

Received

APR 27 2026

STATE OF NEW YORK
TOWN OF WHEATFIELD COURT: COUNTY OF NIAGARA

Town of Wheatfield Court

THE PEOPLE OF THE STATE OF NEW
YORK

-against-

KEVIN RIFORD

Defendant.

MOTION TO DISMISS IN
THE INTEREST OF
JUSTICE

Docket No: 24100028

Kevin Riford, the Defendant herein, appearing pro se, respectfully moves this Court for an Order dismissing the accusatory instruments in the interest of justice pursuant to CPL § 170.40, and in support thereof affirms under penalty of perjury under the laws of the State of New York as follows:

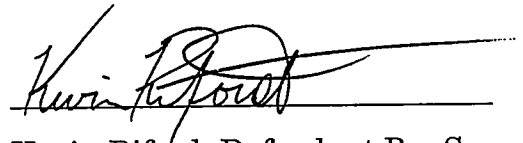
1. I am the Defendant in the above-captioned matter and make this motion based upon my personal knowledge.
2. This application is made pursuant to CPL § 170.40 and is based upon considerations of fairness, justice, and the totality of the circumstances.
3. Defendant has no prior misdemeanor or felony convictions and has maintained a law-abiding and productive lifestyle.
4. Defendant is employed full-time and maintains stable and consistent employment.
5. Defendant has also undertaken the initiative of starting a small business, further demonstrating responsibility, stability, and dedication to productive pursuits.
6. Defendant holds a Bachelor of Science degree in Accounting and has been accepted into a Master of Business Administration (MBA) program.
7. These accomplishments demonstrate Defendant's dedication to personal and professional development and reflect that Defendant is a productive member of the community.
8. This matter appears to arise from an isolated incident and does not reflect a pattern of behavior.

9. There is no indication that Defendant poses any ongoing risk.
10. Since the commencement of this matter, Defendant has complied with all court appearances and has engaged responsibly with the legal process.
11. Continued prosecution under these circumstances would be disproportionate and would not serve the interests of justice.
12. The purposes of the criminal justice system would not be furthered by continued prosecution in this case.
13. Upon consideration of the factors set forth in CPL § 170.40, including the nature of the offense, the character of the Defendant, and the impact of continued prosecution, dismissal is warranted.

WHEREFORE, Defendant respectfully requests that this Court issue an Order dismissing the accusatory instruments

pursuant to CPL § 170.40, together with such other and further relief as the Court deems just and proper.

Dated: April 27, 2026



Kevin Riford, Defendant Pro Se
3038 Michael Drive
North Tonawanda, NY 14210

I affirm under penalty of perjury under the laws of the State of New York that the foregoing is true to the best of my knowledge, information, and belief.

AFFIDAVIT OF SERVICE

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State of New York)
County of Erie)

Town of Wheatfield Court

The undersigned being duly sworn, deposes and says:

Katie Riford is not a party to the action, is over
(name of person serving papers)

18 years of age and resides at 3038 Michael Drive

North Tonawanda, New York, 14120
(complete address of person serving papers)

That on April 27, 2026, deponent served the within
(date of service)
Motion to Dismiss in the Interest of Justice AND Request for Adjournment to Retain Counsel
(name of document[s] served)

upon Niagara County Assistant District Attorney Victoria Elizabeth Dailey located at
(name of person/corporation served)

Niagara Falls Municipal Bldg., 1925 Main St., Niagara Falls, NY 14305
(complete address where other party/corporation served)

(Select method of service)

 Personal Service: by delivering a true copy of the aforesaid documents personally; deponent knew said person/corporation so served to be the person/corporation described.

 X Service by Mail: by depositing a true copy of the aforesaid documents in a postpaid properly addressed envelope in a post office or official depository under the exclusive care and custody of the United States Postal Service.

Katie L. Riford
Signature of person serving papers
Katie L. Riford
Printed Name

Sworn to before me this 27

day of April, 2026

Emily M. Pagliaroli
Notary Public

Emily M. Pagliaroli
Notary Public, State of New York
Reg. #01PA0035903
Qualified in Erie County
Commission Expires 04/08/20 29