

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

M87033  
E/sl

A. GAIL PRUDENTI, P.J.  
REINALDO E. RIVERA  
ROBERT A. SPOLZINO  
STEVEN W. FISHER, JJ.

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2008-02524, 2008-06958

DECISION & ORDER ON MOTION

The People, etc., respondent,  
v Azad Malik, appellant.

(Ind. No. 6741/06)

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Motion by the appellant to enlarge time to perfect an appeal from a judgment of the Supreme Court, Kings County, rendered May 30, 2008 (Appellate Division Docket No. 2008-06958), and to continue a stay issued pursuant to CPL 530.45 by decision and order on motion of this court dated March 21, 2008, under Appellate Division Docket No. 2008-02524, which was extended by decision and order on motion of this court dated October 20, 2008, and extended again by decision and order on motion of this court dated March 5, 2009.

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

ORDERED that the motion is granted; and it is further,

ORDERED that the appellant's time to perfect the appeal is enlarged until June 22, 2009, and the appellant's brief must be served and filed on or before that date; and it is further,

ORDERED that no further enlargement or extension of time shall be granted; and it is further,

ORDERED that the stay granted by decision and order on motion dated March 21, 2008, is extended pending hearing and determination of the appeal on the same conditions as set forth in the order dated March 21, 2008; and it is further,

May 22, 2009

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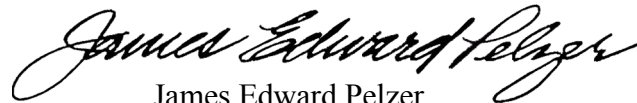
ORDERED that this stay shall terminate and be of no further effect as of June 22, 2009, and the appellant shall thereafter surrender to serve the sentence imposed, unless the appeal shall have been brought to argument or submitted to this court, or unless this court shall have extended this order; and it is further,

ORDERED that upon the termination of this stay as provided above, this order shall constitute authorization to any peace officer to arrest and deliver the appellant to the sentencing court to begin the execution of sentence; and it is further,

ORDERED that counsel for the appellant shall serve a copy of this order, by mail, on the clerk of the court from which the appeal is taken.

PRUDENTI, P.J., RIVERA, SPOLZINO and FISHER, 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