

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

M79371  
K/nl

WILLIAM E. McCARTHY, J.

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2008-10836

The People, etc., respondent  
v Michael Rich, appellant.

DECISION & ORDER ON MOTION

(Ind. No. 3462-07)

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Motion by the appellant pursuant to CPL 460.50 for a stay of execution of a judgment of the County Court, Suffolk County, rendered November 28, 2008, and to release the appellant on his own recognizance, or in the alternative, to fix reasonable bail.

Upon the papers filed in support of the motion, and upon the consent of the respondent, it is

ORDERED that the motion is granted, execution of the judgment is stayed, and the cash bail in the amount of \$10,000 posted during the pendency of the trial on Suffolk County Indictment No. 3462/07, shall continue; and it is further,

ORDERED that this stay shall terminate and be of no further effect 120 days from the date hereof and the appellant shall thereafter surrender to serve the sentence imposed, unless the appeal has been brought to argument or submitted to this court, or unless this court shall have extended this order; and it is further,

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; 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.

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WILLIAM E. McCARTHY

December 2, 2008

PEOPLE v RICH, MICHAEL

Associate Justice

December 2, 2008

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