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

No. 235 SSM 59
The People &c.,
Respondent,
v.
Kenneth Stepter,
Appellant.

Submitted by Abigail Everett, for appellant.
Submitted by Allen J. Vickey, for respondent.
Submitted by Julie Steiner, for intervenor-respondent
City of New York.

MEMORANDUM:

The order of the Appellate Division should be affirmed.

Because the People have conceded that defendant has no
obligation to register as a gun offender pursuant to New York
City's Gun Offender Registration Act based upon the crime for
which he was convicted, defendant's claim that he cannot be

required to register is moot. In any event, a challenge to gun offender registration under GORA cannot be raised on direct appeal from a judgment of conviction and sentence (see People v Smith, __ NY3d __ [decided today]).

Defendant's remaining argument is unpreserved for our review (see People v Rosen, 96 NY2d 329, 335 [2001]).

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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 Ciparick, Graffeo, Read, Smith, Pigott and Jones concur.

Decided December 16, 2010