

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

M244180
SL/

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

2016-13194

The People, etc., respondent,
v Charles D. McClinton, appellant.

DECISION & ORDER ON MOTION

(Ind. No. 1554-15)

Motion by assigned counsel to be relieved of the assignment to prosecute an appeal from a judgment of the County Court, Suffolk County, rendered November 18, 2016, and for the assignment of new counsel. The appellant was granted poor person relief on February 8, 2017, and by decision and order on motion of this Court dated December 14, 2017, the following named attorney was assigned as counsel to prosecute the appeal:

Scott Lockwood, Esq.
1476 Deer Park Avenue, Suite 3
North Babylon, NY 11703

Upon the papers filed in support of the motion and no papers having been filed in relation thereto, it is

ORDERED that the motion is granted, and the former assigned counsel is directed to turn over all papers in the action to new counsel herein assigned; and it is further,

ORDERED that pursuant to County Law § 722 the following named attorney is assigned as counsel to prosecute the appeal:

Steven A. Feldman, Esq.
626 RXR Plaza
West Tower, 6th Floor
Uniondale, NY 11556

and it is further,

January 4, 2018

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ORDERED that upon service of a copy of this decision and order on motion upon it, the Department of Probation is hereby authorized and directed to provide assigned counsel with a copy of the presentence report prepared in connection with the defendant's sentencing, including the recommendation sheet and any prior reports on the defendant which are incorporated or referred to in the report, and to provide additional copies to this Court upon demand; and it is further,

ORDERED that the appellant's time to perfect the appeal is enlarged; assigned counsel shall prosecute the appeal expeditiously in accordance with this Court's rules (*see* 22 NYCRR 670.1, *et seq.*) and written directions; and it is further,

ORDERED that assigned counsel is directed to serve a copy of this decision and order on motion upon the clerk of the court from which the appeal is taken.

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