

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

People v. Montesquie

2026 NY Slip Op 00331 (App. Div. 1st Dep't 2026) · No. Ind. No. 74934/23; Appeal No. 5683; Case No. 2024-06554 · Decided January 27, 2026

SUMMARY

The Appellate Division, First Department unanimously affirmed a Bronx County Supreme Court judgment in a criminal case involving Joseph Montesquie. The court found the sentence was not excessive.

CASE DETAILS

COURT	Appellate Division of the Supreme Court of the State of New York, First Department
WRITING FOR THE COURT	Webber, J.P.; Gesmer, J.; Higgitt, J.; Michael, J.; Chan, J.
JURISDICTION	New York Supreme Court, Appellate Division, First Department
DECIDED	January 27, 2026
DOCKET	Ind. No. 74934/23; Appeal No. 5683; Case No. 2024-06554
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed from a judgment of the Supreme Court, Bronx County, rendered October 15, 2024.
PRECEDENTIAL VALUE	Published
PARTIES	Joseph Montesquie v. The People of the State of New York

TOPICS

sentencing

appellate procedure

standard of review

PRACTICE AREAS

criminal law

criminal appellate practice

QUESTIONS PRESENTED

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

HOLDINGS

1. The sentence was not excessive.

FACTUAL BACKGROUND

The opinion identifies Joseph Montesquie as the defendant-appellant and states that he appealed from a judgment of the Supreme Court, Bronx County, rendered on October 15, 2024. The Appellate Division addressed whether the sentence was excessive and found that it was not.

PROCEDURAL HISTORY

The Supreme Court, Bronx County, rendered judgment against Joseph Montesquie. He appealed to the Appellate Division, First Department, which reviewed the sentence and affirmed the judgment after argument and deliberation.

DISPOSITION

affirmed

OPINION

PER CURIAM.

People v Montesquie (2026 NY Slip Op 00331) People v Montesquie 2026 NY Slip Op 00331 Decided on January 27, 2026 Appellate Division, First Department Published by New York State Law Reporting Bureau pursuant to Judiciary Law § 431. This opinion is uncorrected and subject to revision before publication in the Official Reports. Decided and Entered: January 27, 2026 Before: Webber, J.P., Gesmer, Higgitt, Michael, Chan, JJ. Ind. No. 74934/23|Appeal No. 5683|Case No. 2024-06554| [*1]The People of The State of New York, Respondent, v Joseph Montesquie, Defendant-Appellant.

Jenay Nurse Guilford, Center for Appellate Litigation, New York (Abigail Everett of counsel), for appellant. Darcel D. Clark, District Attorney, Bronx (Michelle Pomerantz 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 (Laurence E. Busching, J.), rendered October 15, 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: January 27, 2026 Counsel for appellant is referred to § 606.5, Rules of the Appellate Division, First Department.

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