

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

M76197
F/

A. GAIL PRUDENTI, P.J.
FRED T. SANTUCCI
WILLIAM E. McCARTHY
CHERYL E. CHAMBERS, JJ.

2008-07135

The People, etc., respondent,
v Evaristo Rodriguez, appellant.

DECISION & ORDER ON MOTION

(Ind. No. 11465/07)


Motion by the appellant pro se on an appeal from a judgment of the Supreme Court, Kings County, rendered July 3, 2008, for leave to prosecute the appeal as a poor person, and for the assignment of counsel.

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

ORDERED that the motion is denied, with leave to renew upon proper papers, including the appellant's affidavit setting forth (1) whether counsel was assigned counsel or retained counsel, and if retained counsel, the amount and source of counsel fees paid to retained counsel, and (2) if on bail before conviction, the amount and source of the bail money, and if bail was the appellant's own money, what happened to the same after conviction.

PRUDENTI, P.J., SANTUCCI, McCARTHY, and CHAMBERS, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

September 29, 2008

PEOPLE v RODRIGUEZ, EVARISTO