

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

M244144  
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L. PRISCILLA HALL, J.P.  
LEONARD B. AUSTIN  
SANDRA L. SGROI  
LINDA CHRISTOPHER, JJ.

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2017-08666

The People, etc., respondent,  
v Juan Vallecillo, appellant.

DECISION & ORDER ON MOTION

(Ind. No. 1612N/15)

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Motion by the appellant pro se for leave to prosecute an appeal from an order of the Supreme Court, Nassau County, entered July 3, 2017, as a poor person, and for the assignment of counsel. By order to show cause dated October 26, 2017, the appellant was 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 order was neither appealable as of right nor by permission, and the appellant's motion was held in abeyance in the interim.

Now, upon the order to show cause and no papers having been filed in response thereto, and upon the papers filed in support of the appellant's motion and the papers filed in relation thereto, it is

ORDERED that the motion to dismiss the appeal is granted and the appeal is dismissed (*see* CPL 450.10, 450.20); and it is further,

ORDERED that the appellant's motion is denied as academic.

HALL, J.P., AUSTIN, SGROI and CHRISTOPHER, JJ., concur.

ENTER:



Aprilanne Agostino  
Clerk of the Court

January 9, 2018

PEOPLE v VALLECILLO, JUAN