

Supreme Court of the State of New York  
Appellate Division: Second Judicial Department

D80202  
A/

\_\_\_\_ AD3d \_\_\_\_

Submitted - March 13, 2026

BETSY BARROS, J.P.  
CHERYL E. CHAMBERS  
JANICE A. TAYLOR  
ELENA GOLDBERG VELAZQUEZ, JJ.

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2024-00978

DECISION & ORDER

The People, etc., respondent,  
v Kareem Waters, appellant.

(Ind. No. 2046/20)

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Patricia Pazner, New York, NY (Christiana Johnson of counsel), for appellant.

Eric Gonzalez, District Attorney, Brooklyn, NY (Leonard Joblove and Daniel Berman of counsel), for respondent.

Appeal by the defendant from a judgment of the Supreme Court, Kings County (Danny K. Chun, J.), rendered January 17, 2024, convicting him of attempted criminal possession of a weapon in the second degree, upon his plea of guilty, and imposing sentence.

ORDERED that the judgment is modified, on the law and as a matter of discretion in the interest of justice, by vacating the imposition of a mandatory surcharge and fees; as so modified, the judgment, as amended, is affirmed.

“Criminal Procedure Law § 420.35(2-a) permits the waiver of surcharges and fees for individuals, like the defendant, who were less than 21 years old at the time of the subject crime” (*People v Dillon H.*, 229 AD3d 722, 723 [internal quotation marks omitted]). Pursuant to the exercise of our interest of justice jurisdiction, and as consented to by the People, we modify the judgment, by vacating the mandatory surcharge and fees imposed upon the defendant at sentencing (*see* CPL 420.35[2-a][c]; *People v Harris*, \_\_\_ AD3d \_\_\_, 2026 NY Slip Op 01223, \*1; *People v Dillon H.*, 229 AD3d at 723).

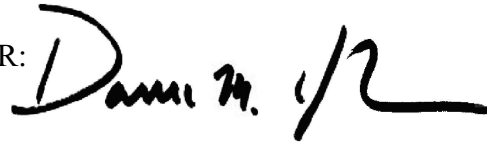
April 8, 2026

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BARROS, J.P., CHAMBERS, TAYLOR and GOLDBERG VELAZQUEZ, JJ., concur.

ENTER:

A handwritten signature in black ink, appearing to read "Darrell M. Joseph". The signature is written in a cursive style with a large initial "D" and a long horizontal stroke at the end.

Darrell M. Joseph  
Clerk of the Court