

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

D28309  
G/prt

\_\_\_\_\_AD3d\_\_\_\_\_

Argued - May 27, 2010

MARK C. DILLON, J.P.  
RUTH C. BALKIN  
RANDALL T. ENG  
CHERYL E. CHAMBERS, JJ.

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2006-02817

DECISION & ORDER

The People, etc., respondent, v Nancy Jace, also known as Tiffany Tina Jace, also known as Christina Jace, also known as Nancy C. Jace, appellant.

(Ind. No. 1509/05)

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Lynn W. L. Fahey, New York, N.Y. (A. Alexander Donn of counsel), for appellant.

Richard A. Brown, District Attorney, Kew Gardens, N.Y. (John M. Castellano, Nicoletta J. Caferra, and Rona I. Kugler of counsel), for respondent.

Appeal by the defendant from a judgment of the Supreme Court, Queens County (Latella, J.), rendered February 27, 2006, convicting her of grand larceny in the third degree (three counts) and scheme to defraud in the first degree, after a nonjury trial, and imposing sentence.

ORDERED that the judgment is affirmed.

The defendant's argument that the evidence was legally insufficient to prove her guilt of grand larceny in the third degree because the complainants were not the "owner[s]" of the money (Penal Law § 155.05[1]) that she was accused of stealing is unpreserved for appellate review (*see People v Hawkins*, 11 NY3d 484; *People v Gray*, 86 NY2d 10), and we decline to reach it in the exercise of our interest of justice jurisdiction.

August 24, 2010

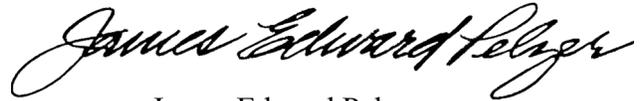
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PEOPLE v JACE, NANCY, also known as JACE, TIFFANY TINA,  
also known as JACE, CHRISTINA, also known as JACE, NANCY C.

The defendant's remaining contentions are without merit.

DILLON, J.P., BALKIN, ENG and CHAMBERS, JJ., concur.

ENTER:

A handwritten signature in black ink, reading "James Edward Pelzer". The signature is written in a cursive, flowing style.

James Edward Pelzer  
Clerk of the Court