

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

D30152  
W/kmb

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

Argued - January 14, 2011

DANIEL D. ANGIOLILLO, J.P.  
L. PRISCILLA HALL  
SHERI S. ROMAN  
JEFFREY A. COHEN, JJ.

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2009-00805

DECISION & ORDER

The People, etc., respondent,  
v Keith Brown, appellant.

(Ind. No. 109/08)

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Lynn W. L. Fahey, New York, N.Y. (Jonathan Garvin of counsel), for appellant.

Daniel M. Donovan, Jr., District Attorney, Staten Island, N.Y. (Morrie I. Kleinbart  
and Anne Grady of counsel), for respondent.

Appeal by the defendant from a judgment of the Supreme Court, Richmond County (Rooney, J.), rendered January 7, 2009, convicting him of attempted robbery in the second degree and criminal possession of stolen property in the fifth 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, 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), we nevertheless accord great deference to the jury'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 that the verdict of

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guilt was not against the weight of the evidence (*see People v Romero*, 7 NY3d 633).

ANGIOLILLO, J.P., HALL, ROMAN and COHEN, JJ., concur.

ENTER:

  
Matthew G. Kiernan  
Clerk of the Court