

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

M71948
E/sl

DAVID S. RITTER, J.P.
HOWARD MILLER
MARK C. DILLON
WILLIAM E. McCARTHY, JJ.

2007-01823

The People, etc., respondent,
v Aubrey Gill, appellant.

DECISION & ORDER ON MOTION

(Ind. No. 8560/05)

Motion by the appellant pro se to relieve counsel assigned to prosecute an appeal from a judgment of the Supreme Court, Kings County, rendered May 2, 2006, for assignment of new counsel. Application by the appellant pro se for leave to serve and file a supplemental brief and to be furnished with a copy of the typewritten transcript of the proceedings, if any.

Upon the papers filed in support of the motion and the papers filed in opposition thereto, and upon the application, it is

ORDERED that the motion is denied; and it is further,

ORDERED that the application is granted; and it is further,

ORDERED that the District Attorney shall file the transcript of the proceedings, if any, and the Clerk of this court shall deliver those minutes to the person in charge of the institution wherein the appellant is incarcerated for examination by the appellant; the transcript shall be returned to this court when the appellant files the supplemental brief or informs this court that no supplemental brief will be filed; and it is further,

ORDERED that the appellant shall file nine copies of the supplemental brief and serve one copy on the District Attorney.

June 23, 2008

PEOPLE v GILL, AUBREY

Page 1.

Upon delivering the minutes to the institution, the Clerk of this court shall advise the appellant of the date by which the minutes are to be returned and the brief filed.

RITTER, J.P., MILLER, DILLON and McCARTHY, JJ., concur.

ENTER:

A handwritten signature in black ink, reading "James Edward Pelzer". The signature is written in a cursive, flowing style.

James Edward Pelzer
Clerk of the Court