

**Supreme Court of the State of New York**  
**Appellate Division: Second Judicial Department**

D53679  
G/hu

\_\_\_\_\_AD3d\_\_\_\_\_

Argued - September 7, 2017

REINALDO E. RIVERA, J.P.  
L. PRISCILLA HALL  
SHERI S. ROMAN  
LINDA CHRISTOPHER, JJ.

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2016-03006

DECISION & ORDER

The People, etc., respondent,  
v Christina Sanabria, appellant.

(Ind. No. 5/07)

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Covington & Burling LLP, New York, NY (Alan Vinegrad, Gregory S. Nieberg, Daniel A. Nazar, and Jordan S. Joachim of counsel), for appellant.


William V. Grady, District Attorney, Poughkeepsie, NY (Bridget Rahilly Steller of counsel), for respondent.

Appeal by the defendant, by permission, from an order of the County Court, Dutchess County (Forman, J.), dated March 15, 2016, which, without a hearing, denied her motion pursuant to CPL 440.10 to vacate a judgment of the same court (Dolan, J.), rendered June 15, 2007, convicting her of assault in the first degree and assault in the second degree (two counts), upon her plea of guilty, and imposing sentence.

ORDERED that the appeal from the order is dismissed as academic in light of our determination granting the defendant's application for a writ of error coram nobis and reversing the judgment of conviction (*see People v Sanabria*, \_\_\_\_\_ AD3d \_\_\_\_\_ [Appellate Division Docket No. 2007-06298; decided herewith]).

RIVERA, J.P., HALL, ROMAN and CHRISTOPHER, JJ., concur.

ENTER:

  
Aprilanne Agostino  
Clerk of the Court

January 17, 2018

PEOPLE v SANABRIA, CHRISTINA