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# Saddle Rock man's conviction overturned in case of assault on mayor

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By KEVIN DEUTSCH



Sasha Masri, a failed former candidate for Saddle Rock trustee, had been accused of beating up Mayor Dan Levy in October 2012 following a village board meeting. Photo Credit: NCPD

A Saddle Rock man found guilty of misdemeanor attempted assault for striking the village mayor in 2012 has had his conviction reversed by a state appellate court, records show.

Sasha Masri, a failed former candidate for Saddle Rock trustee, had been accused of beating up Mayor Dan Levy in October 2012 after a village board meeting. Masri was found guilty of a misdemeanor charge during a June 2013 bench trial, after Nassau County prosecutors tacked it on just before the end of trial. Masri was found not guilty of four other charges, including felony assault with intent to cause physical injury with a weapon. For his conviction, Masri was sentenced to a year of probation and ordered to pay a \$500 fine.

In tossing Masri's conviction, appellate division judges decided that acting Supreme Court Justice Philip Grella erred in granting prosecutors' request to consider the lesser offense of attempted assault.

"Contrary to the People's contention, there is no reasonable view of the evidence that the defendant attempted to assault the complainant, but was unsuccessful in doing so," the Jan. 28 ruling said. "Accordingly, the defendant's conviction must be reversed."

"We and Mr. Masri are gratified about the appellate division's decision, and we think that it was the correct result," said Donna Aldea, head of appellate and post conviction litigation at the Garden City firm of Barket Marion Epstein & Kearon.

Reached by phone Saturday, Levy said he had not heard about the ruling. "I'm disappointed with the first verdict, because he assaulted a public official in Village Hall," Levy said. "I think he got off with the misdemeanor. The fact that they reversed it, I assume, is a technicality."

The Nassau County district attorney's office could not immediately be reached for comment.

After his arrest, Masri contended that he slapped Levy after the mayor insulted the man's mother in an attempt to deflect attention from Masri's questions about Levy's handling of village finances.

At Masri's trial -- which at times focused on allegations of financial misconduct by the mayor as much as the defendant's actions -- a village trustee testified that an audit found Levy had been writing village checks to a third-party corporation, then endorsing and cashing them himself.

The district attorney's investigation into allegations that Levy misappropriated village funds found the evidence did not warrant a criminal prosecution.

Levy became mayor in July 2011, after the death of the previous mayor, J. Leonard Samansky. He was elected in March 2013 to a full term and remains in office.