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

No. 187
Edward Koehl,
 Appellant,
 v.
S. Mirza et al.,
 Respondents.

Appellant, pro se.
Robert M. Goldfarb, for respondents.

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Upon reargument, following remand by the Supreme Court of the United States, this Court's November 27, 2007 dismissal order vacated and appeal reinstated (see Koehl v Mirza, ___ US ___, 129 S Ct 2734 [2009]; Haywood v Drown, 556 US ___, 129 S Ct 2108 [2009]). Chief Judge Lippman and Judges Ciparick, Graffeo, Read, Smith, Pigott and Jones concur.

Decided September 8, 2009