

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

M91151
E/nl

A. GAIL PRUDENTI, P.J.
WILLIAM F. MASTRO
REINALDO E. RIVERA
ROBERT A. SPOLZINO
PETER B. SKELOS, JJ.

2009-06422

ORDER ON CERTIFICATION

In the Matter of Yamilette G. (Anonymous).
New York City Children's Services, petitioner-
respondent; Marlene M. (Anonymous), et al.,
appellants.

(Docket No. N-18029-07)

Separate appeals by Marlene M. and Edwin G. from an order of the Family Court, Kings County, dated June 15, 2009. Pursuant to Family Court Act §§ 1118 and 1120, and upon the certification of Gerald P. Nolan, Esq., dated August 9, 2009, it is

ORDERED that the appellant Marlene M. is granted leave to proceed as a poor person on the appeal, and the following named attorney is assigned as counsel to prosecute her appeal:

Larry S. Bachner, Esq.
153-01 Jamaica Avenue - Suite 201
Jamaica, New York 11432
(718) 378-0176

and it is further,

ORDERED that assigned counsel shall promptly attempt to contact the appellant Marlene M. at the address provided by the court, and on or before September 8, 2009, shall notify the Case Manager assigned to the appeals, in writing, that he has done so and that either

(1) the appellant Marlene M. is interested in prosecuting her appeal, or

(2) the appellant Marlene M. is not interested in prosecuting her appeal, or that he has been unable to contact Marlene M., and wishes to be relieved of the assignment; and it is further,

August 24, 2009

MATTER OF G. (ANONYMOUS), YAMILETTE

Page 1.

ORDERED that the appeals will be heard on the original papers (including a certified transcript of the proceedings, if any) and on the briefs of the appellants, the respondent, and the attorney for the child, if any. The parties are directed to file nine copies of their respective briefs and to serve one copy on each other (22 NYCRR 670.9[d][1][ii]; Family Ct Act § 1116); and it is further,

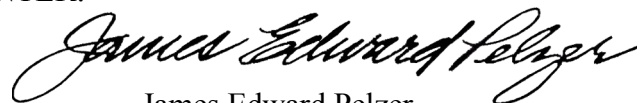
ORDERED that the stenographer(s) and/or the transcription service(s) is/are required promptly to make and certify two transcripts of the proceedings, if any, except for those minutes previously transcribed and certified (22 NYCRR 671.9); in the case of stenographers, both transcripts shall be filed with the clerk of the Family Court, and the clerk of the Family Court shall furnish one of such certified transcripts to the appellant's counsel, without charge; in the case of transcription services, one transcript shall be filed with the clerk of the Family Court and one transcript shall be delivered to the assigned counsel. Assigned counsel is directed to provide copies of said transcripts to all of the other parties to the appeals, including the attorney for the child, if any, when counsel serves a brief upon those parties; and it is further,

ORDERED that the assigned counsel shall prosecute the appeal of Marlene M. expeditiously in accordance with any scheduling order or orders issued pursuant to § 670.4(a) of the rules of this court (22 NYCRR 670.4[a]); and it is further,

ORDERED that upon a determination that Marlene M. is interested in proceeding with her appeal, the assigned counsel is directed to serve a copy of this order upon the clerk of the court from which the appeals are taken.

PRUDENTI, P.J., MASTRO, RIVERA, SPOLZINO and SKELOS, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

The Case Manager assigned to this case is Ms. Vazquez. Please contact her at 718-722-6488 with any questions.