

**SUPREME COURT OF THE STATE OF NEW YORK, APPELLATE DIVISION,
FOURTH JUDICIAL DEPARTMENT**

People v. Owens

2026 NY Slip Op 02514 (N.Y. Ct. App. 2026) · No. 138 KA 23-01170 · Decided April 24, 2026

OPINION

PER CURIAM.

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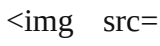
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People v Owens

2026 NY Slip Op 02514

April 24, 2026

Appellate Division, Fourth Department

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THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT,

v

PHILLIP OWENS, DEFENDANT-APPELLANT.

(APPEAL NO. 2.)

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

Decided on April 24, 2026

138 KA 23-01170

Present: Whalen, P.J., Lindley, Curran, Smith, And Delconte, JJ.

KAMAN BERLOVE LLP, ROCHESTER (BRYANNE L. JONES OF COUNSEL), FOR DEFENDANT-APPELLANT.

SANDRA DOORLEY, DISTRICT ATTORNEY, ROCHESTER (MARTIN P. MCCARTHY, II, OF COUNSEL), FOR RESPONDENT.

Appeal from a resentence of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered June 14, 2023.

Defendant was resented upon his conviction of criminal possession of a weapon in the second degree.

[*1] It is hereby ORDERED that the resentence so appealed from is unanimously reversed on the law and the matter is remitted to Supreme Court, Monroe County, for resentencing.

Same memorandum as in *People v Owens* ([appeal No. 1] — AD3d — [Apr.

24, 2026] [4th Dept 2026]).</p> <p>Entered: April 24, 2026</p> <p>Ann Dillon Flynn</p>
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