

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

M241532  
E/afa

ALAN D. SCHEINKMAN, P.J.  
WILLIAM F. MASTRO  
REINALDO E. RIVERA  
MARK C. DILLON  
RUTH C. BALKIN, JJ.

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2009-00035

The People, etc., respondent,  
v Brian Powell, appellant.

ORDER TO SHOW CAUSE

(Ind. No. 08-00205)

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Appeal by Brian Powell from a judgment of the County Court, Orange County, rendered December 8, 2008.

On the Court's own motion, it is

ORDERED that the appellant is directed to show cause before this Court why an order should or should not be made and entered dismissing the appeal on the ground that the appellant has abandoned the appeal, by filing an affirmation or an affidavit on that issue in the office of the Clerk of this Court on or before February 20, 2018; and it is further,

ORDERED that the Clerk of this Court or her 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, and upon the attorney who last appeared for him, and upon the District Attorney, by ordinary mail pursuant to CPL 470.60(2).

SCHEINKMAN, P.J., MASTRO, RIVERA, DILLON and BALKIN, JJ., concur.

ENTER:



Aprilanne Agostino  
Clerk of the Court

January 18, 2018

PEOPLE v POWELL, BRIAN