

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

M88582  
E/sl

MARK C. DILLON, J.P.  
HOWARD MILLER  
JOHN M. LEVENTHAL  
ARIEL E. BELEN, JJ.

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2003-07509

ORDER TO SHOW CAUSE

The People, etc., respondent,  
v Richard Brown, appellant.

(Ind. No. 03-1539)

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Motion by the respondent to dismiss an appeal from a judgment of the Supreme Court, Kings County, rendered August 14, 2003, for failure to prosecute. Application by the appellant pro se for poor person relief and for the assignment of counsel.

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

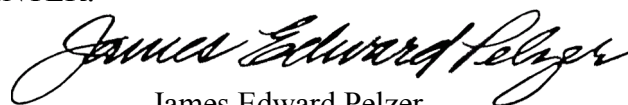
ORDERED that the appellant is directed to show cause before this court why an order should or should not be made and entered dismissing the appeal on the ground that he has abandoned the appeal, by filing an affirmation or an affidavit on that issue in the office of the Clerk of this court on or before July 27, 2009; and it is further,

ORDERED that the respondent'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 attorney who last appeared for him, and upon the District Attorney, by ordinary mail pursuant to CPL 470.60(2).

DILLON, J.P., MILLER, LEVENTHAL and BELEN, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court

June 25, 2009

PEOPLE v BROWN, RICHARD