

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

D18836
O/hu

_____AD3d_____

Submitted - March 14, 2008

PETER B. SKELOS, J.P.
JOSEPH COVELLO
RANDALL T. ENG
JOHN M. LEVENTHAL, JJ.

2005-03278

DECISION & ORDER

The People, etc., respondent,
v Hasker McLeod, appellant.

(Ind. No. 1228/04)

Lynn W. L. Fahey, New York, N.Y. (Reyna E. Marder of counsel), for appellant.

Richard A. Brown, District Attorney, Kew Gardens, N.Y. (John M. Castellano, Nicoletta J. Caferri, and John F. McGoldrick of counsel), for respondent.

Appeal by the defendant from a judgment of the Supreme Court, Queens County (Buchter, J.), rendered March 28, 2005, convicting him of robbery in the first degree, grand larceny in the third degree, unlawful imprisonment in the second degree (two counts), and endangering the welfare of a child, upon a jury verdict, 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 (*see Penal Law 160.15[3]*; *People v Pena*, 50 NY2d 400, 408, *cert denied* 449 US 1087; *People v Boisseau*, 33 AD3d 568; *People v Thompson*, 273 AD2d 153; *People v Kershaw*, 256 AD2d 590; *People v Di Girolamo*, 108 AD2d 755). Moreover, upon the exercise of our factual review power (*see CPL 470.15[5]*), we are satisfied that the verdict of guilt is not against the weight of the evidence (*see People v Romero*, 7 NY3d 633; *People v Kershaw*, 256 AD2d 590).

SKELOS, J.P., COVELLO, ENG and LEVENTHAL, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

April 15, 2008

PEOPLE v McLEOD, HASKER