

**Supreme Court of the State of New York**  
**Appellate Division: Second Judicial Department**

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STEVEN W. FISHER, J.P.  
EDWARD D. CARNI  
WILLIAM E. McCARTHY  
ARIEL E. BELEN, JJ.

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2008-02946

DECISION & ORDER ON

MOTION

In the Matter of Mandily Franklin, respondent,  
v Russell Robert McDowell, appellant.

(Docket No. U-4007-06)

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Motion by the appellant pro se for leave to prosecute an appeal from an order of the Family Court, Richmond County, dated February 25, 2008, as a poor person, and for the assignment of counsel.

Upon the papers filed in support of the motion and no papers having been filed in opposition or in relation thereto; it is

ORDERED that the branches of the motion which are for a free transcript, waiver of the filing fee, and the assignment of counsel are denied; and it is further,

ORDERED that the branch of the motion which is to prosecute the appeal on the original papers is denied as unnecessary (*see* 22 NYCRR 670.9[d][1][ii]; Family Ct Act § 1116).

FISHER, J.P., CARNI, McCARTHY, and BELEN, JJ., concur

ENTER:



James Edward Pelzer

June 2, 2008

MATTER OF FRANKLIN v McDOWELL

Clerk of the Court

June 2, 2008

MATTER OF FRANKLIN v McDOWELL