

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

D18107  
W/kmg

\_\_\_\_\_AD3d\_\_\_\_\_

Argued - January 15, 2008

DAVID S. RITTER, J.P.  
FRED T. SANTUCCI  
JOSEPH COVELLO  
EDWARD D. CARNI, JJ.

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2004-00765

DECISION & ORDER

The People, etc., respondent,  
v Samuel Bostic, appellant.

(Ind. No. 1782/03)

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Lynn W. L. Fahey, New York, N.Y. (Paul Skip Laisure of counsel), for appellant, and appellant pro se.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove, Jacqueline M. Linares, and Linda Breen of counsel), for respondent.

Appeal by the defendant from a judgment of the Supreme Court, Kings County (Feldman, J.), rendered December 23, 2003, convicting him of assault in the first degree, upon a jury verdict, and imposing sentence.

ORDERED that the judgment is affirmed.

Contrary to the defendant's contentions, the trial court providently exercised its discretion in excluding certain evidence on the basis that it was cumulative to evidence that had already been admitted (*see People v Ahmr*, 22 AD3d 593, 594; *People v Ingram*, 3 AD3d 437, 438; *see also People v Petty*, 7 NY3d 277, 286-287). Consequently, the defendant was not deprived of the opportunity to present a complete defense.

February 19, 2008

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The defendant's remaining contentions raised in his pro se supplemental brief are unpreserved for appellate review and, in any event, are without merit.

RITTER, J.P., SANTUCCI, COVELLO and CARNI, JJ., concur.

ENTER:

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

James Edward Pelzer  
Clerk of the Court