

People v Phillip Pine

Motion No: 2025-04290

Slip Opinion No: 2025 NY Slip Op 76234(U)

Decided on September 11, 2025

Appellate Division, First Department, Motion Decision

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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. Saliann Scarpulla,
Llinét M. Rosado
Kelly O’Neill Levy
Marsha D. Michael,

Justice Presiding,

Justices.

The People of the State of New York,
Respondent,

Motion No. 2025-04290
Ind. No. 1073/21
Case No. 2023-00631

-against-

Phillip Pine,
Defendant-Appellant.

An order of this Court having been entered on March 23, 2023 (Motion No. 2023-00582), inter alia, assigning Jenay Nurse Guilford, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, as counsel to prosecute defendant’s appeal from a judgment of the Supreme Court, New York County, rendered on January 30, 2023, and said appeal having been perfected,

And counsel having moved for an order abating the appeal by reason of appellant’s death, remanding the matter to the trial court to vacate the judgment of conviction, and dismissing the indictment,

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 to the extent of dismissing the appeal due to appellant’s death on July 07, 2025, and remanding the matter to the Supreme Court, New York County, for further proceedings consistent with *People v Mintz* (20 NY2d 770).

ENTERED: September 11, 2025



Susanna Molina Rojas
Clerk of the Court