

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

M79790
S/sl

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

2008-10091

ORDER TO SHOW CAUSE

The People, etc., respondent,
v Joseph Bloomfield, appellant.

(Ind. No. 3379/98)

Motion by the appellant pro se for leave to prosecute an appeal from a resentence of the Supreme Court, Queens County, imposed October 6, 2008, 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 parties show cause before this court why an order should or should not be entered dismissing the appeal on the ground that he is not aggrieved by the resentence, as the resentence merely eliminated a period of post release supervision, by filing an affirmation or affidavit on that issue with the Clerk of this court on or before January 9, 2009, and the motion for leave to proceed as a poor person 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 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 BLOOMFIELD, JOSEPH