

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

M88524
E/cb

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

2008-08526

The People, etc., respondent,
v Peter N. Carr, appellant.

DECISION & ORDER ON MOTION

(Ind. No. 07-00154)

Motion by the appellant pro se for leave to serve and file a supplemental brief on an appeal from a judgment of the County Court, Westchester County, rendered September 10, 2008, and to be furnished with a copy of the typewritten transcript of the proceedings, if any. Application by the respondent to submit one brief in response to the supplemental pro se brief as well as the brief filed by the appellant's assigned counsel.

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

ORDERED that the application is denied and it is further,

ORDERED that the motion is granted; and it is further,

ORDERED that the District Attorney shall file the transcript of the proceedings, if any, and the Clerk of this court shall deliver those minutes to the person in charge of the institution wherein the appellant is incarcerated for examination by the appellant; the transcript shall be returned to this court when the appellant files the supplemental brief or informs this court that no supplemental brief will be filed; and it is further,

ORDERED that the appellant shall file nine copies of the supplemental brief and serve one copy on the District Attorney.

June 29, 2009

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Upon delivering the minutes to the institution, the Clerk of this court shall advise the appellant of the date by which the minutes are to be returned and the brief filed..

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

ENTER:



James Edward Pelzer
Clerk of the Court

Appellant's address:

Please make inquiry to the State Inmate Locator
New York State Department of Correctional Services
Telephone: (518) 457-0043