

SUPREME COURT OF THE STATE OF NEW YORK, APPELLATE DIVISION,  
FIRST DEPARTMENT

People v. Cantu-Garcia

2020 NY Slip Op 06964 (App. Div. 2020) · No. Appeal No. 12455; Case No. 2019-5133; Ind. No. 671/17 ·  
Decided November 24, 2020

SUMMARY

The New York Appellate Division, First Department affirmed the judgment of the Supreme Court, Bronx County, in a criminal case involving Nicholas Cantu-Garcia. The court unanimously determined that the sentence was not excessive.

CASE DETAILS

|                       |                                                                                                                                                            |
|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | Supreme Court of the State of New York, Appellate Division, First Department                                                                               |
| WRITING FOR THE COURT | Friedman, J.P.; Manzanet-Daniels, J.; Oing, J.; Kennedy, J.                                                                                                |
| JURISDICTION          | New York                                                                                                                                                   |
| DECIDED               | November 24, 2020                                                                                                                                          |
| DOCKET                | Appeal No. 12455; Case No. 2019-5133; Ind. No. 671/17                                                                                                      |
| DISPOSITION           | affirmed                                                                                                                                                   |
| PROCEDURAL POSTURE    | Defendant appealed from a judgment of the Supreme Court, Bronx County, rendered March 14, 2019. The Appellate Division reviewed the sentence and affirmed. |
| PRECEDENTIAL VALUE    | Published appellate decision                                                                                                                               |
| PARTIES               | Nicholas Cantu-Garcia, Defendant-Appellant v. The People of the State of New York, Respondent                                                              |

TOPICS

- sentencing
- appellate procedure
- criminal procedure

PRACTICE AREAS

- criminal law
- criminal procedure
- appellate practice

QUESTIONS PRESENTED

1. Whether the sentence imposed by the Supreme Court, Bronx County, was excessive.

## **HOLDINGS**

1. The sentence was not excessive.

## **FACTUAL BACKGROUND**

The opinion provides no substantive factual description of the underlying criminal conduct. It states only that the defendant appealed from a judgment of the Supreme Court, Bronx County, and that the appellate court found the sentence not excessive.

## **PROCEDURAL HISTORY**

The Supreme Court, Bronx County, entered the judgment appealed from on March 14, 2019. On appeal, the First Department determined that the sentence was not excessive and unanimously affirmed the judgment.

## **DISPOSITION**

affirmed