

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

D27958
W/ct

_____AD3d_____

Submitted - May 24, 2010

WILLIAM F. MASTRO, J.P.
JOSEPH COVELLO
ARIEL E. BELEN
L. PRISCILLA HALL, JJ.

2008-07861

DECISION & ORDER

The People, etc., respondent,
v Kenny Urbaez, appellant.

(Ind. No. 29/08)

Yasmin Daley Duncan, Brooklyn, N.Y., for appellant.

William V. Grady, District Attorney, Poughkeepsie, N.Y. (Joan H. McCarthy of counsel), for respondent.

Appeal by the defendant from a judgment of the County Court, Dutchess County (Dolan, J.), rendered August 7, 2008, convicting him of promoting prison contraband in the first degree, upon a jury verdict, and imposing sentence.

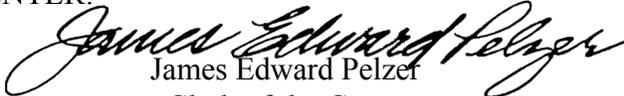
ORDERED that the judgment is affirmed.

Viewing the evidence in the light most favorable to the prosecution (*see People v Contes*, 60 NY2d 620), we find that it was legally sufficient to establish the defendant's guilt beyond a reasonable doubt. Moreover, upon our independent review pursuant to CPL 470.15(5), we are satisfied that the verdict of guilt was not against the weight of the evidence (*see People v Romero*, 7 NY3d 633).

The defendant's remaining contentions are unpreserved for appellate review.

MASTRO, J.P., COVELLO, BELEN and HALL, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

June 22, 2010

PEOPLE v URBAEZ, KENNY