

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