

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

M87236  
E/sl

REINALDO E. RIVERA, J.P.  
DANIEL D. ANGIOLILLO  
RANDALL T. ENG  
LEONARD B. AUSTIN, JJ.

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2000-09535

The People, etc., respondent,  
v Victor Benites, appellant.

DECISION & ORDER ON MOTION  
Motion to Dismiss Appeal

(Ind. No. 00-441)

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Motion by the respondent to dismiss an appeal from a judgment of the County Court, Orange County, rendered September 22, 2000, for failure to perfect.

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 denied with leave to renew upon service of the motion on the defendant and the attorney, if any, who last appeared for the defendant, at their last known addresses (*see* CPL 470.60[2]).

RIVERA, J.P., ANGIOLILLO, ENG and AUSTIN, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

May 28, 2009

PEOPLE v BENITES, VICTOR