

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

M87864

E/sl

ROBERT A. SPOLZINO, J.P.  
DANIEL D. ANGIOLILLO  
CHERYL E. CHAMBERS  
PLUMMER E. LOTT, JJ.

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2008-08050

DECISION & ORDER ON MOTION

In the Matter of Ernest Curry, appellant,  
v Nassau County Sheriff's Department,  
et al., respondents.

(Index No. 998/06)

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Motion by the appellant to waive the filing fee on an appeal from an order of the Supreme Court, Nassau County, entered July 7, 2008, to assign Mitchell Dranow, Esq, as counsel to prosecute the appeal, and to enlarge the time to perfect the appeal.

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 branch of the motion which is to waive the filing fee is denied; and it is further,

ORDERED that the branch of the motion which is to assign Mitchell Dranow, Esq, as counsel to prosecute the appeal is denied without prejudice to counsel continuing to prosecute the appeal pro bono; and it is further,

ORDERED that branch of the motion which is to enlarge the time to perfect the appeal is granted and the appellant's time to perfect the appeal is enlarged until July 27, 2009, and the record or appendix on the appeal and the appellant's brief must be served and filed on or before that date.

SPOLZINO, J.P., ANGIOLILLO, CHAMBERS and LOTT, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court

June 11, 2009

MATTER OF CURRY v NASSAU COUNTY SHERIFF'S DEPARTMENT