

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

D18153  
W/lu

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

Argued - January 24, 2008

PETER B. SKELOS, J.P.  
STEVEN W. FISHER  
MARK C. DILLON  
WILLIAM E. McCARTHY, JJ.

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2004-07118

DECISION & ORDER

The People, etc., respondent,  
v Patrick Vincent, appellant.

(Ind. No. 7528/03)

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Lynn W. L. Fahey, New York, N.Y., and Chadbourne & Parke LLP, New York, N.Y.  
(Thomas E. Butler and J. Carson Pulley of counsel), for appellant (one brief filed).

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove and Thomas  
M. Ross of counsel), for respondent.

Appeal by the defendant from a judgment of the Supreme Court, Kings County  
(Guzman, J.), rendered July 8, 2004, convicting him of burglary in the third degree, petit larceny, and  
criminal mischief in the fourth degree, upon a jury verdict, and imposing sentence.

ORDERED that the judgment is affirmed.

The Supreme Court properly denied, without a hearing, the defendant's motion to set  
aside the verdict pursuant to CPL 330.30(2), based upon comments a juror allegedly made to defense  
counsel after the verdict was rendered (*see People v Bab Lin You*, 264 AD2d 780; *People v*  
*Cervantes*, 242 AD2d 730, 731).

SKELOS, J.P., FISHER, DILLON and McCARTHY, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

February 26, 2008

PEOPLE v VINCENT, PATRICK