

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

M85256  
E/cb

REINALDO E. RIVERA, J.P.  
ROBERT A. SPOLZINO  
DANIEL D. ANGIOLILLO  
RUTH C. BALKIN, JJ.

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2005-04458

ORDER TO SHOW CAUSE

People of State of New York,  
respondent, v Michael Johnson, appellant.

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Motion by counsel assigned to represent the appellant before the Supreme Court, Richmond County, in connection with proceedings pursuant to Correction Law § 168-n to be relieved of an assignment to prosecute an appeal from an order of the Supreme Court, Richmond County, dated April 8, 2005, and to assign new counsel to represent the appellant on the appeal.

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

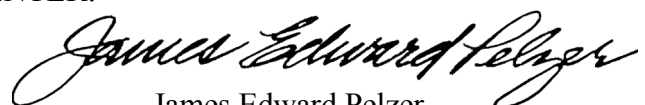
ORDERED that the appellant is directed to show cause before this court why an order should or should not be made and entered dismissing the appeal on the ground that he has abandoned the appeal, by filing an affirmation or an affidavit on that issue in the office of the Clerk of this court on or before June 5, 2009; and it is further,

ORDERED that the motion by assigned counsel to be relieved 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 attorney who last appeared for him, and upon the District Attorney, by ordinary mail pursuant to CPL 470.60(2).

RIVERA, J.P., SPOLZINO, ANGIOLILLO and BALKIN, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

May 8, 2009

PEOPLE OF STATE OF NEW YORK v JOHNSON