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

No. 75 SSM 4
The People &c.,
Respondent,
v.
Bajro Hoti,
Appellant.

Submitted by Mark W. Zeno, for appellant.
Submitted by Richard Nahas, for respondent.

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On review of submissions pursuant to section 500.11 of the Rules,
order affirmed. The mandatory surcharge, crime victim assistance
fee, and DNA databank fee are not components of a defendant's
sentence (see People v Guerrero [decided today]). Accordingly,
the court's failure to pronounce the surcharge and fees prior to
the entry of defendant's plea did not deprive the defendant of
the opportunity to knowingly, voluntarily and intelligently
choose among alternative courses of action (cf. People v Catu, 4
NY3d 242, 245 [2005]). Judges Ciparick, Graffeo, Read, Smith,
Pigott and Jones concur. Chief Judge Lippman took no part.

Decided February 19, 2009