

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

People v. Pena

2026 NY Slip Op 03371 (Supreme Court of the State of New York Appellate Division First Department 2026) ·
No. Ind. No. 707/19, 1738/19; Appeal No. 6733; Case No. 2022-01179 · Decided May 28, 2026

SUMMARY

The New York Supreme Court, Appellate Division, First Department, affirmed the judgment of the Supreme Court, Bronx County, in a criminal case involving Julio Pena. The court concluded that the sentence was not excessive and unanimously affirmed.

CASE DETAILS

COURT	Supreme Court of the State of New York, Appellate Division, First Department
WRITING FOR THE COURT	Webber, J.P.; Gesmer, J.; Rodriguez, J.; Pitt-Burke, J.; O'Neill Levy, J.
JURISDICTION	New York Supreme Court, Appellate Division, First Department
DECIDED	May 28, 2026
DOCKET	Ind. No. 707/19, 1738/19; Appeal No. 6733; Case No. 2022-01179
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed from a judgment of the Supreme Court, Bronx County, and the Appellate Division affirmed after finding the sentence not excessive.
PRECEDENTIAL VALUE	Published
PARTIES	Julio Pena v. The People of the State of New York

TOPICS

sentencing appellate procedure

PRACTICE AREAS

criminal law criminal procedure sentencing appellate practice

QUESTIONS PRESENTED

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

HOLDINGS

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

KEY QUOTATIONS

“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 appeal arose from a judgment rendered by the Supreme Court, Bronx County, on March 11, 2022. The Appellate Division addressed the excessiveness of the sentence and found that the sentence was not excessive.

PROCEDURAL HISTORY

The Supreme Court, Bronx County, rendered judgment against Julio Pena on March 11, 2022. Pena appealed, and the Appellate Division, First Department, unanimously affirmed the judgment.

DISPOSITION

affirmed

OPINION

PER CURIAM.

People v Pena - 2026 NY Slip Op 03371 skip to main content It appears you are using Adblock. Please disable Adblock to best experience our website. Law Reporting Bureau Thomas J.K. Smith, State Reporter Court Decisions Resources About Home All Court Decisions Decisions People v Pena 2026 NY Slip Op 03371 May 28, 2026 Appellate Division, First Department Published by New York State Law Reporting Bureau pursuant to Judiciary Law § 431.

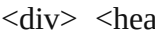
This decision is uncorrected and subject to revision before publication in the Official Reports. The People of the State of New York, Respondent, v Julio Pena, Defendant-Appellant. Decided and Entered: May 28, 2026 Ind No. 707/19, 1738/19|Appeal No. 6733|Case No. 2022-01179| Before: Webber, J.P., Gesmer, Rodriguez, Pitt-Burke, O'Neill Levy, JJ. Steven Banks, The Legal Aid Society, New York (Danielle A. Bernstein of counsel), for appellant.

Darcel D. Clark, District Attorney, Bronx (Emily Aldrige 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 (Ralph A. Fabrizio, J.), rendered March 11, 2022, 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 28, 2026 Counsel for appellant is referred to § 606.5, Rules of the Appellate Division, First Department. Court Decisions All Court Decisions Official Reports Service Bound Volumes Decision Search Resources RSS Feeds Style Manual Citation Tools Opinion Formatting & Privacy Guidelines Opinion Selection Criteria Legal Research Portal Site Index About About the Law Reporting Bureau About our Operations Contact Us Twitter Quick Contact Info 17 Lodge Street Albany, NY 12207 Phone: (518) 453-6900 Links to or from other sites do not signify endorsement or relationship with them.

PER CURIAM.

People v Pena - 2026 NY Slip Op 03371 skip to main content It appears you are using Adblock. Please disable Adblock to best experience our website.



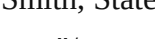
Law Reporting Bureau Home Page

Law Reporting Bureau

Thomas J.K.

Smith, State Reporter

Court Decisions Resources About



Home

All Court Decisions

Decisions

People v Pena

2026 NY Slip Op 03371

May 28, 2026

Appellate Division, First Department

Published by New York State Law Reporting Bureau pursuant to Judiciary Law § 431.

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

The People of the State of New York, Respondent,

v

Julio Pena, Defendant-Appellant.

Decided and Entered: May 28, 2026

Ind No. 707/19, 1738/19|Appeal No. 6733|Case No. 2022-01179|

Before: Webber, J.P., Gesmer, Rodriguez, Pitt-Burke, O'Neill Levy, JJ.

Steven Banks, The Legal Aid Society, New York (Danielle A. Bernstein of counsel), for appellant.

Darcel D. Clark, District Attorney, Bronx (Emily Aldrige 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 (Ralph A. Fabrizio, J.), rendered March 11, 2022,

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 28, 2026

Counsel for appellant is referred to § 606.5, Rules of the Appellate Division, First Department.

Court Decisions

All Court Decisions Official Reports Service Bound Volumes Decision Search

Resources

RSS Feeds Style Manual

Citation Tools Opinion Formatting & Privacy Guidelines Opinion Selection Criteria Legal Research Portal Site Index

About

About the Law Reporting Bureau About our Operations Contact Us Twitter

Quick Contact Info

17 Lodge Street

Albany, NY 12207

Phone: (518) 453-6900

Links to or from other sites do not signify endorsement or relationship with them.

Retrieved from lawtools.ai · <https://lawtools.ai/cases/state/new-york-supreme-court-appellate-division-first-department-supreme-court-of-the-state-of-new-york-ap/2026/people-v-pena-qz9fti80>