

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

M76762
E/sl

ROBERT A. LIFSON, J.P.
ANITA R. FLORIO
RANDALL T. ENG
CHERYL E. CHAMBERS, JJ.

2006-09523

The People, etc., respondent,
v Felix Huertas, appellant.

DECISION & ORDER ON MOTION

(Ind. No. 2424/04)

Motion by the appellant pro se on an appeal from a judgment of the Supreme Court, Kings County, rendered September 27, 2006, to enlarge the judgment roll to include the transcripts of certain proceedings, and to enlarge the time to serve and file a supplemental pro se brief.

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

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

ORDERED that the decision and order on motion of this court dated December 26, 2006, which granted poor person relief to the appellant is amended to include a direction to the court reporter to make, certify and file two transcripts of the stenographic minutes of the proceedings in the Supreme Court, Kings County, before the Hon. Sheryl Parker, from January 19, 2005, through February 8, 2006, and before the Hon. Joel Goldberg from January 23, 2006, through March 20, 2006, in the above-entitled action, if they are available; and it is further,

ORDERED that the stenographer is directed to make, certify and file such minutes within 45 days of the date of this decision and order on motion, and the Clerk of the trial court is directed to furnish one copy to the Clerk of this court, without charge; and it is further,

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ORDERED that the Clerk of this court, or his designee, is directed to serve a copy of this decision and order on motion on the Clerk of the court from which the appeal is taken, and to deliver the transcript of the above-referenced 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's supplemental brief shall be served and filed on or before January 5, 2009; and it is further,

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

LIFSON, J.P., FLORIO, ENG and CHAMBERS, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court