

People v David Sheard

Motion No: 2026-02865

Slip Opinion No: 2026 NY Slip Op 72380(U)

Decided on July 16, 2026

Appellate Division, First Department, Motion Decision

Published by [New York State Law Reporting Bureau](#) pursuant to
Judiciary Law § 431.

This motion is uncorrected and is not subject to publication in the
Official Reports.

Supreme Court of the State of New York
Appellate Division, First Judicial Department

PRESENT Hon. Peter H. Moulton,
Saliann Scarpulla
Martin Shulman
Julio Rodriguez III
Marsha D. Michael,

Justice Presiding,

Justices.

The People of the State of New York,
Appellant,

Motion No. 2026-02865

Index No. 70158/22

Case No. 2025-04560

-against-

David Sheard,
Defendant-Respondent.

Defendant-respondent having moved for reargument of the decision and order of this Court, entered on April 16, 2026 (Appeal No. 6390),

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted and, upon reargument, the decision and order of this Court entered on April 16, 2026 (Appeal No. 6390) is recalled and vacated and a new decision and order substituted therefor. (See Appeal No. 6390 decided simultaneously herewith.)

ENTERED: July 16, 2026



Susanna Molina Rojas
Clerk of the Court