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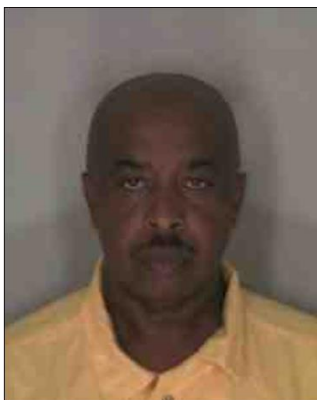
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## Appellate Division Unanimously Affirms Convictions in Two SVU Cases



Viverth Peart



Wan Tu Ackerman

**ALBANY, NY** - District Attorney P. David Soares announced today that the New York Appellate Division, Third Department, unanimously affirmed convictions in two cases that were prosecuted by the Special Victims Unit of the Albany County District Attorney's Office.

On October 5, 2012, **VIVERTH PEART**, then age 56, of Albany, was found guilty after a jury trial of (2) Counts of Rape in the First Degree, both Class B Felonies, (2) Counts of Rape in the

Third Degree, both Class E Felonies, (1) Count of Attempted Criminal Sexual Act in the First Degree, a Class C Felony, and (1) Count of Attempted Criminal Sexual Act in the Third Degree, a Class A Misdemeanor, before the Honorable Thomas A. Breslin in Albany County Supreme Court. On November 1, 2012, PEART was sentenced to 40 years in State Prison, to be followed by 40 years of Post Release Supervision.

PEART appealed to the New York State Appellate Division, Third Department, on the basis that the conviction was against the weight of the evidence, he received ineffective counsel, and his sentence was harsh or excessive. The Appellate Division unanimously rejected PEART'S appeal, and affirmed his conviction and sentence.

Assistant District Attorney Shannon Sarfoh, Bureau Chief of the Special Victims Unit prosecuted this case at trial. Assistant District Attorney Vincent Stark of the Legal Affairs Bureau handled the appeal.

Additionally, the New York Appellate Division, Third Department, affirmed the conviction of **WAN TU ACKERMAN**. On January 17, 2014, ACKERMAN, then age 42, of Cohoes, was found guilty after a jury trial of (1) Count of Attempted Rape in the First Degree, a Class C Felony, before the Honorable Peter A Lynch. On May 1, 2014, ACKERMAN was sentenced to 7 years in State Prison, to be followed by 15 years Post Release Supervision.

In his appeal, ACKERMAN argued that the verdict was against the weight of the evidence, that he received ineffective counsel, and his sentence was harsh or excessive. The appeal was unanimously rejected by the Appellate Division, and the conviction and sentence were affirmed.

Former Assistant District Attorney Chantelle Cleary of the Special Victims Unit prosecuted this case at trial. Assistant District Attorney Brittany Grome of the Legal Affairs Bureau argued this case before the Appellate Division on May 27, 2016.

The decisions for both of these cases from the New York Appellate Division, Third Department, can be found [here](#).

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