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

No. 82 SSM 42
The People &c.,
Respondent,
v.
Carlos Abreu,
Appellant.

Submitted by David J. Klem, for appellant.
Submitted by Timothy C. Stone, for respondent.

MEMORANDUM:

The order of the Appellate Division should be affirmed.

Defendant Carlos Abreu completed the offense of second-degree weapon possession, with the requisite intent, before committing the act constituting first-degree felony murder.

Accordingly, the sentences for those crimes could be run consecutively (see People v Salcedo, 92 NY2d 1019, 1020-1021 [1998]). Additionally, the alleged evidentiary errors could not have affected the verdict in light of the overwhelming evidence of defendant's guilt and, thus, any such error would be harmless.

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On review of submissions pursuant to section 500.11 of the Rules, order affirmed, in a memorandum. Chief Judge Lippman and Judges Graffeo, Read, Smith and Pigott concur. Judge Rivera took no part.

Decided February 14, 2013