

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

M79113
S/sl

STEVEN W. FISHER, J.P.
ANITA R. FLORIO
EDWARD D. CARNI
CHERYL E. CHAMBERS, JJ.

2008-09620

DECISION & ORDER ON MOTION

In the Matter of Fernando Nuesi, appellant,
v Iradi Gago, respondent.

(Docket No. F-01268-03)

Motion by the appellant for leave to prosecute an appeal from an order of the Family Court, Kings County, dated October 8, 2008, 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 the branch of the motion which is for leave to prosecute the appeal on the original papers is denied as unnecessary (*see* Family Ct Act § 1116; 22 NYCRR 670.9[d][1][ii]); and it is further,

ORDERED that the branches of the motion which are to waive the filing fee, for free transcripts, and for the assignment of counsel are denied.

FISHER, J.P., FLORIO, CARNI and CHAMBERS, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

November 28, 2008

MATTER OF NUESI v GAGO