

# State of New York Court of Appeals

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This memorandum is uncorrected and subject to revision before publication in the New York Reports.

No. 22  
The People &c.,  
Respondent,  
v.  
Howard Powell,  
Appellant.

Kendra L. Hutchinson, for appellant.  
Danielle M. O'Boyle, for respondent.

Reargument ordered for a future Court session. Chief Judge DiFiore and Judges Rivera, Stein, Fahey, Garcia and Wilson concur.

Decided April 1, 2021