State of New York Supreme Court, Appellate Division Third Judicial Department

Decided and Entered: November 9, 2017

106484

THE PEOPLE OF THE STATE OF

NEW YORK,

Respondent,

 \mathbf{v}

DECISION AND ORDER ON MOTION

ROOSEVELT CLARK,

Appellant.

Motion for reargument.

Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

ORDERED that the motion is granted and the memorandum and order decided and entered May 18, 2017 is vacated and the following memorandum and order is substituted therefor.

Peters, P.J., McCarthy, Garry, Egan Jr. and Lynch, JJ., concur.

ENTER:

Robert D. Mayberger Clerk of the Court