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

No. 255 SSM 28
The People &c.,
Respondent,
v.
Wilson Feliciano,
Appellant.

Submitted by Laura Boyd, for appellant.
Submitted by Martin J. Foncello, for respondent.

MEMORANDUM:

The order of the Appellate Division should be affirmed.

Defendant's contention that he completed the terms of his original plea agreement and was therefore entitled to dismissal of the indictment is not preserved for our review. Upon his discharge, defendant did not move for dismissal following the

events that he now says constituted performance of the agreement.

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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, Pigott, Rivera and Abdus-Salaam concur.

Decided November 21, 2013