

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

D20958  
X/hu

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

Submitted - October 14, 2008

ROBERT A. LIFSON, J.P.  
FRED T. SANTUCCI  
RUTH C. BALKIN  
ARIEL E. BELEN, JJ.

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2007-04735

DECISION & ORDER

The People, etc., respondent,  
v Anthony Achong, appellant.

(Ind. No. 2369/06)

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Samuel E. Rieff, Garden City, N.Y., for appellant.

Kathleen M. Rice, District Attorney, Mineola, N.Y. (Andrea M. DiGregorio and  
Cristin N. Connell of counsel), for respondent.

Appeal by the defendant from a judgment of the Supreme Court, Nassau County  
(Calabrese, J.), rendered April 23, 2007, convicting him of sexual abuse in the first degree, upon a  
jury verdict, and imposing sentence.

ORDERED that the judgment is affirmed.

We reject the defendant's contention that the prosecutor's use of the word "sex," as  
well as a witness's reference to forced sex, violated the court's pretrial ruling.

The defendant's contention that the testimony on the issue of prompt outcry exceeded  
the permissible scope of the exception to the hearsay rule is without merit. "The prosecutor was  
entitled to elicit the nature of the complaint and the testimony did not exceed the allowable level of

November 5, 2008

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detail” (*People v Salazar*, 234 AD2d 322, 323; see *People v Nelson*, 40 AD3d 1126, 1127; *People v Coleman*, 37 AD3d 846, 847).

LIFSON, J.P., SANTUCCI, BALKIN and BELEN, 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