

SUPREME COURT OF THE STATE OF NEW YORK, APPELLATE DIVISION,
FIRST DEPARTMENT

People v. Reid

2020 NY Slip Op 06723 (N.Y. Ct. App. 2020) · No. Appeal No. 12386; Case No. 2016-1322; Ind. No. 5219/13 ·
Decided November 17, 2020

SUMMARY

The Appellate Division, First Department unanimously affirmed Saif Reid's judgment of conviction for attempted murder in the second degree and two counts of criminal possession of a weapon in the second degree. The court held that the verdict was supported by legally sufficient evidence and was not against the weight of the evidence, and found no basis to disturb the sentence.

CASE DETAILS

COURT	Supreme Court of the State of New York, Appellate Division, First Department
WRITING FOR THE COURT	Friedman, J.P.; Renwick, J.; Webber, J.; González, J.
JURISDICTION	New York
DECIDED	November 17, 2020
DOCKET	Appeal No. 12386; Case No. 2016-1322; Ind. No. 5219/13
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed from a judgment of the Supreme Court, New York County, entered after a jury trial and convicting him of attempted murder in the second degree and two counts of criminal possession of a weapon in the second degree.
STANDARD OF REVIEW	The court reviewed the record for legal sufficiency, weighed the evidence to determine whether the verdict was against the weight of the evidence, and deferred to the jury's credibility and identification determinations absent a basis for disturbing them.
PRECEDENTIAL VALUE	Published opinion; precedential value under New York appellate practice.
PARTIES	Saif Reid v. The People of the State of New York

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QUESTIONS PRESENTED

1. Whether the verdict was supported by legally sufficient evidence.
2. Whether the verdict was against the weight of the evidence, including the reliability of the eyewitness identification and corroborating evidence.
3. Whether the later use of the pistol in a crime not committed by defendant warranted disturbing the conviction.
4. Whether defendant's sentence should be reduced.

HOLDINGS

1. The verdict was based on legally sufficient evidence.
2. The verdict was not against the weight of the evidence.
3. The fact that the pistol was later used in a crime not committed by defendant did not warrant a different conclusion regarding defendant's conviction.
4. There was no basis for reducing the sentence.

FACTUAL BACKGROUND

The prosecution's case included reliable eyewitness testimony identifying defendant, corroborated by surveillance video and other evidence. A pistol used in the charged crime was later used in a separate crime not committed by defendant. The trial court convicted defendant of attempted murder in the second degree and two counts of criminal possession of a weapon in the second degree and imposed an aggregate 20-year sentence.

PROCEDURAL HISTORY

The Supreme Court, New York County, rendered judgment on April 1, 2015, after a jury convicted Reid of the charged offenses and sentenced him as a second violent felony offender to an aggregate term of 20 years. The Appellate Division, First Department, unanimously affirmed the judgment.

DISPOSITION

affirmed

CASES CITED

- People v. Danielson, 9 N.Y.3d 342, 348-349 (2007)

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