

# State of New York Court of Appeals

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## MEMORANDUM

This memorandum is uncorrected and subject to revision before publication in the New York Reports.

No. 30 SSM 29  
The People &c.,  
Respondent,  
v.  
Danielle Allen,  
Appellant.

Submitted by Cheryl Meyers Buth, for appellant.  
Submitted by Joshua J. Tonra, for respondent.

### MEMORANDUM:

The order of the Appellate Division should be affirmed. Defendant raised a defense of justification and the People consequently had the burden of demonstrating “beyond a reasonable doubt that defendant’s conduct was not justified” (*People v Umali*, 10 NY3d 417, 425 [2008], *rearg denied* 11 NY3d 744 [2008], *cert denied* 556 US 1110 [2009]).

Defendant contends that the evidence against justification is legally insufficient. Legal sufficiency review requires that we view the evidence “in the light most favorable to the prosecution,” and, when deciding whether a jury could logically conclude that the prosecution sustained its burden of proof, “[w]e must assume that the jury credited the People’s witnesses and gave the prosecution’s evidence the full weight it might reasonably be accorded” (*People v Gordon*, 23 NY3d 643, 649 [2014] [internal quotation marks omitted]). Viewing the evidence—including the testimony of a forensic consultant who was qualified, without objection, by the trial court as an expert in crime scene reconstruction and bloodstain pattern analysis—in that light, we conclude that there is a valid line of reasoning and permissible inferences from which a rational jury could have found that the People disproved the defense of justification beyond a reasonable doubt.

On review of submissions pursuant to section 500.11 of the Rules, order affirmed, in a memorandum. Chief Judge DiFiore and Judges Rivera, Stein, Fahey, Garcia, Wilson and Feinman concur.

Decided February 11, 2021