

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

M72676
E/sl

DAVID S. RITTER, J.P.
HOWARD MILLER
JOSEPH COVELLO
RUTH C. BALKIN, JJ.

2006-07044, 2006-09962

The People, etc., respondent,
v Francisco Melendez, appellant.

DECISION & ORDER ON MOTION

(Ind. No. 9353/05)


Motion by the appellant pro se on appeals from a judgment of the Supreme Court, Kings County, rendered July 10, 2006, and a resentence of the same court imposed September 6, 2006, to unseal the minutes of the grand jury re-presentation proceedings and to be provided with a copy of the minutes of the grand jury re-presentation proceedings as well as the grand jury re-presentation exhibits.

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

ORDERED that the motion is granted to the extent that the District Attorney shall file a transcript of the grand jury re-presentation minutes and the grand jury re-presentation exhibits with the Clerk of this court, for in camera review by the panel of Justices assigned to hear the appeal, and those minutes and exhibits shall remain sealed upon delivery, and the motion is otherwise denied.

RITTER, J.P., MILLER, COVELLO and BALKIN, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

July 2, 2008

PEOPLE v MELENDEZ, FRANCISCO