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

No. 120 SSM 3
The People &c.,
Respondent,
v.
Tiray M. Paige,
Appellant.

Submitted by Gregory D. LaDuke, for appellant.
Submitted by Glenn MacNeill, for respondent.

MEMORANDUM:

The order of the Appellate Division should be affirmed.
Whether an officer had a reasonable belief that the
subject of the arrest warrant was in the home so as to demand
entry into the residence is a mixed question of law and fact,
which, if supported by record evidence, is beyond further review

by this Court (see generally People v Francois, 14 NY3d 732 [2010]). We conclude that record evidence exists to support the determinations of the courts below.

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On review of submissions pursuant to section 500.11 of the Rules, order affirmed, in a memorandum. Chief Judge Lippman and Judges Ciparick, Graffeo, Read, Smith, Pigott and Jones concur.

Decided March 29, 2011