

**People v Evaristo Melendez**

Motion No: 2988

Slip Opinion No: 2020 NYSlipOp 73076(U)

Decided on October 15, 2020

Appellate Division, First Department, Motion Decision

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This motion is uncorrected and is not subject to publication in  
the Official Reports.

**Supreme Court of the State of New York**  
**Appellate Division, First Judicial Department**

PRESENT: Hon. Rolando T. Acosta,  
David Friedman  
Dianne T. Renwick  
Sallie Manzanet-Daniels  
Judith J. Gische,

Presiding Justice,  
  
  
  
Justices.

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The People of the State of New York,  
Respondent,  
  
-against-

Motion No. 2988  
Ind. No. 4525/18  
Case No. 2020-00498

Evaristo Melendez,  
Defendant-Appellant.

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An order of the Supreme Court, New York County, having been entered on or about February 18, 2020, inter alia, granting defendant poor person relief with respect to the appeal taken to this Court from the judgment of the Supreme Court, New York County, rendered on or about February 4, 2020,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and which directed trial counsel to file a notice of appeal on defendant's behalf,

It is ordered that the appeal will be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files with this Court an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division,

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby extended until 180 days from the date of receipt of the complete record.

ENTERED: October 15, 2020

A handwritten signature in black ink, appearing to read "Susanna Molina Rojas". The signature is fluid and cursive, with the first name "Susanna" being the most prominent.

Susanna Molina Rojas  
Clerk of the Court