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## Appellate Division Unanimously Affirms Conviction in 2013 Cohoes Arson Case



**ALBANY, NY** – District Attorney P. David Soares announced today that the New York Appellate Division, Third Department, unanimously upheld the trial conviction of ARMANDO LIND, who was found guilty after a 2013 jury trial.

In May 2013, LIND, 44, of Cohoes, was found guilty after a jury trial of (1) Count of Attempted Arson in the Second Degree, a Class C Violent Felony, and (2) Counts of Endangering the Welfare of a Child, both Class A Misdemeanors, before the Honorable Thomas A. Breslin in the Supreme Court of Albany County.

On May 16, 2012 on Tanguay Drive in the City of Cohoes, the defendant did pour gasoline all over the bedroom of a child under the age of 18 that is known to him and did threaten to burn the house down.

LIND was sentenced to seven years incarceration to be followed by five years of post-release supervision on the charge of Attempted Arson in the Second Degree, and concurrent terms of one year on each count of Endangering the Welfare of a Child.

LIND appealed, alleging that he did not receive a fair trial due to the admission of a 911 call from the incident into evidence during the trial. LIND also asserted that the trial court should not have allowed certain statements in to evidence. Furthermore, LIND contended that the sentence handed down by the Supreme Court was unduly harsh.

The Appellate Division rejected LIND's assertions in full, and affirmed his conviction unanimously.

The Appellate Division found no error in the Supreme Court's decision to admit the 911 call into evidence. In addition, the Appellate Division found that the contested testimony during the trial was appropriate for the jury to consider. Finally, the Appellate Division rejected LIND's contention that his sentence was unduly harsh.

The case was prosecuted at trial by former Assistant District Attorney Christina Calabrese of the Special Victims Unit, and the appeal was handled by Assistant District Attorney Michael C. Wetmore of the Legal Affairs Bureau.

The decision from the Supreme Court, Appellate Division Third Judicial Department can be found at [106118 People v Lind](#)

For more information please contact Cecilia Walsh at (518) 275-4710.

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