

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

M71565  
E/sl

ROBERT A. SPOLZINO, J.P.  
DAVID S. RITTER  
THOMAS A. DICKERSON  
JOHN M. LEVENTHAL, JJ.

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2007-10139

DECISION & ORDER ON MOTION

People of State of New York, respondent,  
v Leonard Moriah, appellant.

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Motion by counsel assigned to represent the appellant on an appeal from an order of the County Court, Westchester County, dated September 28, 2007, to be relieved of the assignment on the ground that the appellant failed to communicate with counsel. Separate motion by the respondent to dismiss the appeal on the ground that the appellant has abandoned the appeal.


Upon the papers filed in support of the motions and the papers filed in opposition thereto, it is

ORDERED that the motions are denied; 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.

SPOLZINO, J.P., RITTER, DICKERSON and LEVENTHAL, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

June 9, 2008

PEOPLE OF STATE OF NEW YORK v MORIAH