

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

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E/cb

WILLIAM F. MASTRO, J.P.
JOSEPH COVELLO
RUTH C. BALKIN
LEONARD B. AUSTIN, JJ.

2003-06461

DECISION & ORDER ON MOTION
Motion to Dismiss Appeal

The People, etc., respondent,
v Kelvin Hernandez, appellant.

(Ind. No. 854/03)

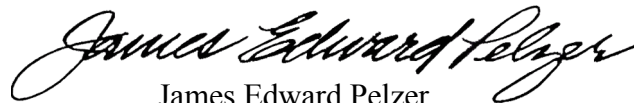
Motion by the respondent to dismiss an appeal from a judgment of the Supreme Court, Kings County, rendered May 30, 2003, for failure to perfect.

Upon the papers filed in support of the motion and no papers having been filed in opposition or in relation thereto, it is

ORDERED that the motion is granted and the appeal is dismissed (*see* 22 NYCRR 670.8[f]; CPL 470.60[1]).

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

ENTER:



James Edward Pelzer
Clerk of the Court

May 15, 2009

PEOPLE v HERNANDEZ, KELVIN