

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

D54856

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Submitted - December 15, 2017

WILLIAM F. MASTRO, J.P.  
JEFFREY A. COHEN  
HECTOR D. LASALLE  
VALERIE BRATHWAITE NELSON, JJ.

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2016-13195

DECISION & ORDER

The People, etc., respondent,  
v Erwin Jackson, appellant.

(Ind. No. 2826/05)

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Erwin Jackson, Elmira, NY, appellant pro se.

Madeline Singas, District Attorney, Mineola, NY (Jason R. Richards and Monica M.C. Leiter of counsel), for respondent.


Appeal by the defendant from an amended order of restitution of the Supreme Court, Nassau County (Jerald S. Carter, J.), dated October 11, 2011.

ORDERED that the appeal is dismissed.

This appeal must be dismissed. “The right to appeal in a criminal action is purely statutory” (*People v Taylor*, 99 AD2d 820; *see People v Santos*, 64 NY2d 702, 704). The Criminal Procedure Law enumerate the judgments, sentences, and orders from which a defendant may appeal as of right or by permission (*see* CPL 450.10; 450.15; *People v Jackson*, 152 AD3d 796; *People v Morse*, 148 AD3d 611; *People v Taylor*, 99 AD2d 820; *People v Fricchione*, 43 AD3d 410, 411). The amended order of restitution at issue is not one of these enumerated papers, and accordingly, this Court is without jurisdiction to hear this appeal (*see People v Morse*, 148 AD3d at 611; *People v Fricchione*, 43 AD3d at 411).

MASTRO, J.P., COHEN, LASALLE and BRATHWAITE NELSON, JJ., concur.

ENTER:

  
Aprilanne Agostino  
Clerk of the Court

March 21, 2018

PEOPLE v JACKSON, ERWIN