

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

D36396
W/kmb

_____AD3d_____

WILLIAM F. MASTRO, J.P.
PETER B. SKELOS
ANITA R. FLORIO
THOMAS A. DICKERSON, JJ.

2012-05013

DECISION, ORDER & JUDGMENT

In the Matter of Arturo Copeland, petitioner, v
People of State of New York, respondent.

Arturo Copeland, Oakdale, Louisiana, petitioner pro se.

Eric T. Schneiderman, Attorney General, New York, N.Y. (Charles F. Sanders of
counsel), for respondent.

Proceeding pursuant to CPLR article 78, inter alia, in the nature of mandamus to
compel the determination of the petitioner's motion pursuant to CPL 440.10 in a criminal action
entitled *People v Copeland*, pending in the Criminal Court, Kings County, under Indictment No.
39420/09, and application by the petitioner to prosecute the proceeding as a poor person.

ORDERED that the application for poor person relief is granted to the extent that the
filing fee imposed by CPLR 8022(b) is waived, and the application is otherwise denied; and it is
further,

ADJUDGED that the petition is dismissed, without costs or disbursements.

This Court does not have subject matter jurisdiction to entertain this proceeding (*see*
CPLR 506[b]; 7804[b]).

MASTRO, J.P., SKELOS, FLORIO and DICKERSON, JJ., concur.

ENTER:


Aprilanne Agostino
Clerk of the Court

November 14, 2012

MATTER OF COPELAND v PEOPLE OF STATE OF NEW YORK