

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

M91440
E/sl

STEVEN W. FISHER, J.P.
MARK C. DILLON
JOSEPH COVELLO
RANDALL T. ENG, JJ.

2008-04142

The People, etc., respondent,
v Ykim Anderson, appellant.

DECISION & ORDER ON MOTION

(Ind. No. 96/06)

Motion by the appellant on an appeal from a judgment of the County Court, Dutchess County, rendered March 20, 2008, to be provided with wiretap audiotapes and videotape trial exhibits, to be provided with a CPL 200.65 statement, the appellant's omnibus motion and severance motion, the opposition to those motions and the orders determining those motions, and to provided with other documents and material.

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

ORDERED that the branch of the motion which is to be provided with wiretap audiotapes and videotape trial exhibits is granted and on or before September 15, 2009, the respondent shall provide the appellant's assigned counsel with another copy of the wiretap audiotapes and videotape trial exhibits; and it is further,

ORDERED that the branch of the motion which is to be provided with a CPL 200.65 statement, the appellant's omnibus motion and severance motion, the opposition to those motions and the orders determining those motions is denied as academic as that material has been provided; and it is further,

August 31, 2009

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ORDERED that the branch of the motion which is to provided with other documents and material is denied without prejudice to making a motion, upon notice to trial counsel, to direct trial counsel to turn over his file to assigned counsel.

FISHER, J.P., DILLON, COVELLO and ENG, JJ., concur.

ENTER:

A handwritten signature in black ink, reading "James Edward Pelzer". The signature is written in a cursive, flowing style.

James Edward Pelzer
Clerk of the Court