

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

M83633  
E/cb

WILLIAM F. MASTRO, J.P.  
HOWARD MILLER  
CHERYL E. CHAMBERS  
LEONARD B. AUSTIN, JJ.

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2006-09092

DECISION & ORDER ON

MOTION  
The People, etc., respondent,  
v Ben Kelly, appellant.

(Ind. No. 1060-04)

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Motion by the appellant pro se to enlarge the time to serve and file a supplemental brief on an appeal from a judgment of the County Court, Suffolk County, rendered December 13, 2005.

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

ORDERED that the motion is granted, and the appellant's supplemental brief shall be served and filed on or before June 22, 2009; and it is further,

ORDERED that the appellant shall file nine copies of the supplemental pro se brief and serve one copy on the District Attorney.

MASTRO, J.P., MILLER, CHAMBERS and AUSTIN, JJ., concur.

ENTER:

  
James Edward Pelzer

May 7, 2009

PEOPLE v KELLEY, BEN

Clerk of the Court

May 7, 2009

PEOPLE v KELLEY, BEN