

Supreme Court of the State of New York
Appellate Division: Second Judicial Department

D14754
W/gts

_____AD3d_____

Submitted - March 12, 2007

ROBERT A. SPOLZINO, J.P.
GLORIA GOLDSTEIN
STEVEN W. FISHER
WILLIAM E. McCARTHY, JJ.

2003-03220

DECISION & ORDER

The People, etc., respondent,
v Ronnie Williams, appellant.

(Ind. No. 1660 A-02)

Robert C. Mitchell, Riverhead, N.Y. (Alfred J. Cicale of counsel), for appellant, and appellant pro se.

Thomas J. Spota, District Attorney, Riverhead, N.Y. (Anne E. Oh of counsel), for respondent.

Appeal by the defendant from a judgment of the County Court, Suffolk County (Gazzillo, J.), rendered March 25, 2003, convicting him of criminal possession of a controlled substance in the third degree, after a nonjury trial, and imposing sentence.

ORDERED that the judgment is affirmed.

Viewing the evidence in the light most favorable to the prosecution (*see People v Contes*, 60 NY2d 620), we find that it was legally sufficient to establish the defendant's guilt beyond a reasonable doubt. The codefendant's testimony was sufficiently corroborated by independent evidence connecting the defendant to the crime (*see CPL 60.22[1]*; *People v Caban*, 5 NY3d 143; *People v Breland*, 83 NY2d 286; *People v Goodson*, 35 AD3d 760).

Moreover, resolution of issues of credibility is primarily a matter to be determined by the factfinder, which saw and heard the witnesses, and its determination should be accorded great deference on appeal (*see People v Romero*, 7 NY3d 633, 644-645; *People v Mateo*, 2 NY3d 383, 410, *cert denied* 542 US 946). Upon the exercise of our factual review power (*see CPL 470.15[5]*),

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we are satisfied that the verdict of guilt is not against the weight of the evidence (*see People v Romero, supra*).

The defendant's remaining contentions are without merit.

SPOLZINO, J.P., GOLDSTEIN, FISHER and McCARTHY, JJ., concur.

ENTER:

A handwritten signature in black ink that reads "James Edward Pelzer". The signature is written in a cursive, flowing style.

James Edward Pelzer
Clerk of the Court