

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

M86655  
E/cb

WILLIAM F. MASTRO, J.P.  
REINALDO E. RIVERA  
THOMAS A. DICKERSON  
PLUMMER E. LOTT, JJ.

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2009-00938

ORDER TO SHOW CAUSE

The People, etc., respondent,  
v Ivan Cantillo, appellant.

(Ind. No. 2424/06)

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Motion by the appellant pro se for leave to prosecute an appeal from a judgment of the Supreme Court, Queens County, rendered May 17, 2007, 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

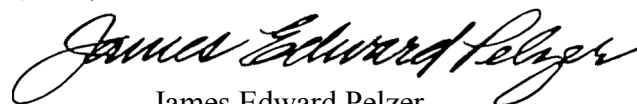
ORDERED that on the court's own motion, the appellant is directed to show cause before this court why an order should or should not be made and entered dismissing the appeal on the ground that the notice of appeal is untimely (*see* CPL 460.10[1][a], 460.30), by filing an affidavit on that issue with the Clerk of this court on or before June 19, 2009; and it is further,

ORDERED that the appellant's motion 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).

MASTRO, J.P., RIVERA, DICKERSON and LOTT, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

May 14, 2009

PEOPLE v CANTILLO, IVAN