

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

M244088
E/afa

MARK C. DILLON, J.P.
SYLVIA O. HINDS-RADIX
JOSEPH J. MALTESE
HECTOR D. LASALLE, JJ.

2013-01533

The People, etc., respondent,
v Carlos Perez-Rodriguez, appellant.

DECISION & ORDER ON MOTION

(Ind. No. 6163/10)

Motion by the respondent, inter alia, to strike stated portions of the appellant's brief on an appeal from a judgment of the County Court, Queens County, rendered January 30, 2013.

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

ORDERED that the branch of the motion which is to strike stated portions of the appellant's brief is granted, the material on page 28 under the heading "Post-Conviction Motion," including that heading, are stricken, and on or before January 29, 2018, the appellant shall remove the stricken material from the copies of the appellant's brief filed with the Clerk of the Court; and it is further,

ORDERED that the motion is otherwise denied; and it is further,

ORDERED that on the Court's own motion, the respondent's time to serve and file a brief is enlarged until February 28, 2018, and the respondent's brief shall be served and filed on or before that date.

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

ENTER:



Aprilanne Agostino
Clerk of the Court

January 8, 2018

PEOPLE v PEREZ-RODRIGUEZ, CARLOS