

SUPREME COURT OF THE STATE OF NEW YORK
Appellate Division, Fourth Judicial Department

Motion No. 274/13

PRESENT: SCUDDER, P.J., PERADOTTO, CARNI, LINDLEY, AND WHALEN, JJ.

KA 11-02528

THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT,

V

ORDER

SAMUEL D. MCCULLOUGH, DEFENDANT-APPELLANT.

Upon the Court's own motion,

It is hereby ORDERED that the memorandum and order entered March 22, 2013 (___ AD3d ___) is hereby vacated in its entirety.

Entered: March 27, 2013

Frances E. Cafarell
Clerk of the Court