

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

M77478
E/sl

PETER B. SKELOS, J.P.
DANIEL D. ANGIOLILLO
RUTH C. BALKIN
ARIEL E. BELEN, JJ.

2008-05441

The People, etc., respondent,
v Diane Gordon, appellant.

DECISION & ORDER ON MOTION

(Ind. No. 912/06)

Motion by the appellant on an appeal from a judgment of the Supreme Court, Kings County, rendered June 12, 2008, to continue the stay of execution of said judgment, which was granted by a decision and order on motion of this court dated June 18, 2008, pending determination of the appeal to this court.

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 stay of execution of the judgment granted by the decision and order on motion of this court dated June 18, 2008, is extended pending hearing and determination of the appeal, on condition that the appeal is perfected by December 22, 2008, and on the same conditions as imposed by the decision and order on motion of this court dated June 18, 2008; and it is further,

ORDERED that counsel for the appellant shall serve a copy of this order, by mail, on the Clerk of the court from which the appeal is taken; and it is further,

ORDERED that this stay shall terminate and be of no further effect, and the appellant shall thereafter surrender to serve the sentence imposed, unless the appeal is perfected on or before December 22, 2008; and it is further,

October 22, 2008


PEOPLE v GORDON, DIANE

Page .1

ORDERED that upon the termination of this stay as provided above, this order shall constitute authorization to any peace officer to arrest and deliver the appellant to the sentencing court to begin the execution of sentence.

SKELOS, J.P., ANGIOLILLO, BALKIN and BELEN, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court