

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

M86532
M/cb

ANITA R. FLORIO, J.P.
JOSEPH COVELLO
RUTH C. BALKIN
LEONARD B. AUSTIN, JJ.

2008-09318

ORDER ON CERTIFICATION
Assignment of Counsel

In the Matter of Rosa M. Pena, respondent,
v Pedro Pena, appellant.

(Docket Nos. V-02024-07, V-01026-07)

Appeal by Pedro Pena from an order of the Supreme Court, Kings County (IDV part), dated September 9, 2008. The appellant's brief was filed in the office of the Clerk of this court on April 27, 2009. Pursuant to Family Court Act §§ 1118 and 1120, and upon the certification of Steven London, Esq., dated May 1, 2009, it is

ORDERED that the respondent is granted leave to proceed as a poor person on the appeal, and the following named attorney is assigned as counsel to respond to the appeal:

Peter H. Dailey, Esq.
468 Riverside Drive - Suite 33
New York, New York 10027
(212) 678-6238

and it is further,

ORDERED that Steven London, Esq., is directed to turn over all papers in the proceeding to the new attorney for the respondent herein assigned; and it is further,

ORDERED that assigned counsel shall promptly attempt to contact the respondent, at the address provided by the court, and shall notify the Case Manager assigned to the appeal on or before May 22, 2009, in writing, that he has done so and that either

May 13, 2009

MATTER OF PENA v PENA

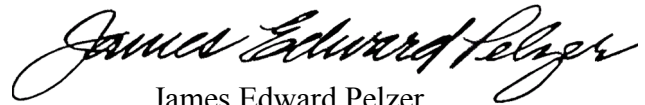
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(1) the respondent is interested in responding to the appeal, or

(2) the respondent is not interested in responding to the appeal, or that he has been unable to contact the respondent, and wishes to be relieved of the assignment.

FLORIO, J.P., COVELLO, BALKIN and AUSTIN, JJ., concur.

ENTER:

A handwritten signature in black ink, reading "James Edward Pelzer". The signature is written in a cursive, flowing style.

James Edward Pelzer
Clerk of the Court

The Case Manager assigned to this case is Mr. Rose. Please contact him at 718-722-6487 with any questions.