

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

M79663
E/sl

HOWARD MILLER, J.P.
THOMAS A. DICKERSON
JOHN M. LEVENTHAL
ARIEL E. BELEN, JJ.

2004-07982

The People, etc., respondent,
v Francis A. Zarro, Jr., appellant.

DECISION & ORDER ON MOTION

(Ind. No. 23/03)

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, Dutchess County, rendered November 18, 2004, for leave to file exhibits to the supplemental pro se brief, and, in effect, for summary reversal. Application by the respondent pursuant to 22 NYCRR 670.8(d)(2) to enlarge until February 19, 2009, the time to serve and file a brief in response to the brief of the appellant's assigned counsel.

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

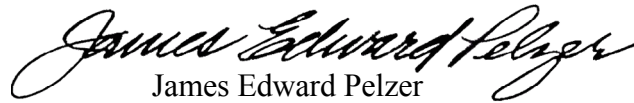
ORDERED that the branch of the motion which is for leave to serve and file a supplemental brief is granted, and on or before January 26, 2009, the appellant shall file nine copies of the supplemental brief and serve one copy on the District Attorney; and it is further,

ORDERED that the branches of the motion which are for leave to file exhibits to the supplemental pro se brief, and, in effect, for summary reversal are denied; and it is further,

ORDERED that the application is denied without prejudice to file a brief in response to the supplemental pro se brief.

MILLER, J.P., DICKERSON, LEVENTHAL and BELEN, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

December 12, 2008

PEOPLE v ZARRO, FRANCIS A., JR.