

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

M89651  
J/nl

FRED T. SANTUCCI, J.P.  
DANIEL D. ANGIOLILLO  
RUTH C. BALKIN  
RANDALL T. ENG, JJ.

---

2007-00404, 2007-01930

DECISION & ORDER ON MOTION

The People, etc., respondent,  
v Mustafic Mahadi, appellant.

(Ind. Nos. 1887/05, 1890/05)

---

Motion by the appellant, in effect, to restore to active status appeals from two judgments of the Supreme Court, Queens County, both rendered December 15, 2006, which were deemed abandoned pursuant to 22 NYCRR 670.8(f), to enlarge the time to perfect the appeals, for leave to prosecute the appeals 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 the branch of the motion which is to restore the appeals to active status, and to enlarge the time to perfect the appeals are granted; and it is further,

ORDERED that the appellant's time to perfect the appeals is enlarged, and the appellant shall prosecute the appeals expeditiously in accordance with this court's rules (*see* 22 NYCRR 670.1, *et seq.*) and written directions; and it is further,

ORDERED that the branch of the motion which is for leave to prosecute the appeals as a poor person and for the assignment of counsel is denied, with leave to renew on or before August 17, 2009, upon proper papers, including the appellant's affidavit setting forth (1) the appellant's full financial situation including all assets, both real and personal, as well as any and all sources of income before conviction, (2) the amount and source of counsel fees paid to retained counsel, and (3) if on bail before conviction, the amount and source of the bail money, and if bail was the appellant's own money, what happened to the same after conviction.

SANTUCCI, J.P., ANGIOLILLO, BALKIN and ENG, JJ., concur.

ENTER:



James Edward Pelzer

Clerk of the Court

July 20, 2009

PEOPLE v MAHADI, MUSTAFIC