

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

D25100
C/kmg

_____AD3d_____

Submitted - November 2, 2009

STEVEN W. FISHER, J.P.
JOSEPH COVELLO
FRED T. SANTUCCI
RUTH C. BALKIN, JJ.

2008-02610

DECISION & ORDER

The People, etc., respondent,
v Elton Speller, appellant.

(Ind. No. 6639/07)

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

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove, Rhea A. Grob,
and Emily C. Lee of counsel), for respondent.

Appeal by the defendant from a judgment of the Supreme Court, Kings County
(Guzman, J.), rendered March 12, 2008, convicting him of petit larceny, upon a jury verdict, and
imposing sentence.

ORDERED that the judgment is affirmed.

Contrary to the defendant's contention, he was not denied a fair trial by the
prosecutor's comments in her opening remarks and summation (*see People v Martin*, 54 AD3d 776).

FISHER, J.P., COVELLO, SANTUCCI and BALKIN, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

November 24, 2009

PEOPLE v SPELLER, ELTON