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

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REINALDO E. RIVERA, J.P.
ROBERT A. LIFSON
DAVID S. RITTER
RANDALL T. ENG, JJ.

2008-03188

The People, etc., respondent,
v Roy Martin, a/k/a Reality Martin, appellant.

DECISION & ORDER ON MOTION
Motion by Counsel to be Relieved

(Ind. No. 10081/06)

Motion by assigned counsel to be relieved of an assignment to prosecute an appeal from a judgment of the Supreme Court, Kings County, rendered April 2, 2008. The appellant's motion for leave to prosecute the appeal as a poor person and for assignment of counsel was granted on July 17, 2008, and the following named attorney was assigned as counsel to prosecute the appeal:

The Legal Aid Society
199 Water Street - 5th Floor
New York, New York 10038

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

ORDERED that the motion is granted, and the former assigned counsel is directed to turn over all papers in the action to new counsel herein assigned; and it is further,

ORDERED that pursuant to County Law § 722 the following named attorney is assigned as counsel to prosecute the appeal:

Lynn W. L. Fahey, Esq.
Appellate Advocates
2 Rector Street - 10th Floor
New York, New York 10006

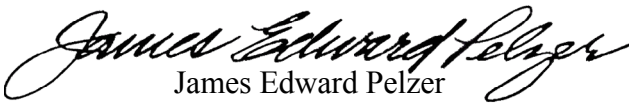
and it is further,

ORDERED that upon service of a copy of this decision and order upon it, the Department of Probation is hereby authorized and directed to provide assigned counsel with a copy of the presentence report prepared in connection with the defendant's sentencing, including the recommendation sheet and any prior reports on the defendant which are incorporated or referred to in the report; and it is further,

ORDERED that the appellant's time to perfect the appeal is enlarged; assigned counsel shall prosecute the appeal expeditiously in accordance with this court's rules (*see* 22 NYCRR 670.1, et seq.) and written directions.

RIVERA, J.P., LIFSON, RITTER, and ENG, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court