

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

M79608
E/sl

WILLIAM F. MASTRO, J.P.
HOWARD MILLER
RUTH C. BALKIN
WILLIAM E. McCARTHY, JJ.

2007-02346

The People, etc., respondent,
v Marcus Boone, appellant.

ORDER TO SHOW CAUSE

(Ind. No. 1809/06)

Motion by Anna N. Howell, Esq., counsel assigned to prosecute an appeal from a judgment of the County Court, Nassau County, rendered January 26, 2007, in effect, to be relieved on the ground that the appellant has abandoned the appeal, by failing to respond to correspondence sent to him by assigned counsel.

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

ORDERED that the appellant show cause before this court why an order should or should not be entered dismissing the appeal on the ground that he has abandoned the appeal, by filing an affirmation or an affidavit on that issue in the office of the Clerk of this court on or before January 5, 2009; and it is further,

ORDERED that the motion by assigned counsel to be relieved is held in abeyance in the interim; and it is further,

ORDERED that the Clerk of this court or his designee is directed to serve a copy of this order to show cause upon the appellant at his last known place of residence or, if he is imprisoned, at the institution in which he is confined, and upon the attorney who last appeared for him, and upon the District Attorney, by ordinary mail pursuant to CPL 470.60(2).

MASTRO, J.P., MILLER, BALKIN and McCARTHY, JJ., concur.

ENTER:


James Edward Pelzer

December 12, 2008

PEOPLE v BOONE, MARCUS

Clerk of the Court

December 12, 2008

PEOPLE v BOONE, MARCUS