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PALMER, J., concurring in part and dissenting in part. I agree with the majority insofar as it reverses the conviction of the defendant, Quentin T. Ray, on five counts of sale of narcotics by a non-drug-dependent person under General Statutes § 21a-278 (b). In my view, however, the interests of judicial economy militate in favor of seeking supplemental briefs from the parties on the issue of whether the trial court should render a judgment of conviction on those five counts for the lesser included offense of sale of narcotics under General Statutes § 21a-277 (b). The state undoubtedly will seek that relief in a motion for reconsideration, as it recently has done following this court's decision in *State v. Sanseverino*, 287 Conn. 608, 949 A.2d 1156 (2008),<sup>1</sup> and I see no reason why we should not address and resolve the issue in this opinion rather than waiting to do so in a subsequent opinion. I therefore respectfully dissent from the majority opinion to the extent that the majority declines to seek supplemental briefs from the parties on the issue of whether the state is entitled to have the trial court render a judgment of conviction on five counts of sale of narcotics under § 21a-277 (b).

<sup>1</sup> On July 10, 2008, the state filed a motion for reconsideration or, alternatively, reconsideration en banc, of this court's decision in *Sanseverino*. Our decision on that motion is pending.

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