

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

M86983
E/cb

STEVEN W. FISHER, J.P.
HOWARD MILLER
JOHN M. LEVENTHAL
PLUMMER E. LOTT, JJ.

2009-01668

Silvera Pierre-Paul, respondent,
v Marie Boursiquot, appellant.

DECISION & ORDER ON MOTION
Motion for Poor Person Relief

(Index No. 10705/05)

Motion by the appellant for leave to prosecute an appeal from a judgment of the Supreme Court, Queens County, entered December 17, 2008, as a poor person.

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 it is further,

ORDERED that the appeal will be heard on the original papers (including a certified transcript of the proceedings, if any) and on the briefs of the appellant, the respondent, and the attorney for the children, if any. The parties are directed to file nine copies of their respective briefs and to serve one copy on each other (22 NYCRR 670.9[d][1][ii]); and it is further,

ORDERED that the stenographer(s) and/or the transcription service(s) is/are required promptly to make and certify two transcripts of the proceedings, if any, in the case of stenographers, both transcripts shall be filed with the clerk of the Supreme Court, and the clerk of the Supreme Court shall furnish one of such certified transcripts to the appellant's counsel, without charge; in the case of transcription services, one transcript shall be filed with the clerk of the Supreme Court and one transcript shall be delivered to the appellant's counsel. Appellant's counsel is directed to provide copies of said transcripts to all of the other parties to the appeals, including the attorney for the children, if any, when counsel serves the appellant's brief upon those parties; and it is further,

May 22, 2009

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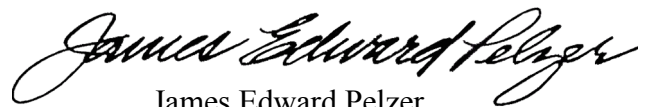
ORDERED that the filing fee is waived; and it is further,

ORDERED that the appellant's counsel shall prosecute the appeal expeditiously in accordance with any scheduling order or orders issued pursuant to § 670.4(a) of the rules of this court (22 NYCRR 670.4[a]); and it is further,

ORDERED that appellant's counsel is directed to serve a copy of this order upon the clerk of the court from which the appeal is taken.

FISHER, J.P., MILLER, LEVENTHAL and LOTT, 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