

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

D30128  
W/kmb

\_\_\_\_\_AD3d\_\_\_\_\_

Argued - November 30, 2010

REINALDO E. RIVERA, J.P.  
MARK C. DILLON  
DANIEL D. ANGIOLILLO  
LEONARD B. AUSTIN, JJ.

---

2008-06958

DECISION & ORDER

The People, etc., respondent,  
v Azad Malik, appellant.

(Ind. No. 6741/06)

---

Law Offices of Scott B. Tulman & Associates, PLLC, New York, N.Y., for appellant.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove, Thomas S. Burka, and Phyllis Mintz of counsel), for respondent.

Appeal by the defendant from a judgment of the Supreme Court, Kings County (Chambers, J., at trial; J. Goldberg, J., at sentencing), rendered May 30, 2008, convicting him of burglary in the first degree, upon a jury verdict, and imposing sentence.

ORDERED that the appeal is dismissed as academic.

This appeal has been rendered academic in light of this Court's affirmance of the order appealed from in *People v Malik* (\_\_\_\_\_AD3d\_\_\_\_\_ [Appellate Division Docket No. 2009-09468, decided herewith]).

RIVERA, J.P., DILLON, ANGIOLILLO and AUSTIN, JJ., concur.

ENTER:

  
Matthew G. Kiernan  
Clerk of the Court

February 22, 2011

PEOPLE v MALIK, AZAD