



PEOPLE STATE NEW YORK v. ISRAEL VELEZ

612 N.Y.S.2d 400 (1994) | Cited 0 times | New York Supreme Court | May 26, 1994

Judgment, Supreme Court, New York County (Martin Rettinger, J.), rendered June 30, 1992, convicting the defendant upon a jury verdict of criminal sale of a controlled substance in the third degree, and sentencing him as a second felony offender, to a term of 4 1/2 to 9 years, unanimously affirmed.

Defendant and co-defendant Alberto Cotto Perez were a heroin-selling team, who were arrested immediately after the sale of a glassine of heroin to an undercover officer. The evidence of guilt was overwhelming. We adhere to our ruling in *People v Perez* (A.D.2d , Appeal No. 51763), the companion case to this appeal, that police officer testimony regarding identification procedures and the training received by the narcotics officer in this case was appropriate narrative testimony, especially when accompanied by proper limiting instructions (see, *People v Almodovar*, 178 A.D.2d 133, 576 N.Y.S.2d 566, lv denied 79 N.Y.2d 943).

Defendant's contention that errors in the prosecutor's summation require reversal is without merit. The errors alleged are harmless beyond a reasonable doubt in light of the overwhelming evidence of defendant's guilt.

ENTERED: May 26, 1994

