

Supreme Court of the State of New York
Appellate Division, First Judicial Department

Kern, J.P., Friedman, Rodriguez, Pitt-Burke, Rosado, JJ.

5374

THE PEOPLE OF THE STATE OF NEW YORK,
Respondent,

Ind. No. 158/21
Case No. 2022-02187

-against-

GEORGE MCTAGGART,
Defendant-Appellant.

Twyla Carter, The Legal Aid Society, New York (Dalourny Nemorin of counsel), for appellant.

Alvin L. Bragg, Jr., District Attorney, New York (Faith DiTrolino of counsel), for respondent.

Judgment, Supreme Court, New York County (Gregory Carro, J.), rendered May 4, 2022, convicting defendant, upon his plea of guilty, of robbery in the first degree, and sentencing him to a term of five years followed by five years of postrelease supervision, unanimously modified, as a matter of discretion in the interest of justice, to the extent of vacating the surcharge and fees imposed at sentencing, and otherwise affirmed.

We perceive no basis to reduce the five-year period of postrelease supervision.

Based on our own interest of justice powers, we vacate the surcharge and fees imposed on defendant at sentencing (*see People v Chirinos*, 190 AD3d 434 [1st Dept

2021)). We note that the People do not oppose this relief.

THIS CONSTITUTES THE DECISION AND ORDER
OF THE SUPREME COURT, APPELLATE DIVISION, FIRST DEPARTMENT.

ENTERED: December 11, 2025

A handwritten signature in black ink, reading "Susanna Molina Rojas". The signature is written in a cursive, flowing style.

Susanna Molina Rojas
Clerk of the Court