

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

M245426
F/afa

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

2016-06175, 2016-06176

The People, etc., respondent,
v Kyle S. Novotny, appellant.

DECISION & ORDER ON MOTION

(Ind. Nos. 214/13, 263/13)

On the Court's own motion, it is

ORDERED that the decision and order on motion of this Court dated January 16, 2018, in the above-entitled case, is recalled and vacated, and the following decision and order on motion is substituted therefor:

Appeals by Kyle S. Novotny from two judgments of the County Court, Putnam County, both rendered April 28, 2016.

On the Court's own motion, it is

ORDERED that the appeals are consolidated; and it is further,

ORDERED that the decision and order on motion of this Court dated May 5, 2017, which granted poor person relief and assigned counsel to the appellant with respect to the appeal from the judgment rendered under Indictment No. 214/13 is amended to reflect that poor person relief and assignment of counsel are also granted with respect to the appeal from the judgment rendered under Indictment No. 263/13.

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

ENTER:



Aprilanne Agostino
Clerk of the Court

January 31, 2018

PEOPLE v NOVOTNY, KYLE S.