

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

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_____AD3d_____

Argued - March 29, 2010

JOSEPH COVELLO, J.P.
FRED T. SANTUCCI
DANIEL D. ANGIOLILLO
THOMAS A. DICKERSON, JJ.

2007-10478

DECISION & ORDER

The People, etc., respondent,
v Michael McGriff, appellant.

(Ind. No. 2242/06)

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

Richard A. Brown, District Attorney, Kew Gardens, N.Y. (John M. Castellano, Johnnette Traill, and Josette Simmons-McGhee of counsel), for respondent.

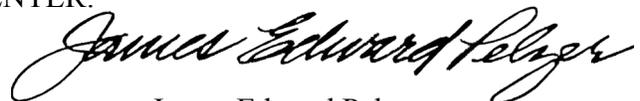
Appeal by the defendant from a judgment of the Supreme Court, Queens County (Knopf, J.), rendered October 31, 2007, convicting him of robbery in the second degree (two counts), upon a jury verdict, and imposing sentence.

ORDERED that the judgment is affirmed.

Contrary to the defendant's contention, the trial court properly denied his challenge for cause to a prospective juror. The record does not support a finding that the prospective juror had an actual bias or otherwise possessed a "state of mind that [was] likely to preclude [her] from rendering an impartial verdict based upon the evidence adduced at the trial" (CPL 270.20[1][b]; *see People v Hernandez*, 222 AD2d 696, 696-697; *People v Archer*, 210 AD2d 241, 241-242).

COVELLO, J.P., SANTUCCI, ANGIOLILLO and DICKERSON, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

May 4, 2010

PEOPLE v McGRIFF, MICHAEL