

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

M79772  
S/sl

REINALDO E. RIVERA, J.P.  
DANIEL D. ANGIOLILLO  
THOMAS A. DICKERSON  
CHERYL E. CHAMBERS, JJ.

---

2008-10687

ORDER TO SHOW CAUSE

The People, etc., respondent,  
v Rickey L. Avant, appellant.

(Ind. No. 507/02)

---

Appeal by the defendant from a judgment of the Supreme Court, Queens County, rendered March 8, 2002.

Now, on the Court's own motion, 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 the notice of appeal is untimely (*see* CPL 460.10[1][a], 460.30), and the time in which to seek leave to file a late notice of appeal has expired, by filing an affidavit on that issue with the Clerk of this court on or before January 9, 2009; 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 District Attorney, by ordinary mail pursuant to CPL 470.60(2).

RIVERA, J.P., ANGIOLILLO, DICKERSON and CHAMBERS, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court

December 12, 2008

PEOPLE v AVANT, RICKEY L.