

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

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E/sl

MARK C. DILLON, J.P.
FRED T. SANTUCCI
JOSEPH COVELLO
JOHN M. LEVENTHAL, JJ.

2006-03429

The People, etc., respondent,
v Terry Thurman, appellant.

DECISION & ORDER ON MOTION

(Ind. No. 13234/91)

Motion by Emmanuel F. Ntaimoah, Esq., counsel assigned to prosecute an appeal from a resentence of the Supreme Court, Kings County, imposed March 21, 2006, to be relieved and for the assignment of new counsel. By order to show cause dated April 15, 2009, the appellant was directed to show cause before this court why an order should or should not be made and entered dismissing the appeal on the ground that he had, in effect, abandoned the appeal by failing to provide assigned counsel with his current address, and the motion by assigned counsel to be relieved was held in abeyance in the interim.

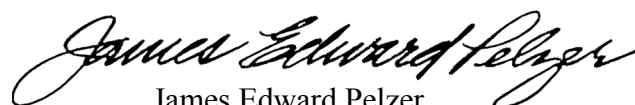
Upon the order to show cause and no papers having been filed in response thereto, and upon the papers filed in support of the motion by assigned counsel and the papers filed in relation thereto, it is

ORDERED that the motion to dismiss the appeal is granted, and the appeal is dismissed; and it is further,

ORDERED that assigned counsel's motion is granted to the extent that assigned counsel is relieved and assigned counsel's motion is otherwise denied.

DILLON, J.P., SANTUCCI, COVELLO and LEVENTHAL, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

June 12, 2009

PEOPLE v THURMAN, TERRY