



# Orange County News

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For Immediate Release  
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## **District Attorney Hoovler Announces State Prison Sentence in Robbery Re-Trial Case**

*Defendant Convicted After Re-Trial of 2010 Robbery Case  
Sentenced to 25 Years in State Prison*

Orange County District Attorney David M. Hoovler announced that on Monday, May 15, 2017, Kenyatta James a/k/a Nate Bender, 39, of Newburgh, was sentenced by Orange County Judge Craig Stephen Brown to 25 years in state prison for a robbery he had committed in 2010. On October 28, 2016 James was convicted of Robbery in the First Degree and Criminal Possession of Weapon in the Third Degree following a jury trial. James had previously been convicted of those same charges in 2011. That conviction had been overturned by an appellate court on May 6, 2015, due to an improper identification procedure. The appellate court ordered that James be re-tried. James had previously been sentenced to 17 years in state prison. The District Attorney's Office, noting James' record of misconduct while serving his prison sentence, recommended the James be sentenced to either 25 to Life as a Persistent Felony Offender, or 25 years in state prison as a Second Felony Offender. The court sentenced James to 25 years in state prison as a Second Felony Offender.

At the trial prosecutors argued that on July 30, 2010, James had robbed a woman at knife-point in the City of Newburgh. When James was arrested, he was found to be in possession of a sawzall blade wrapped in tape.

District Attorney Hoovler thanked the City of Newburgh Police Department for their arrest and investigation of the case.

"This defendant has steadfastly refused to take responsibility for his actions, or even conform to the rules of the correctional facilities where he was being held," said District Attorney Hoovler. "As such, he constitutes a threat to the community. The sentence imposed by the judge was completely appropriate given this crime and this defendant's history. Any defendant who refuses to comply with correctional facility rules is a grave danger to reoffend. I

hope that the additional eight years that have been added on to his sentence will deter others not only from committing violent acts, but from refusing to comply with the lawful commands of corrections officers. If a defendant cannot even behave while incarcerated in state prison, there is little hope of him remaining law-abiding when he is released.”

District Attorney Hoover highly commended Assistant District Attorney Kerry Kolek and Assistant District Attorney Eric Parker for their prosecution of the case.

