

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

**798**

**KA 18-01965**

PRESENT: CENTRA, J.P., PERADOTTO, NEMOYER, TROUTMAN, AND WINSLOW, JJ.

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THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT,

V

MEMORANDUM AND ORDER

RASHEEN BELL, DEFENDANT-APPELLANT.  
(APPEAL NO. 3.)

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MARK D. FUNK, CONFLICT DEFENDER, ROCHESTER (KATHLEEN P. REARDON OF COUNSEL), FOR DEFENDANT-APPELLANT.

SANDRA DOORLEY, DISTRICT ATTORNEY, ROCHESTER (SCOTT MYLES OF COUNSEL), FOR RESPONDENT.

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Appeal, by permission of a Justice of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from an order of the Supreme Court, Monroe County (Alex R. Renzi, J.), entered August 16, 2018. The order denied defendant's motion pursuant to CPL 440.10 to vacate judgments convicting defendant of murder in the second degree and conspiracy in the second degree.

It is hereby ORDERED that the order so appealed from is unanimously affirmed.

Same memorandum as in *People v Bell* ([appeal No. 1] – AD3d – [Feb. 5, 2021] [4th Dept 2021]).

Entered: February 5, 2021

Mark W. Bennett  
Clerk of the Court