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

No. 208 SSM 42
The People &c.,
Respondent,
v.
Ronald Mack,
Appellant.

Submitted by Gary Muldoon, for appellant.
Submitted by Merri Turk Lasky, for respondent.

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On review of submissions pursuant to section 500.11 of the Rules,
order affirmed. Defendant has failed to establish that he was
denied the effective assistance of appellate counsel (see People
v Borrell, 12 NY3d 365, 369 [2009]). Chief Judge Lippman and
Judges Ciparick, Graffeo, Read, Smith, Pigott and Jones concur.

Decided September 21, 2010