

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

M76879
E/sl

STEVEN W. FISHER, J.P.
JOSEPH COVELLO
WILLIAM E. McCARTHY,
JOHN M. LEVENTHAL, JJ.

2004-05188

The People, etc., respondent,
v Milton Jenkins, appellant.

DECISION & ORDER ON MOTION
Motion to Dismiss Appeal

(Ind. No. 3788/03)


Motion by the respondent to dismiss as abandoned an appeal from a judgment of the Supreme Court, Kings County, rendered May 14, 2004. Cross motion counsel assigned to represent the appellant by the Supreme Court, Kings County, for poor person relief, and for the assignment of counsel to prosecute the appeal.

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

ORDERED that on or before November 12, 2008, the appellant is directed to submit an affidavit (1) indicating that he is interested in prosecuting the appeal and (2) setting forth (a) his full financial situation including all assets, both real and personal, as well as any and all sources of income before conviction, and (b) 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, and the motion and cross motion are held in abeyance in the interim.

FISHER, J.P., COVELLO, McCARTHY and LEVENTHAL, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

October 10, 2008

PEOPLE v JENKINS, MILTON