

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

M87116  
E/sl

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

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2009-02660

DECISION & ORDER ON MOTION

The People, etc., ex rel., Willie Sumpter,  
appellant, v Barry Kron, etc., respondent.

(Ind. No. 2818/02)

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Motion by the appellant for leave to prosecute an appeal from a judgment of the Supreme Court, Queens County, dated November 21, 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 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 branches of the motion which are to waive payment of the filing fee, for free transcripts and for the assignment of counsel are denied.

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

ENTER:

  
James Edward Pelzer  
Clerk of the Court

May 27, 2009

PEOPLE EX REL. SUMPTER v KRON