

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

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ROBERT A. SPOLZINO, JJ.  
DAVID S. RITTER  
FRED T. SANTUCCI  
EDWARD D. CARNI, JJ.

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2003-10365

The People, etc., respondent,  
v Tomas Portillo, appellant.

DECISION & ORDER ON MOTION  
Motion to Dismiss Appeal

(Ind. No. 472-03)

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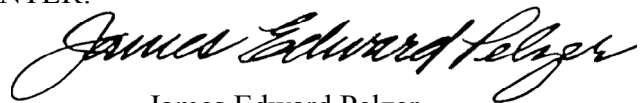
Motion by the respondent to dismiss as abandoned an appeal from a judgment of the County Court, Suffolk County, rendered October 24, 2003.

Upon the papers filed in support of the motion and no papers having been filed in opposition or in relation thereto, it is

ORDERED that the motion is granted and the appeal is dismissed (*see* 22 NYCRR 670.8[f]; CPL 470.60[1]).

SPOLZINO, J.P., RITTER, SANTUCCI, and CARNI, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

October 15, 2008

PEOPLE v PORTILLO, TOMAS