

# 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. 56  
The People &c.,  
Respondent,  
v.  
Sergio Cerda,  
Appellant.

Donna Aldea, for appellant.  
Andrew Fakuda, for respondent.

Reargument ordered for a future Court session. Chief Judge DiFiore and Judges Rivera, Garcia, Wilson, Cannataro and Troutman concur. Judge Singas took no part.

Decided May 24, 2022