

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

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**KA 24-00086**

PRESENT: CURRAN, J.P., MONTOUR, SMITH, DELCONTE, AND HANNAH, JJ.

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THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT,

V

MEMORANDUM AND ORDER

NATHAN BUNDSCHO, DEFENDANT-APPELLANT.

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ERICKSON WEBB SCOLTON & HAJDU, LAKEWOOD (LYLE T. HAJDU OF COUNSEL),  
FOR DEFENDANT-APPELLANT.

NATHAN BUNDSCHO, DEFENDANT-APPELLANT PRO SE.

MICHAEL J. KEANE, DISTRICT ATTORNEY, BUFFALO (MICHAEL J. HILLERY OF  
COUNSEL), FOR RESPONDENT.

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Appeal from a judgment of the Supreme Court, Erie County (Deborah A. Haendiges, J.), rendered September 12, 2023. The judgment convicted defendant upon a plea of guilty of criminal contempt in the second degree (two counts).

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 two counts of criminal contempt in the second degree (Penal Law § 215.50 [3]). We conclude on this record that defendant's waiver of the right to appeal was knowing, voluntary, and intelligent (see *People v Simpson*, 232 AD3d 1266, 1266 [4th Dept 2024], *lv denied* 42 NY3d 1082 [2025]; *People v Foumakoye*, 229 AD3d 1380, 1380 [4th Dept 2024], *lv denied* 42 NY3d 970 [2024]; *People v Roberto*, 224 AD3d 1367, 1367-1368 [4th Dept 2024]). Contrary to defendant's contention in his main and pro se supplemental briefs, defendant's valid waiver of the right to appeal precludes our review of his challenge to the severity of his sentence (see *People v Lopez*, 6 NY3d 248, 255-256 [2006]; *cf. People v Adams*, 93 AD3d 1082, 1082-1083 [3d Dept 2012]).

We have considered the remaining contentions in defendant's pro se supplemental brief, and we conclude that none warrants modification or reversal of the judgment.

Entered: June 6, 2025

Ann Dillon Flynn  
Clerk of the Court