

NEW YORK COURT OF APPEALS

The People v. Jafari Lamont

25 N.Y.3d 315 (2015) · No. No. 68 · Decided May 14, 2015

SUMMARY

The New York Court of Appeals affirmed Jafari Lamont's convictions for two counts of attempted robbery in the second degree. The court held that the defendant's masked and armed appearance, attempted entry into a closed Wendy's through a rear door, escape preparations, and related circumstances provided legally sufficient circumstantial evidence of his intent to steal. The court rejected the argument that the evidence equally supported an intent to commit another crime.

CASE DETAILS

COURT	New York Court of Appeals
WRITING FOR THE COURT	Rivera, J.; Chief Judge Lippman; Judge Read; Judge Pigott; Judge Abdus-Salaam; Judge Rivera; Judge Stein; Judge Fahey
JURISDICTION	New York
DECIDED	May 14, 2015
DOCKET	No. 68
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed from a judgment of County Court convicting him after a nonjury trial of two counts of attempted robbery in the second degree. The Appellate Division affirmed, and the Court of Appeals granted leave to appeal.
STANDARD OF REVIEW	The Court reviewed whether the evidence was legally sufficient, viewing the evidence in the light most favorable to the People and giving the People the benefit of all reasonable evidentiary inferences. The question was whether any valid line of reasoning and permissible inferences could permit a rational factfinder to find every element proven beyond a reasonable doubt.
PRECEDENTIAL VALUE	Published opinion of the New York Court of Appeals; binding New York precedent.
PARTIES	Jafari Lamont v. The People

TOPICS

criminal procedure

evidence

appellate procedure

standard of review

PRACTICE AREAS

criminal law

criminal procedure

appellate practice

QUESTIONS PRESENTED

1. Whether the evidence was legally sufficient to establish that defendant had the specific intent to permanently deprive the owner of property and thereby support his convictions for attempted robbery in the second degree.

HOLDINGS

1. The evidence was legally sufficient to support defendant's convictions for two counts of attempted robbery in the second degree because defendant's masked and armed appearance, conduct at the closed restaurant, attempted entry through the rear door, backpack, and nearby getaway vehicle permitted a rational factfinder to infer an intent to forcibly steal property.
2. The existence of possible alternative criminal intents did not render the evidence legally insufficient because the inference that defendant intended robbery was rational and competing reasonable inferences were for the factfinder to resolve.

KEY QUOTATIONS

“A verdict is legally sufficient if there is any valid line of reasoning and permissible inferences that could lead a rational person to conclude that every element of the charged crime has been proven beyond a reasonable doubt” (at 5)

“Even absent direct evidence of intent, a conviction may be sustained where sufficient evidence exists to infer the requisite intent from the defendant's conduct and the surrounding circumstances” (at 6)

“This fit the pattern common to an early morning robbery of a commercial establishment and was sufficient to support the inference that defendant intended to steal.” (at 10)

FACTUAL BACKGROUND

Before business hours, defendant and an accomplice appeared masked and armed at the rear door of a Wendy's while two employees were preparing to open the establishment. After an employee called a supervisor and 911, defendant fled from responding police, carrying what appeared to be a handgun; police later found BB guns, gloves, a mask, and defendant's backpack and vehicle near the restaurant. Defendant stipulated that he was one of the masked men shown on the security footage and that he was the man who fled and was apprehended.

PROCEDURAL HISTORY

County Court convicted defendant of two counts of attempted robbery in the second degree and acquitted him of attempted burglary in the second degree. A majority of the Appellate Division, Fourth Department, affirmed the

robbery convictions, while two Justices dissented on the sufficiency of the evidence of intent to steal. The Court of Appeals granted leave and affirmed.

DISPOSITION

affirmed

CASES CITED

- People v. Delamota, 18 N.Y.3d 107 (2011)
- People v. Bueno, 18 N.Y.3d 160, 169 (2011)
- People v. Barnes, 50 N.Y.2d 375, 381 (1980)
- People v. Bracey, 41 N.Y.2d 296, 299, 301-302 (1977)
- People v. Moran, 123 N.Y. 254, 257 (1890)
- People v. Miller, 87 N.Y.2d 211, 217 (1995)
- People v. Rodriguez, 17 N.Y.3d 486, 489 (2011)
- People v. Lamont, 113 A.D.3d 1069 (4th Dep't 2014)