

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

M91252
E/sl

FRED T. SANTUCCI, J.P.
HOWARD MILLER
RUTH C. BALKIN
LEONARD B. AUSTIN, JJ.

2009-05598

The People, etc., ex rel. Kenneth Bazil,
appellant, v Luis Marshall, etc., respondent.

DECISION & ORDER ON MOTION

(Index No. 08-25363)

Motion by the appellant to enlarge the time to perfect an appeal from a judgment of the Supreme Court, Westchester County, entered May 6, 2009, for leave to prosecute the appeal as a poor person, and for the assignment of counsel.

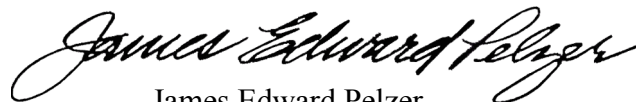
Upon the papers filed in support of the motion and no papers having been filed in opposition or in relation thereto, it is

ORDERED that the branch of the motion which is to enlarge the time to perfect the appeal is granted, the appellant's time to perfect the appeal is enlarged until October 26, 2009, and the record or appendix on the appeal and the appellant's brief must be served and filed on or before that date; and it is further,

ORDERED that the branches of the motion which are for leave to prosecute the appeal as a poor person and for the assignment of counsel are denied.

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

ENTER:



James Edward Pelzer
Clerk of the Court

August 26, 2009

PEOPLE EX REL. BAZIL v MARSHALL