

**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.

OPINION

PER CURIAM.

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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 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.

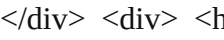
THIS CONSTITUTES THE DECISION AND ORDER OF THE SUPREME COURT, APPELLATE DIVISION, FIRST DEPARTMENT. ENTERED: May 28, 2026 Counsel for appellant is referred to § 606.5, Rules of the Appellate Division, First Department. Court Decisions All Court Decisions Official Reports Service Bound Volumes Decision Search Resources RSS Feeds Style Manual Citation Tools Opinion Formatting & Privacy Guidelines

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PER CURIAM.

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May 28, 2026

Appellate Division, First Department

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The People of the State of New York, Respondent,

v

Julio Pena, Defendant-Appellant.

Decided and Entered: May 28, 2026

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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.

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[*1]

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

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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.

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