

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

D21609  
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Argued - December 1, 2008

PETER B. SKELOS, J.P.  
FRED T. SANTUCCI  
WILLIAM E. McCARTHY  
THOMAS A. DICKERSON, JJ.

2006-10827

DECISION & ORDER

The People, etc., respondent,  
v Sentwali Laviscount, a/k/a Laviscount Sentwali,  
appellant.

(Ind. No. 607/05)

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Lynn W. L. Fahey, New York, N.Y. (William Kastin of counsel), for appellant.

Richard A. Brown, District Attorney, Kew Gardens, N.Y. (John M. Castellano,  
Jeanette Lifschitz, and Rebecca Kramer of counsel), for respondent.

Appeal by the defendant from a judgment of the Supreme Court, Queens County (Blumenfeld, J.), rendered October 31, 2006, convicting him of robbery in the third degree, escape in the first degree, and resisting arrest, upon a jury verdict, and imposing sentence.

ORDERED that the judgment is affirmed.

The defendant's contention that the evidence was legally insufficient to support his conviction of robbery in the third degree is unpreserved for appellate review (*see* CPL 470.05[2]; *People v Andolina*, 23 AD3d 573; *People v Ross*, 180 AD2d 698). In any event, 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 beyond a reasonable doubt that the defendant forcibly stole property from the complainant (*see* Penal Law § 160.05; *People v Cusimano*, 48 AD3d 475; *People v Andolina*, 23 AD3d 573; *People v Cannon*, 1 AD3d 606). Moreover, upon our independent review pursuant to CPL 470.15(5), we are satisfied that the verdict of guilt was not against the weight of the evidence (*see People v Romero*, 7 NY3d 633, 644-645).

December 30, 2008

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The defendant's remaining contention is unpreserved for appellate review (*see* CPL 470.05[2]) and, in any event, is without merit (*see* CPL 310.30; *People v Adames*, 42 AD3d 328, 329).

SKELOS, J.P., SANTUCCI, McCARTHY and DICKERSON, 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