

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

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MARK C. DILLON, J.P.
JOHN M. LEVENTHAL
SYLVIA O. HINDS-RADIX
HECTOR D. LASALLE, JJ.

2017-08232

The People, etc., plaintiff,
v Bryan Bistonath, defendant.

DECISION & ORDER ON MOTION

(Ind. No. 7453/90)

On the Court's own motion, it is

ORDERED that the decision and order on motion of this Court dated November 2, 2017, in the above-entitled case is recalled and vacated, and the following decision and order on motion is substituted therefor:

Motion by the defendant to extend the time to make an application, pursuant to CPL 450.15 and 460.15, for a certificate granting leave to appeal to this Court from an order of the Supreme Court, Queens County, dated May 17, 2016, as amended December 5, 2017.

Upon the papers filed in support of the motion and the papers filed in relation thereto, it is

ORDERED that the motion is granted and the defendant's time to make an application, pursuant to CPL 450.15 and 460.15, for a certificate granting leave to appeal to this Court from the order dated May 17, 2016, is extended, and the application submitted by the defendant is deemed timely served and filed.

DILLON, J.P., LEVENTHAL, HINDS-RADIX and LASALLE, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

January 8, 2018

PEOPLE v BISTONATH, BRYAN