

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

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A. GAIL PRUDENTI, P.J.
HOWARD MILLER
RANDALL T. ENG
ARIEL E. BELEN, JJ.

2009-01957

DECISION & ORDER ON MOTION

The People, etc., respondent,
v Marquis Herbert, appellant.

(Ind. No. 12235/07)

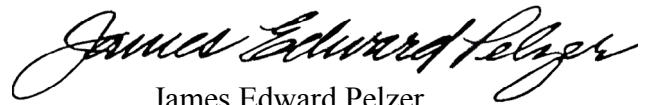
Motion by the appellant pro se on an appeal from a judgment of the Supreme Court, Kings County, rendered February 19, 2009, for leave to prosecute the appeal as a poor person, and for the assignment of counsel.

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

ORDERED that the motion is denied, with leave to renew upon proper papers, including the appellant's affidavit setting forth (1) whether counsel was assigned counsel or retained counsel, and if retained counsel, the amount and source of counsel fees paid to retained counsel, and (2) 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.

PRUDENTI, P.J., MILLER, ENG and BELEN, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

April 27, 2009

PEOPLE v HERBERT, MARQUIS