

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

D24847
G/prt

_____AD3d_____

Argued - October 6, 2009

WILLIAM F. MASTRO, J.P.
HOWARD MILLER
DANIEL D. ANGIOLILLO
LEONARD B. AUSTIN, JJ.

2005-10696
2005-10697

DECISION & ORDER

The People, etc., respondent,
v Leslie Louis, appellant.

(Ind. Nos. 640/04, 658/04)

Lynn W. L. Fahey, New York, N.Y. (Lisa Napoli of counsel), for appellant, and appellant pro se.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove and Morgan J. Dennehy of counsel), for respondent.

Appeals by the defendant from two judgments of the Supreme Court, Kings County (Lott, J.), both rendered October 20, 2005, convicting him of murder in the second degree, robbery in the first degree (two counts), and assault in the second degree under Indictment No. 658/04, upon a jury verdict, and robbery in the first degree under Indictment No. 640/04, upon his plea of guilty, and imposing sentences.

ORDERED that the judgments are affirmed.

While certain evidence should not have been admitted at trial, the errors were harmless, as there was overwhelming evidence of the defendant's guilt, and no significant probability that the errors contributed to his conviction (*see People v Crimmins*, 36 NY2d 230, 241-242; *People v Thomas*, 58 AD3d 645).

November 4, 2009

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The defendant's remaining contentions are unpreserved for appellate review (*see* CPL 470.05[2]) and, in any event, are without merit.

MASTRO, J.P., MILLER, ANGIOLILLO and AUSTIN, JJ., concur.

ENTER:

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

James Edward Pelzer
Clerk of the Court