

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

M79672  
E/sl

ROBERT A. SPOLZINO, J.P.  
MARK C. DILLON  
EDWARD D. CARNI  
RANDALL T. ENG, JJ.

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2008-08930

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

DECISION & ORDER ON MOTION

(Ind. No. 1272-07)

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Motion by the appellant pro se on an appeal from a judgment of the County Court, Suffolk County, rendered September 5, 2008, for leave to prosecute the appeal as a poor person, and for the assignment of counsel.

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

ORDERED that the motion is denied, with leave to renew upon proper papers, including the appellant's affidavit setting forth the amount and source of counsel fees paid to retained counsel and, if on bail before conviction, the amount and source of the bail money, and if bail was the appellant's own money, what happened to the same after conviction.

SPOLZINO, J.P., DILLON, CARNI and ENG, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court

December 12, 2008

PEOPLE v MORTON, MICHAEL