

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

People v. Fofana

Fofana, 2026 NY Slip Op 03088 (Supreme Court of the State of New York Appellate Division First Department 2026) · No. Ind No. 70269/22; Appeal No. 6610; Case No. 2024-05570 · Decided May 14, 2026

SUMMARY

The Appellate Division, First Department affirmed a Bronx County Supreme Court judgment entered against Djiguiba Fofana. The court found that the sentence was not excessive and unanimously affirmed the judgment.

CASE DETAILS

COURT	Supreme Court of the State of New York, Appellate Division, First Department
WRITING FOR THE COURT	Webber, J.P.; González, J.; Pitt-Burke, J.; Higgitt, J.; Hagler, J.
JURISDICTION	New York Appellate Division, First Department
DECIDED	May 14, 2026
DOCKET	Ind No. 70269/22; Appeal No. 6610; Case No. 2024-05570
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed from a judgment of the Supreme Court, Bronx County, rendered July 11, 2024. The Appellate Division reviewed the sentence and affirmed.
STANDARD OF REVIEW	Whether the sentence was excessive.
PRECEDENTIAL VALUE	Published New York slip opinion; decision is identified as uncorrected and subject to revision before publication in the Official Reports.
PARTIES	Djiguiba Fofana v. The People of the State of New York

TOPICS

- sentencing
- appellate procedure
- criminal procedure
- standard of review

PRACTICE AREAS

- criminal law
- criminal appellate practice
- sentencing

QUESTIONS PRESENTED

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

HOLDINGS

- 1. The sentence was not excessive, and the judgment was affirmed.

KEY QUOTATIONS

*“Said appeal having been argued by counsel for the respective parties, due deliberation having been had thereon, and finding the sentence not excessive, It is unanimously ordered that the judgment so appealed from be and the same is hereby affirmed.” (*1)*

FACTUAL BACKGROUND

The opinion provides no substantive factual background concerning the underlying offense. The court's review was limited to the judgment appealed from and the excessiveness of the sentence.

PROCEDURAL HISTORY

The Supreme Court, Bronx County, rendered a judgment against Djiguiba Fofana on July 11, 2024. Fofana appealed to the Appellate Division, First Department. After argument, the appellate court found the sentence not excessive and unanimously affirmed the judgment.

DISPOSITION

affirmed

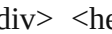
OPINION

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PER CURIAM.

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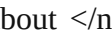
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May 14, 2026

Appellate Division, First Department

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This decision is uncorrected and subject to revision before publication in the Official Reports.

The People of the State of New York, Respondent,

v

Djiguiba Fofana, Defendant-Appellant.

Decided and Entered: May 14, 2026 Ind No. 70269/22|Appeal No. 6610|Case No. 2024-05570| Before: Webber, J.P., González, Pitt-Burke, Higgitt, Hagler, JJ. Jenay Nurse Guilford, Center for Appellate Litigation, New York (John L. Palmer of counsel), for appellant. Darcel D. Clark, District Attorney, Bronx (Joshua Hanson of counsel), for respondent. An appeal having been taken to this Court by the above-named appellant from a judgment of the Supreme Court, Bronx County (Alvin Yearwood, J.), rendered July 11, 2024, Said appeal having been argued by counsel for the respective parties, due deliberation having been had thereon, and finding the sentence not excessive, It is unanimously ordered that the judgment so appealed from be and the same is hereby affirmed. THIS CONSTITUTES THE DECISION AND ORDER OF THE SUPREME COURT, APPELLATE DIVISION, FIRST DEPARTMENT. ENTERED: May 14, 2026 Counsel for appellant is referred to § 606.5, Rules of the Appellate Division, First Department.

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PER CURIAM.

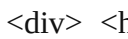
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PER CURIAM.

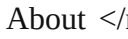
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Before: Webber, J.P., GonzálezLez, Pitt-Burke, Higgitt, Hagler, JJ.

Jenay Nurse Guilford, Center for Appellate Litigation, New York (John L. Palmer of counsel), for appellant.

Darcel D. Clark, District Attorney, Bronx (Joshua Hanson of counsel), for respondent.

[*1]

An appeal having been taken to this Court by the above-named appellant from a judgment of the Supreme Court, Bronx County (Alvin Yearwood, J.), rendered July 11, 2024,

Said appeal having been argued by counsel for the respective parties, due deliberation having been had thereon, and finding the sentence not excessive,

It is unanimously ordered that the judgment so appealed from be and the same is hereby affirmed.

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