

SUPREME COURT OF THE STATE OF NEW YORK
Appellate Division, Fourth Judicial Department

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KA 23-01170

PRESENT: WHALEN, P.J., LINDLEY, CURRAN, SMITH, AND DELCONTE, JJ.

THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT,

V

MEMORANDUM AND ORDER

PHILLIP OWENS, DEFENDANT-APPELLANT.
(APPEAL NO. 2.)

KAMAN BERLOVE LLP, ROCHESTER (BRYANNE L. JONES OF COUNSEL), FOR
DEFENDANT-APPELLANT.

SANDRA DOORLEY, DISTRICT ATTORNEY, ROCHESTER (MARTIN P. MCCARTHY, II,
OF COUNSEL), FOR RESPONDENT.

Appeal from a resentence of the Supreme Court, Monroe County
(Alex R. Renzi, J.), rendered June 14, 2023. Defendant was
resentenced upon his conviction of criminal possession of a weapon in
the second degree.

It is hereby ORDERED that the resentence so appealed from is
unanimously reversed on the law and the matter is remitted to Supreme
Court, Monroe County, for resentencing.

Same memorandum as in *People v Owens* ([appeal No. 1] – AD3d –
[Apr. 24, 2026] [4th Dept 2026]).

Entered: April 24, 2026

Ann Dillon Flynn
Clerk of the Court