAN, DEFENDANT-APPELLANT.

JEFFREY CHABROWE, NEW YORK CITY, FOR DEFENDANT-APPELLANT.

WILLIAM J. FITZPATRICK, DISTRICT ATTORNEY, SYRACUSE (BRADLEY W. OASTLER OF COUNSEL), FOR RESPONDENT.

Appeal from a judgment of the Onondaga County Court (Stephen J. Dougherty, J.), rendered May 13, 2019. The judgment convicted defendant, upon his plea of guilty, of manslaughter in the first degree and criminal possession of a weapon in the second degree.

It is hereby ORDERED that the judgment so appealed from is unanimously affirmed.

Memorandum: Defendant appeals from a judgment convicting him, upon his plea of guilty, of manslaughter in the first degree (Penal Law § 125.20 [1]) and criminal possession of a weapon in the second degree (§ 265.03 [3]). We affirm. By pleading guilty, defendant forfeited his contention that County Court erred in denying his severance motion (*see People v Hunter*, 49 AD3d 1243, 1243 [4th Dept 2008]; *People v Jackson*, 288 AD2d 939, 939 [4th Dept 2001], *lv denied* 97 NY2d 729 [2002]; *People v Cotton*, 219 AD2d 836, 837 [4th Dept 1995], *lv denied* 87 NY2d 900 [1995]).

Entered: May 3, 2024

Ann Dillon Flynn
Clerk of the Court