

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

M76328

E/sl

ROBERT A. LIFSON, J.P.
DAVID S. RITTER
HOWARD MILLER
RUTH C. BALKIN, JJ.

2008-08410

DECISION & ORDER ON MOTION

In the Matter of Janice Williams, appellant,
v Curtis Selby, respondent.

(Docket No. U-246/07)

Motion by the appellant on an appeal from an order of the Family Court, Richmond County, dated July 25, 2008, in effect, to stay enforcement of an order of the same court dated July 27, 2007, pending hearing and determination of the appeal from the order dated July 25, 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 branches of the motion which are, in effect, to stay enforcement of the order dated July 27, 2007, and for the assignment of counsel are denied; and it is further,

ORDERED that the branch of the motion which is for leave to prosecute the appeal as a poor person is granted; and it is further,

ORDERED that the appeal will be heard on the original papers (including a certified transcript of the proceedings, if any) and on the briefs of the appellant, the respondent, and the attorney for the child, if any. The parties are directed to file nine copies of their respective briefs and to serve one copy on each other (22 NYCRR 670.9[d][1][ii]; Family Ct Act § 1116); and it is further,

ORDERED that the stenographer(s) and/or the transcription service(s) is/are required promptly to make and certify two transcripts of the proceedings, if any, in the case of stenographers, both transcripts shall be filed with the clerk of the Family Court, and the clerk of the Family Court shall furnish one of such certified transcripts to the Clerk of this court, without charge; in the case of transcription services, one transcript shall be filed with the clerk of the Family Court and one transcript shall be delivered to the Clerk of this court. The Clerk of this court shall deliver the above-reference minutes to the appellant; the appellant shall return the transcripts to this court when she serves her brief upon the other parties; and it is further,

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ORDERED that the appellant shall prosecute the appeal expeditiously in accordance with any scheduling order or orders issued pursuant to § 670.4(a) of the rules of this court (22 NYCRR 670.4[a]); and it is further,

ORDERED that the Clerk of this court is directed to serve a copy of this order upon the Clerk of the court from which the appeal is taken.

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

ENTER:


James Edward Pelzer
Clerk of the Court