

# State of New York Court of Appeals

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## MEMORANDUM

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

No. 65 SSM 7  
The People &c.,  
Respondent,  
v.  
Kysean Stroud,  
Appellant.

Submitted by Terrence M. Connors, for appellant.  
Submitted by Matthew B. Powers, for respondent.

### MEMORANDUM:

The order of the Appellate Division should be affirmed.

A determination of reasonable suspicion is a mixed question of law and fact which is beyond our further review if there is legally sufficient record support for the

determinations of the courts below (*see People v Parker*, 32 NY3d 49, 55 [2018]). The record contains support for the lower courts' finding of reasonable suspicion to stop the car in which defendant was a passenger (*see People v Chestnut*, 43 AD2d 260 [3d Dept 1974], *affd* 36 NY2d 971 [1975]). Defendant's remaining contention lacks merit.

On review of submissions pursuant to section 500.11 of the Rules, order affirmed, in a memorandum. Chief Judge DiFiore and Judges Rivera, Garcia, Wilson, Singas, and Cannataro concur. Judge Troutman took no part.

Decided June 14, 2022