

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

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REINALDO E. RIVERA, J.P.  
MARK C. DILLON  
RUTH C. BALKIN  
LEONARD B. AUSTIN, JJ.

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2008-11532

The People, etc., respondent,  
v Carlos Perez-Olivo, appellant.

DECISION & ORDER ON MOTION

(Ind. No. 07-01664)

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Motion by the appellant pro se on an appeal from a judgment of the County Court, Westchester County, rendered December 2, 2008, for leave to prosecute the appeal as a poor person, and for the assignment of counsel.

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

ORDERED that the motion is denied, with leave to renew upon proper papers, including the appellant's affidavit setting forth the amount and source of counsel fees paid to retained counsel.

RIVERA, J.P., DILLON, BALKIN and AUSTIN, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court

June 5, 2009

PEOPLE v PEREZ-OLIVO, CARLOS