

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

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CHERYL E. CHAMBERS, J.P.
SYLVIA O. HINDS-RADIX
COLLEEN D. DUFFY
HECTOR D. LASALLE, JJ.

2017-06278

DECISION & ORDER ON MOTION

People of State of New York, respondent,
v Kevin O'Brien, appellant.

Motion by Laurette D. Mulry, counsel assigned to prosecute an appeal from an order of the County Court, Suffolk County, dated May 5, 2017, in effect, to be relieved on the ground that the order was entered upon the consent of the appellant. By order to show cause dated November 28, 2017, the appellant was directed to show cause before this Court why an order should or should not be made and entered dismissing the appeal on the ground that the order was entered upon the consent of the appellant, and assigned counsel's motion was held in abeyance in the interim. Separate motion by Laurette D. Mulry to be relieved.

Now, upon the order to show cause and the papers filed in response thereto, and upon the papers filed in support of assigned counsel's motions and the papers filed in relation thereto, it is

ORDERED that the motion to dismiss the appeal is granted and the appeal is dismissed (*see* CPLR 5511); and it is further,

ORDERED that assigned counsel's motions are granted.

CHAMBERS, J.P., HINDS-RADIX, DUFFY and LASALLE, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

February 15, 2018

PEOPLE OF STATE OF NEW YORK v O'BRIEN