

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

D26040  
O/kmg

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Submitted - January 7, 2010

STEVEN W. FISHER, J.P.  
ANITA R. FLORIO  
ARIEL E. BELEN  
LEONARD B. AUSTIN, JJ.

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2007-00403

DECISION & ORDER

The People, etc., respondent,  
v Leonel Zepeda, appellant.

(Ind. No. 738/06)

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Steven Banks, New York, N.Y. (Svetlana M. Kornfeind of counsel), for appellant.

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

Appeal by the defendant from a judgment of the Supreme Court, Queens County (Kohm, J.), rendered December 14, 2006, convicting him of sexual abuse in the first degree and endangering the welfare of a child, upon a jury verdict, and imposing sentence.

ORDERED that the judgment is affirmed.

The defendant contends that the verdict convicting him of sexual abuse in the first degree and endangering the welfare of a child was against the weight of the evidence. In fulfilling our responsibility to conduct an independent review of the weight of the evidence (*see* CPLR 470.15[5]; *People v Danielson*, 9 NY3d 342), we nevertheless accord great deference to the jury's opportunity to view the witnesses, hear the testimony, and observe demeanor (*see People v Mateo*, 2 NY3d 383, 410, *cert denied* 542 US 946; *People v Bleakley*, 69 NY2d 490, 495). Upon reviewing the record here, we are satisfied that the verdict of guilt was not against the weight of the evidence (*see People v Romero*, 7 NY3d 633).

FISHER, J.P., FLORIO, BELEN and AUSTIN, JJ., concur.

ENTER:

  
James Edward Pelzer

February 9, 2010

PEOPLE v ZEPEDA, LEONEL

Clerk of the Court

February 9, 2010

PEOPLE v ZEPEDA, LEONEL