

State of New York Court of Appeals

MEMORANDUM

This memorandum is uncorrected and subject to revision before publication in the New York Reports.

No. 121
The People &c.,
Respondent,
v.
Jerry Watkins,
Appellant.

Jane I. Yoon, for appellant.
Martin P. McCarthy, II, for respondent.

MEMORANDUM:

The order of the Appellate Division should be affirmed.

The argument defendant raises on this appeal, whether the initial stop of defendant constituted a level four encounter with police, is unpreserved for our review (*see* CPL

470.05 [2]; *People v Graham*, 25 NY3d 994, 996-997 [2015]; *see generally People v De Bour*, 40 NY2d 210 [1976]).

Order affirmed, in a memorandum. Chief Judge Wilson and Judges Rivera, Garcia, Singas, Cannataro, Troutman and Halligan concur.

Decided December 12, 2024