

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

M244178  
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RUTH C. BALKIN, J.P.  
LEONARD B. AUSTIN  
VALERIE BRATHWAITE NELSON  
LINDA CHRISTOPHER, JJ.

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2017-05848

DECISION & ORDER ON MOTION

Frady Zeidman, respondent,  
v Natan Zeidman, appellant.

(Index No. 53205/12)

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Motion by the appellant pro se for poor person relief and the assignment of counsel on those portions of an appeal from a judgment of the Supreme Court, Kings County, dated April 21, 2017, which concern issues other than custody and visitation.

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 for leave to prosecute those portions of the appeal which concern issues other than custody and visitation on the original papers is denied as unnecessary as this Court previously directed in a decision and order on motion dated August 23, 2017, that those portions of the appeal will be heard on the original papers (including the transcript of the proceedings, if any) and on the briefs of the parties, who are directed to file nine copies of their respective briefs and to serve one copy on each other; and it is further,

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

ORDERED that pursuant to § 670.4(a) of the rules of this Court (22 NYCRR 670.4[a]), within 30 days of the date of this decision and order on motion, Natan Zeidman shall file in the office of the Clerk of this Court one of the following:

(1) an affidavit or affirmation stating that there are no minutes of the Supreme Court proceedings to be transcribed for those portions of the appeal which concern issues other than custody and visitation; or

(2) if there are such minutes, an affidavit or affirmation that the transcript has been received, and indicating the date that it was received; or

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(3) if the transcript has not been received, an affidavit or affirmation stating that it has been ordered and paid for, the date thereof and the date by which the transcript is expected; or

(4) an affidavit or an affirmation withdrawing those portions of the appeal which concern issues other than custody and visitation; and it is further,

ORDERED that if none of the actions described in (1), (2), (3), or (4), above has been taken within 30 days of the date of this decision and order on motion, the Clerk of this Court shall issue an order to all parties to show cause why those portions of the appeal which concern issues other than custody and visitation should or should not be dismissed.

BALKIN, J.P., AUSTIN, BRATHWAITE NELSON and CHRISTOPHER, JJ., concur.

ENTER:

A handwritten signature in black ink that reads "Aprilanne Agostino". The signature is written in a cursive, flowing style.

Aprilanne Agostino  
Clerk of the Court