

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

M71276  
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REINALDO E. RIVERA, J.P.  
STEVEN W. FISHER  
ROBERT A. LIFSON  
MARK C. DILLON, JJ.

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2007-03307

The People, etc., respondent,  
v Kirk Alfaro, appellant.

DECISION & ORDER ON MOTION  
Motion pro se to Relieve Counsel  
of Assignment

(Ind. No. 1018-06)

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Motion by the appellant pro se to relieve counsel assigned to prosecute an appeal from a judgment of the County Court, Suffolk County, rendered December 12, 2006, and for assignment of new counsel. The appellant's motion to dispense with printing and for the assignment of counsel was granted on February 15, 2008, and the following named attorney was assigned to prosecute the appeal:

Robert C. Mitchell, Esq.  
Legal Aid Society of Suffolk County - Appeals Bureau  
Post Office Box 1697  
Riverhead, New York 11901-3398

Upon the papers filed in support of the motion and the papers filed in relation thereto,  
it is

ORDERED that the motion is granted; previously assigned counsel is directed to turn over all papers in the action to new counsel herein assigned; and it is further,

ORDERED that pursuant to County Law § 722 the following named attorney is assigned to prosecute the appeal:

Joseph R. Faraguna, Esq.  
P.O. Box 122  
Sag Harbor, New York 11963

and it is further,

ORDERED that upon service of a copy of this decision and order upon it, the Department of Probation is hereby authorized and directed to provide assigned counsel with a copy of the pre-sentence report prepared in connection with the defendant's sentencing, including the recommendation sheet and any prior reports on the defendant which are incorporated or referred to in the report; and it is further,

ORDERED that the appellant's time to perfect the appeal is enlarged; assigned counsel shall prosecute the appeal expeditiously in accordance with this court's rules (*see* 22 NYCRR 670.1 et seq.) and written directions.

RIVERA, J.P., FISHER, LIFSON, and DILLON, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court