

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

D33169
Y/kmb

_____AD3d_____

Submitted - November 18, 2011

ANITA R. FLORIO, J.P.
RUTH C. BALKIN
ARIEL E. BELEN
CHERYL E. CHAMBERS, JJ.

2010-07283

DECISION & ORDER

The People, etc., respondent,
v Blair Doyle, appellant.

(Ind. No. 2338/09)

Leon H. Tracy, Jericho, N.Y., for appellant.

Kathleen M. Rice, District Attorney, Mineola, N.Y. (Laurie K. Gibbons of counsel;
Justin Zarovabeli on the brief), for respondent.

Appeal by the defendant from a judgment of the Supreme Court, Nassau County (Ayres, J.), rendered July 15, 2010, convicting him of grand larceny in the third degree and criminal possession of stolen property in the third degree, upon a jury verdict, and imposing sentence. The appeal brings up for review the denial, after a hearing pursuant to a stipulation in lieu of motions, of suppression of his statements to law enforcement officials.

ORDERED that the judgment is affirmed.

The testimony adduced at the suppression hearing established that the police had probable cause to arrest the defendant upon receiving information from a codefendant that was sufficiently reliable as a statement against penal interest, based upon the codefendant's personal involvement with the crime (*see People v White*, 73 AD3d 820, 820-821; *People v Jackson*, 65 AD3d 1164, 1165).

The defendant's contention regarding his challenge to the trial court's *Sandoval* ruling (*see People v Sandoval*, 34 NY2d 371) is without merit (*see People v Seymour*, 77 AD3d 976, 978-979; *People v Hamlin*, 153 AD2d 644, 645).

December 13, 2011

PEOPLE v DOYLE, BLAIR

Page 1.

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

The sentence imposed was not excessive (*see People v Suitte*, 90 AD2d 80).

FLORIO, J.P., BALKIN, BELEN and CHAMBERS, JJ., concur.

ENTER:


Aprilanne Agostino
Clerk of the Court