



Kelley Drye Prevails in Supreme Court Appellate Division Pro Bono Matter

December 27, 2005

Kelley Drye successfully represented, *pro bono*, the Office of the District Attorney for Kings County in the Supreme Court Appellate Division, affirming the conviction of a defendant who had been convicted of criminal possession of a weapon and reckless endangerment in the second degree. The appellate court held that the detective's trial testimony that he interviewed nontestifying individuals who did not witness the crime did not violate the defendant's Sixth Amendment right of confrontation. The court also held that the defendant's second issue on appeal—whether a supplemental charge that the judge gave in response to a jury note was prejudicial—was not properly preserved for appellate review.