

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

M77684
E/cb

A. GAIL PRUDENTI, P.J.
WILLIAM F. MASTRO
STEVEN W. FISHER
MARK C. DILLON, JJ.

2008-08496

DECISION & ORDER ON MOTION
Motion for Leave to Serve
Late Notice of Appeal

The People, etc., respondent,
v Kenneth Stevens, appellant.

(Ind. No. 87153/94)

Motion by the appellant for leave to prosecute an appeal from an order of the Supreme Court, Nassau County, dated August 23, 2007, as a poor person and for the assignment of counsel.

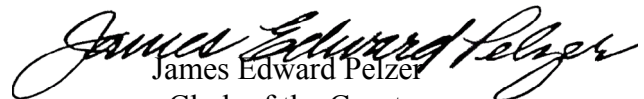
Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

ORDERED that on the court's own motion, the appeal is dismissed on the ground that the order is not appealable as of right or by permission (*see* CPL 450.10, 450.15); and it is further,

ORDERED that the motion is denied as academic.

PRUDENTI, P.J., MASTRO, FISHER and DILLON, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

October 27, 2008

PEOPLE v STEVENS, KENNETH