

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

M78412
E/sl

WILLIAM F. MASTRO, J.P.
REINALDO E. RIVERA
STEVEN W. FISHER
RANDALL T. ENG, JJ.

2007-08680

The People, etc., respondent,
v Francisco Ortega, appellant.

DECISION & ORDER ON MOTION

(Ind. No. 2873/06)

Motion by the appellant pro se for leave to serve and file a supplemental brief on an appeal from a judgment of the County Court, Nassau County, rendered August 28, 2007, and to be furnished with a copy of the typewritten transcript of the proceedings, if any. Separate motion by the appellant's assigned counsel, inter alia, for leave to withdraw the brief that was filed on behalf of the appellant and to file a replacement brief.

Upon the papers filed in support of the motions and the papers filed in relation thereto, it is

ORDERED that the branch of the motion by the appellant's assigned counsel which is for leave to withdraw the brief that was filed on behalf of the appellant and to file a replacement brief is granted, and on or before December 15, 2008, the appellant's assigned counsel shall serve and file a replacement brief; and it is further,

ORDERED that the appellant's assigned counsel motion is otherwise denied; and it is further,

ORDERED that the appellant's pro se motion for leave to serve and file a supplemental brief is denied with leave to renew after the replacement brief is filed.

MASTRO, J.P., RIVERA, FISHER and ENG, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

November 13, 2008

PEOPLE v ORTEGA, FRANCISCO