

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

Webber, J.P., Gesmer, González, Pitt-Burke, Higgitt, JJ.

5402

THE PEOPLE OF THE STATE OF NEW YORK,  
Respondent,

-against-

BRANDON S.,  
Defendant-Appellant.

Ind. Nos. 2663/17

2664/17

357/19

Case No. 2020-01447

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Twyla Carter, The Legal Aid Society, New York (Danielle A. Bernstein of counsel), for appellant.

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Judgments, Supreme Court, Bronx County (Denis Boyle, J.), rendered January 8, 2020, convicting defendant, upon his pleas of guilty, of burglary in the second degree and robbery in the second degree (two counts), adjudicating him a youthful offender, and sentencing him to concurrent terms of 1 to 3 years, unanimously modified, as a matter of discretion in the interest of justice, to the extent of vacating the surcharges and fees imposed on defendant at sentencing, and otherwise affirmed.

Based on our own interest of justice powers, we vacate the surcharges and fees

imposed on defendant at sentencing (*see People v Chirinos*, 190 AD3d 434, 435 [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 18, 2025

A handwritten signature in black ink, appearing to read "Susanna Molina Rojas". The signature is fluid and cursive, with the first name being the most prominent.

Susanna Molina Rojas  
Clerk of the Court