

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

M93603  
E/sl

REINALDO E. RIVERA, J.P.  
ANITA R. FLORIO  
HOWARD MILLER  
L. PRISCILLA HALL, JJ.

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2008-07031

The People, etc., respondent,  
v Nathaniel McClary, appellant.

DECISION & ORDER ON MOTION

(Ind. No. 10639/06)

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Motion by the appellant pro se for leave to serve and file a supplemental brief on an appeal from a judgment of the Supreme Court, Queens County, rendered July 22, 2008, and to enlarge the judgment roll to include “the vote and the True Bill of the Grand Jury Indictment for ‘Good Faith’” and “[t]he Accusatory Instrument for the Indictment.”

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

ORDERED that the branch of the motion which is to enlarge the judgment roll is granted to the extent that the judgment roll is enlarged to include the indictment and the motion is otherwise denied; the Clerk of this court shall deliver a copy of the indictment to the person in charge of the institution wherein the appellant is incarcerated for examination by the appellant; and it is further,

ORDERED that the branch of the motion which is for leave to serve and file a supplemental brief is granted; and it is further,

ORDERED that the District Attorney shall file the transcript of the proceedings, if any, and the Clerk of this court shall deliver those minutes to the person in charge of the institution wherein the appellant is incarcerated for examination by the appellant; the transcript shall be returned to this court when the appellant files the supplemental brief or informs this court that no supplemental brief will be filed; and it is further,

October 26, 2009

PEOPLE v McCLARY, NATHANIEL

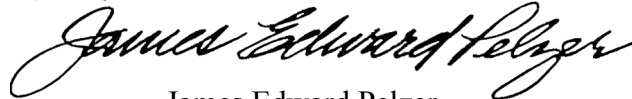
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ORDERED that the appellant shall file nine copies of the supplemental brief and serve one copy on the District Attorney.

Upon delivering the minutes to the institution, the Clerk of this court shall advise the appellant of the date by which the minutes are to be returned and the brief filed.

RIVERA, J.P., FLORIO, MILLER and HALL, JJ., concur.

ENTER:

A handwritten signature in black ink, reading "James Edward Pelzer". The signature is written in a cursive style with a large, sweeping initial "J".

James Edward Pelzer  
Clerk of the Court

*Appellant's Address:*

Please make inquiry to the State Inmate Locator  
New York State Department of Correctional Services  
Telephone: (518) 457-0043