

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

D57679  
M/htr

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

Argued - September 6, 2018

REINALDO E. RIVERA, J.P.  
JOHN M. LEVENTHAL  
SYLVIA O. HINDS-RADIX  
VALERIE BRATHWAITE NELSON, JJ.

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2014-05188

DECISION & ORDER

The People, etc., respondent,  
v Eduardo Vias, appellant.

(Ind. No. 135/12)

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Paul Skip Laisure, New York, NY (Tammy E. Linn and Isa Grigoryev of counsel),  
for appellant, and appellant pro se.

Michael E. McMahon, District Attorney, Staten Island, NY (Morrie I. Kleinbart of  
counsel), for respondent.

Appeal by the defendant from a judgment of the Supreme Court, Richmond County  
(Robert J. Collini, J.), rendered May 8, 2014, convicting him of attempted murder in the second  
degree, upon a jury verdict, and imposing sentence.

ORDERED that the judgment is affirmed.

The defendant's contention that the Supreme Court improperly curtailed counsels' questioning of certain prospective jurors while failing to conduct a sufficient inquiry to determine if those prospective jurors could be fair and impartial is unpreserved for appellate review (*see* CPL 470.05[2]; *People v Cunningham*, 119 AD3d 601, 601; *People v Toussaint*, 40 AD3d 1017). In any event, the defendant's contention is without merit, as the record establishes that the court and the attorneys fully explored any potential bias or concerns with respect to the prospective jurors in question, and the court either properly excluded them or obtained unequivocal assurances that they would follow the law and be impartial (*cf. People v Bludson*, 97 NY2d 644; *People v Johnson*, 94 NY2d 600, 614; *People v Rudolph*, 266 AD2d 568, 569).

December 19, 2018

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

The defendant's remaining contentions, raised in his pro se supplemental brief, are without merit.

RIVERA, J.P., LEVENTHAL, HINDS-RADIX and BRATHWAITE NELSON, 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