

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

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Argued - November 15, 2007

A. GAIL PRUDENTI, P.J.  
WILLIAM F. MASTRO  
FRED T. SANTUCCI  
ROBERT A. LIFSON, JJ.

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2005-06931

DECISION & ORDER

The People, etc., respondent,  
v Shannon Dallas, appellant.

(Ind. No. 8394/03)

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Lynn W. L. Fahey, New York, N.Y. (De Nice Powell of counsel), for appellant.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove and Shulamit Rosenblum of counsel), for respondent.

Appeal by the defendant from a judgment of the Supreme Court, Kings County (Brennan, J.), rendered June 27, 2005, convicting him of criminal possession of a forged instrument in the second degree (four counts), upon a jury verdict, and imposing sentence.

ORDERED that the judgment is affirmed.

The defendant failed to preserve for appellate review his contention that the evidence was legally insufficient to support his conviction (*see* CPL 470.05[2]). In any event, viewed in the light most favorable to the prosecution (*see People v Contes*, 60 NY2d 620), the evidence was legally sufficient to establish that the defendant possessed forged written instruments, and to permit the jury to infer that the defendant had the intent to defraud or deceive another (*see People v Wellington*, 41 AD3d 517). Moreover, upon the exercise of our factual review power (*see* CPL 470.15[5]), we are satisfied that the verdict was not against the weight of the evidence (*see People v Romero*, 7 NY3d 633).

There is no merit to the defendant's claim of ineffective assistance of counsel (*see People v Stultz*, 2 NY3d 277).

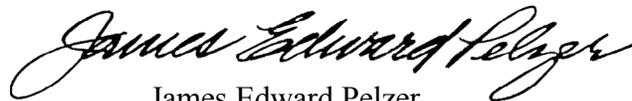
The defendant argues that the court erred in admitting the expert testimony of a special agent for the Social Security Administration and an investigator for the California Department of Motor Vehicles to the effect that the purported Social Security cards and California drivers' licenses at issue were forgeries. However, the defendant failed to preserve this contention for appellate review by not objecting to this testimony at trial (*see People v Parker*, 125 AD2d 340). In any event, the testimony was properly admitted because the genuineness of the purported Social Security cards and California drivers' licenses were clearly matters beyond the ken of the average juror, and thus, "it matters not whether the testimony related to the ultimate issue in the case" (*People v Hicks*, 2 NY3d 750, 751; *see People v Cronin*, 60 NY2d 430).

We discern no error in the court's ruling which permitted a police detective to testify as to his own understanding of certain statements made to him by the defendant in recorded telephone conversations, especially since the meaning of the defendant's statements was so self-evident as to obviate any genuine claim of prejudice.

The defendant failed to preserve for appellate review his claim that the court erred in admitting certain bolstering evidence in the form of a prior consistent statement, by not specifying the ground for objection thereto before the trial court (*see CPL 470.05[2]*). In any event, while we agree with the defendant that this testimony was improperly admitted, the error does not warrant reversal because the evidence of guilt was overwhelming and there is no significant probability that he would have been acquitted had the error not occurred (*see People v Evans*, 16 AD3d 517).

PRUDENTI, P.J., MASTRO, SANTUCCI and LIFSON, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court