

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

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

2015-09902

The People, etc., respondent,
v Anthony Wayne Smith, appellant.

DECISION & ORDER ON MOTION

(Ind. No. 2249-14)

Motion by the appellant pro se to relieve counsel assigned to prosecute an appeal from a judgment of the County Court, Suffolk County, rendered September 8, 2015, and for the assignment of new counsel.

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

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

ORDERED that on the Court's own motion, the appellant is granted leave to serve and file a pro se supplemental brief; and it is further,

ORDERED that the District Attorney shall file the transcripts of the proceedings, if any, and the Clerk of this Court shall deliver those transcripts to the person in charge of the institution wherein the appellant is incarcerated for examination by the appellant; the transcripts shall be returned to this Court when the appellant files the supplemental brief or informs this Court that no supplemental brief will be filed; and it is further,

ORDERED that the appellant shall file nine copies of the supplemental brief and serve one copy on the District Attorney.

Upon delivering the transcripts to the institution, the Clerk of this Court shall advise the appellant of the date by which the transcripts are to be returned and the supplemental brief filed.

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

ENTER:



Aprilanne Agostino
Clerk of the Court

January 23, 2018

PEOPLE v SMITH, ANTHONY WAYNE