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

D26263
G/prt

_____AD3d_____ Argued - January 26, 2010

STEVEN W. FISHER, J.P.
ANITA R. FLORIO
ARIEL E. BELEN
L. PRISCILLA HALL, JJ.

2007-08712 DECISION & ORDER

The People, etc., respondent,
v Pare Griffin, appellant.

(Ind. No. 8926/06)

Lynn W. L. Fahey, New York, N.Y. (Erin R. Collins of counsel), for appellant.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove, Camille O'Hara Gillespie, and Alison L. Passer of counsel), for respondent.

Appeal by the defendant from a judgment of the Supreme Court, Kings County (Parker, J.), rendered September 6, 2007, convicting him of robbery in the first degree and burglary in the first degree, after a nonjury trial, and imposing sentence.

ORDERED that the judgment is affirmed.

The defendant's contention that the evidence was legally insufficient to establish his guilt beyond a reasonable doubt is unpreserved for appellate review (*see* CPL 470.05[2]; People v Hawkins, 11 NY3d 484, 492; *People v Wilson,* 50 AD3d 711; *People v Leon,* 19 AD3d 509, *affd* 7 NY3d 109). In any event, viewing the evidence in the light most favorable to the prosecution (*see People v Contes,* 60 NY2d 620, 621), we find that it was legally sufficient to establish the defendant's guilt beyond a reasonable doubt. Moreover, in fulfilling our responsibility to conduct an independent review of the weight of the evidence (*see* CPL 470.15[5]; *People v Danielson,* 9 NY3d 342, 348-349), we nevertheless accord great deference to the trial court'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 the verdict of guilt was not against the weight of the evidence (*see People v Romero,* 7 NY3d 633).

The defendant's remaining contention is without merit.

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

ENTER:

James Edward Pelzer
Clerk of the Court