

Second Degree Attempted Assault is a Crime of Violence

The Second Circuit concluded that a conviction for attempted assault in the second degree is a crime of violence and therefore an **aggravated felony**. See *United States v. Cooper*, 23-6911 (2d Cir. March 14, 2025).

Full text of *United States v. Cooper*, **23-6911, (2d Cir. March 14, 2025) can be found here:**

https://ww3.ca2.uscourts.gov/decisions/isysquery/9fb1ca2c-a88a-4517-8f92-8c712c43b46f/3/doc/23-6911_opn.pdf

****Must update with citation once available.**

For all these reasons, we hold that a violation of N.Y.P.L. § 120.05(7) is categorically a crime of violence as defined by section 2K2.1(a) of the Sentencing Guidelines.

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