

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

M244825  
SL/

REINALDO E. RIVERA, J.P.  
COLLEEN D. DUFFY  
BETSY BARROS  
ANGELA G. IANNACCI, JJ.

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2017-10081

The People, etc., respondent,  
v John Hymes, appellant.

DECISION & ORDER ON MOTION  
Motion for Poor Person Relief  
and to Assign Counsel

(Ind. No. 1841/15)

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Motion by the appellant pro se pursuant to CPL 460.30 for an extension of time to take an appeal from a judgment of the Supreme Court, Queens County, rendered August 15, 2017, for leave to prosecute the appeal as a poor person, and for the assignment of counsel.

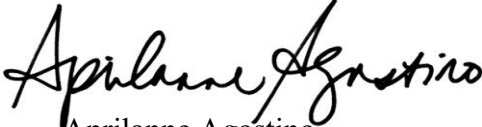
Upon the papers filed in support of the motion and the papers filed in relation thereto, it is

ORDERED that the branch of the motion which is for leave for a late notice of appeal is denied as unnecessary; and it is further,

ORDERED that the branches of the motion which are for poor person relief and assignment of counsel are denied as academic in light of the decision and order on motion of this Court dated December 12, 2017, which granted poor person relief and the assignment of counsel.

RIVERA, J.P., DUFFY, BARROS and IANNACCI, JJ., concur.

ENTER:

  
Aprilanne Agostino  
Clerk of the Court

January 29, 2018

PEOPLE v HYMES, JOHN