

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

D34015
O/prt/nl

_____AD3d_____

Submitted - January 31, 2012

MARK C. DILLON, J.P.
ANITA R. FLORIO
CHERYL E. CHAMBERS
PLUMMER E. LOTT, JJ.

2010-08454

DECISION & ORDER

The People, etc., respondent,
v Robert Bellamy, Jr., appellant.

(Ind. No. 2585N/09)

Martin Geoffrey Goldberg, Franklin Square, N.Y., for appellant.

Kathleen M. Rice, District Attorney, Mineola, N.Y. (Jason R. Richards of counsel;
Jonathan G. King on the brief), for respondent.

Appeal by the defendant from a judgment of the Supreme Court, Nassau County (Ayres, J.), rendered August 10, 2010, convicting him of robbery in the second degree and assault in the third degree (two counts), upon a jury verdict, and imposing sentence.

ORDERED that the judgment affirmed.

The defendant's sole contentions on appeal are that his conviction of robbery in the second degree is not supported by legally sufficient evidence and is against the weight of the evidence. We disagree. 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 support his conviction of robbery in the second degree (*see* Penal Law §§ 20.00, 160.10[1]; *see also People v Luke*, 279 AD2d 534, 535; *see generally People v Mendez*, 34 AD3d 697, 698-699; *cf. Matter of Juan J.*, 81 NY2d 739, 740; *Matter of Peter J.*, 184 AD2d 511, 511; *People v Morales*, 130 AD2d 366, 367-368;

May 8, 2012

PEOPLE v BELLAMY, ROBERT, JR.

Page 1.

People v De Jesus, 123 AD2d 563, 563-564). Moreover, upon our independent review pursuant to CPL 470.15(5), we are satisfied that the verdict of guilt on that count was not against the weight of the evidence (see *People v Romero*, 7 NY3d 633).

DILLON, J.P., FLORIO, CHAMBERS and LOTT, JJ., concur.

ENTER:

A handwritten signature in black ink, reading "Aprilanne Agostino". The signature is written in a cursive, flowing style.

Aprilanne Agostino
Clerk of the Court