

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

M93623  
E/sl

MARK C. DILLON, J.P.  
THOMAS A. DICKERSON  
ARIEL E. BELEN  
SHERI S. ROMAN, JJ.

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2009-08102

ORDER TO SHOW CAUSE

The People, etc., respondent,  
v Carlos Mosquea, appellant.

(Ind. No. 11203/97)

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Motion by the appellant pro se for leave to prosecute an appeal from a purported judgment of the Supreme Court, Queens County, rendered June 25, 2009, as a poor person, and for the assignment of counsel.


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

ORDERED that on the court's own motion, the appellant is ordered to show cause before this court, why an order should or should not be entered dismissing the appeal from the purported judgment on the ground that no appeal lies from the purported judgment, as the purported judgment is nothing more than a proceeding to cause a judgment of the same court rendered June 25, 2009, to be brought to execution (*see People v Crawford*, 239 AD2d 514), by filing an affidavit on that issue with the Clerk of this court on or before November 27, 2009; and it is further,

ORDERED that the Clerk of this court, or his designee, is directed to serve a copy of this order to show cause upon the appellant at his last known place of residence or, if he is imprisoned, at the institution in which he is confined, upon the attorney who last appeared for him, and upon the District Attorney, by ordinary mail pursuant to CPL 470.60(2); and it is further,

ORDERED that the motion for poor person relief and the assignment of counsel is held in abeyance in the interim.

DILLON, J.P., DICKERSON, BELEN and ROMAN, JJ., concur.

ENTER:  
  
James Edward Pelzer  
Clerk of the Court

October 26, 2009

PEOPLE v MOSQUEA, CARLOS