

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

M90678
E/sl

ANITA R. FLORIO, J.P.
HOWARD MILLER
JOHN M. LEVENTHAL
PLUMMER E. LOTT, JJ.

2008-00332

The People, etc., respondent,
v Reginald McDonald, appellant.

(Ind. No. 8584/06)

DECISION & ORDER ON MOTION
Motion for Poor Person Relief
and to Assign Counsel - Appeal
from Judgment

Motion by the appellant to substitute Beldock, Levine & Hoffman, as retained counsel, in place of assigned counsel, to prosecute an appeal from a judgment of the Supreme Court, Kings County, rendered January 7, 2008. The appellant's motion to dispense with printing and for assignment of counsel was granted on May 30, 2008, and the following named attorney was assigned as counsel to prosecute the appeal:

Lynn W. L. Fahey, Esq.
Appellate Advocates
2 Rector Street - 10th Floor
New York, New York 10006

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

ORDERED that the motion is granted and the following retained counsel is substituted
for assigned counsel:

Beldock, Levine & Hoffman
99 Park Avenue - Suite 1600
New York, New York 10016-1503

and it is further,

August 12, 2009

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ORDERED that so much of the decision and order on motion of this court dated May 30, 2008, as granted that branch of the appellant's motion which was for poor person relief is recalled and vacated, and that branch of the motion is denied, and former assigned counsel is directed to turn over all papers in the action to the Clerk of this court; and it is further,

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

FLORIO, J.P., MILLER, LEVENTHAL and LOTT, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

Appellant's address:

08 A 0166
Elmira Corr. Fac.
P.O. Box 500
Elmira, New York 14902