

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

M91382
E/sl

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

2009-03598

The People, etc., ex rel., James Hardy,
appellant, v Superintendent, Sing Sing
Correctional Facility, et al., respondents.

DECISION & ORDER ON MOTION

(Ind. No. 08-25374)

Motion by the appellant for leave to prosecute an appeal from a judgment of the Supreme Court, Westchester County, entered February 13, 2009, as a poor person, and for the assignment of counsel.

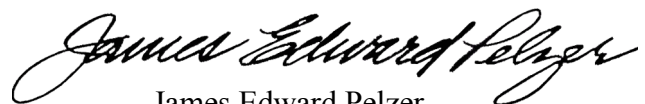
Upon the papers filed in support of the motion and no papers having been filed in opposition or in relation thereto, it is

ORDERED that the motion is denied; and it is further,

ORDERED that the appellant's time to perfect the appeal is enlarged until October 27, 2009, and the record or appendix on the appeal and the appellant's brief must be served and filed on or before that date.

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

ENTER:



James Edward Pelzer
Clerk of the Court

August 28, 2009

PEOPLE EX REL. HARDY v SUPERINTENDENT, SING SING
CORRECTIONAL FACILITY