

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

M86697
E/cb

PETER B. SKELOS, J.P.
FRED T. SANTUCCI
ARIEL E. BELEN
CHERYL E. CHAMBERS, JJ.

2009-02405

DECISION & ORDER ON MOTION

The People, etc., respondent,
v Carpeah Nyenekor, appellant.

(Ind. Nos. 07-223, 07-365, 07-799)

Motion by the appellant pro se for leave to prosecute an appeal from an order of the County Court, Orange County, dated September 9, 2008, as a poor person, and for the assignment of counsel.

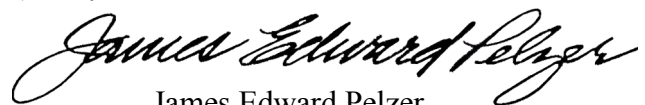
Upon the papers filed in support of the motion and the papers filed in opposition and in relation thereto, it is

ORDERED that on the court's own motion, the appeal is dismissed on the ground that an order after a hearing (*see* CPL 730.30[2], 730.60[2]) is not appealable as of right or by permission (*see* CPLR 450.10, 450.15); and it is further,

ORDERED that the motion is denied as academic.

SKELOS, J.P., SANTUCCI, BELEN and CHAMBERS, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

May 15, 2009

PEOPLE v NYENEKOR, CARPEAH