

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

M86703
E/cb

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

2009-02670

DECISION & ORDER ON

MOTION

In the Matter of Bernard Samuel, appellant,
v George Alexander, etc., respondent.

(Index No. 6262/08)

Motion by the appellant for leave to prosecute an appeal from a judgment of the Supreme Court, Dutchess County, dated January 31, 2009, as a poor person and for the assignment of counsel.

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 branch of the motion which is for leave to prosecute the appeal on the original papers is granted, and the appeal will be heard on the original papers (including the transcript of the proceedings, if any) and on the briefs of the parties, who are directed to file nine copies of their respective briefs and to serve one copy on each other; and it is further,

ORDERED that the Clerk of this court, or his designee, will subpoena the original papers from the Supreme Court, Dutchess County; and it is further,

ORDERED that the branches of the motion which are to waive payment of the filing fee, for free transcripts, and for the assignment of counsel are denied.

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

ENTER:


James Edward Pelzer

May 15, 2009

MATTER OF SAMUEL v ALEXANDER

Clerk of the Court

May 15, 2009

MATTER OF SAMUEL v ALEXANDER