

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

M88146
E/sl

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

2009-03047

ORDER TO SHOW CAUSE

The People, etc., respondent,
v Christopher Casey, appellant.

(Ind. No. 2948/05)

Motion by the appellant pro se for leave to prosecute an appeal from a judgment of the Supreme Court, Kings County, rendered December 12, 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

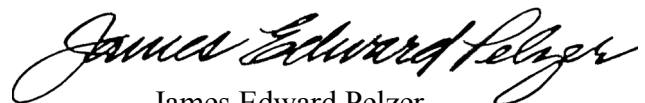
ORDERED that on the court's own motion, the appellant is directed to show cause before this court why an order should or should not be made and entered dismissing the appeal on the ground that the notice of appeal is untimely (*see* CPL 460.10[1][a], 460.30), by filing an affidavit on that issue with the Clerk of this court on or before July 17, 2009; and it is further,

ORDERED that the appellant's motion is held in abeyance in the interim; and it is further,

ORDERED that the Clerk of this court or his designee is directed to serve a copy of this order to show cause upon the appellant at his last known place of residence, or, if he is imprisoned, at the institution in which he is confined, and upon the District Attorney, by ordinary mail pursuant to CPL 470.60(2).

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

ENTER:



James Edward Pelzer
Clerk of the Court

June 18, 2009

PEOPLE v CASEY, CHRISTOPHER