

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

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_____AD3d_____

Argued - October 29, 2010

JOSEPH COVELLO, J.P.
THOMAS A. DICKERSON
ARIEL E. BELEN
PLUMMER E. LOTT, JJ.

2008-05705

DECISION & ORDER

The People, etc., respondent,
v Patrick Speight, appellant.

(Ind. No. 11521/07)

Steven Banks, New York, N.Y. (Harold V. Ferguson, Jr., of counsel), for appellant.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove, Linda Breen,
and Adam Koelsch of counsel), for respondent.

Appeal by the defendant from a judgment of the Supreme Court, Kings County
(Ingram, J.), rendered June 10, 2008, convicting him of grand larceny in the fourth degree and petit
larceny, upon a jury verdict, and imposing sentence.

ORDERED that the judgment is affirmed.

Upon our independent review of the evidence 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, concerning the handling of notes from the jury
(*see* CPL 310.30) and an *Allen* charge (*see Allen v United States*, 164 US 492), are not preserved
for appellate review (*see* CPL 470.05[2]; *People v Starling*, 85 NY2d 509, 516), and we decline to
reach those issues in the exercise of our interest of justice jurisdiction (*see* CPL 470.15[3][c]).

COVELLO, J.P., DICKERSON, BELEN and LOTT, JJ., concur.

ENTER:


Matthew G. Kiernan
Clerk of the Court

November 23, 2010

PEOPLE v SPEIGHT, PATRICK