

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

M77036
F/

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

2005-00562

The People, etc., respondent,
v Luis M. Rivera, appellant.

DECISION & ORDER ON MOTION
Motion to Dismiss Appeal

(Ind. No. 2600-03)

Motion by the respondent to dismiss as abandoned an appeal from a judgment of the County Court, Suffolk County, rendered September 23, 2004.

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 RIVERA, LUIS M.