

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

M90608
S/sl

REINALDO E. RIVERA, J.P.
HOWARD MILLER
RUTH C. BALKIN
LEONARD B. AUSTIN, JJ.

2006-08745, 2007-04511

The People, etc., respondent,
v Jason Clarke, appellant.

DECISION & ORDER ON MOTION

(Ind. Nos. 5705/04, 8190/04)

On the court's own motion, it is

ORDERED that its decision and order on motion dated July 20, 2007, in the above-entitled case, which granted a motion by the appellant, on appeals from two judgments of the Supreme Court, Kings County, rendered September 27, 2005, and May 2, 2006, is amended by:

(1) deleting the first decretal paragraph thereof and substituting therefor the following decretal paragraph:

ORDERED that the branch of the motion which is pursuant to CPLR 460.30 for an extension of time to take an appeal from the judgment rendered May 2, 2006, for leave to prosecute that appeal as a poor person, and for the assignment of counsel is granted; and it is further"

(2) adding thereto after the twelfth decretal paragraph the following decretal paragraph:

"ORDERED that the branch of the motion which is to consolidate the appeals is granted to the extent that the appeals shall be calendared together and shall be argued or submitted on the same day, and that branch of the motion is otherwise denied; and it is further,".

RIVERA, J.P., MILLER, BALKIN and AUSTIN, JJ., concur.

ENTER:


James Edward Pelzer

Clerk of the Court

August 11, 2009

PEOPLE v CLARKE, JASON