

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

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Submitted - February 6, 2018

LEONARD B. AUSTIN, J.P.
SHERI S. ROMAN
SANDRA L. SGROI
FRANCESCA E. CONNOLLY, JJ.

2015-12075

DECISION & ORDER

The People, etc., respondent,
v Reginald Murphy, appellant.

(Ind. No. 1948/14)

Paul Skip Laisure, New York, NY (Hannah Zhao of counsel), for appellant.

Richard A. Brown, District Attorney, Kew Gardens, NY (John M. Castellano, Johnnette Traill, William H. Branigan, and Josette Simmons McGhee of counsel), for respondent.

Appeal by the defendant from a judgment of the Supreme Court, Queens County (Joel L. Blumenfeld, J.), rendered November 16, 2015, convicting him of grand larceny in the third degree and criminal possession of stolen property in the third degree, after a nonjury trial, and imposing sentence.

ORDERED that the judgment is affirmed.

Viewing the entirely circumstantial evidence in this case in the light most favorable to the prosecution, and giving the prosecution the benefit of every reasonable inference to be drawn from the evidence (*see People v Grassi*, 92 NY2d 695, 697; *People v Contes*, 60 NY2d 620), we find that the evidence 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 fact-finder's opportunity to view the witnesses, hear the testimony, and observe demeanor (*see People v Bleakley*, 69 NY2d 490, 495). Upon reviewing the record here, we are

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

AUSTIN, J.P., ROMAN, SGROI and CONNOLLY, JJ., concur.

ENTER:

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

Aprilanne Agostino
Clerk of the Court