

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

M93621
E/sl

WILLIAM F. MASTRO, J.P.
RUTH C. BALKIN
RANDALL T. ENG
JOHN M. LEVENTHAL, JJ.

2008-07800

The People, etc., respondent,
v Michael B. Schacht, appellant.

DECISION & ORDER ON MOTION

(Ind. No. 1647-07)

Motion by the appellant pro se to relieve counsel assigned to prosecute an appeal from a judgment of the County Court, Suffolk County, rendered May 21, 2008, and for leave to prosecute the appeal pro se.

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

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

ORDERED that assigned counsel shall perfect the appeal on or before November 9, 2009; and it is further,

ORDERED that on the court's own motion, the appellant is granted leave to serve and file a supplemental pro se brief, and will be furnished with a copy of the typewritten transcript of the proceedings, if any; 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

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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.

MASTRO, J.P., BALKIN, ENG and LEVENTHAL, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

Appellant's address:

08 A 2902

Downstate Corr. Fac.

Box F

Fishkill, New York 12524