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

No. 47
The People &c.,
Respondent,
v.
Richard Lowe,
Appellant.

Amy Donner, for appellant.
Marc Krupnick, for respondent.

MEMORANDUM:

The order of the Appellate Division should be affirmed.

The lower courts' determinations of probable cause, a mixed question of law and fact, are supported by the minutes of the in camera hearing conducted pursuant to People v Darden (34

NY2d 177 [1974]), and are thus beyond our further review.

Accordingly, defendant's motion to suppress was properly denied.

We have considered defendant's remaining contentions and find them to be without merit.

* * * * *

Order affirmed, in a memorandum. Judges Ciparick, Graffeo, Read, Smith, Pigott and Jones concur. Chief Judge Lippman took no part.

Decided March 26, 2009