

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

Manzanet-Daniels, J.P., Mendez, Pitt-Burke, Higgitt, Hagler, JJ.

6264

THE PEOPLE OF THE STATE OF NEW YORK,
Respondent,

Ind. No. 2330/18
Case No. 2024-02558

-against-

JESSE JOUCOO,
Defendant-Appellant.

Jenay Nurse Guilford, Center for Appellate Litigation, New York (Carola M. Beeney of counsel), for appellant.

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

Order, Supreme Court, New York County (Abraham L. Clott, J.), entered February 23, 2024, which denied defendant's CPL 440.10 motion to vacate a judgment of conviction, same court and Justice, rendered March 28, 2019, unanimously affirmed.

Defendant's claim that his plea counsel rendered ineffective assistance by failing to negotiate a plea with more favorable immigration consequences is unsupported by the record. The claim that an immigration-favorable plea could have been reached had counsel asked is speculative (*see People v Young*, 150 AD3d 429 [1st Dept 2017], *lv denied* 29 NY3d 1136 [2017]), and the evidence submitted on the motion and testimony at the hearing failed to establish any reasonable probability that the People would have

made such an offer (*see Lafler v Cooper*, 566 US 156, 163-164 [2012]; *Young*, 150 AD3d 429).

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

ENTERED: April 2, 2026

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

Susanna Molina Rojas
Clerk of the Court