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EVELEIGH, J., concurring and dissenting. I agree with part II of the majority opinion and join that part of the opinion. For all of the reasons stated in my concurrence and dissent in *State v. Kalil*, 314 Conn. , , A.3d (2014), which address identical issues as those presented in this case, I respectfully dissent from part I of the majority opinion. Accordingly, I would reverse the judgment of the Appellate Court with instructions to remand the matter to the trial court for resentencing. Therefore, I respectfully dissent from part I of the opinion.

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