

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

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ALAN D. SCHEINKMAN, P.J.
MARK C. DILLON
SYLVIA O. HINDS-RADIX
LINDA CHRISTOPHER, JJ.

2017-02178

The People, etc., respondent,
v Steve Mendez, appellant.

DECISION & ORDER ON MOTION

(Ind. No. 9844/12)

Motion by the appellant pro se for leave to prosecute an appeal from a judgment of the Supreme Court, Kings County, rendered October 16, 2015, as a poor person, and for the assignment of counsel. By order to show cause dated September 18, 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 notice of appeal from the judgment was untimely, and the appellant's motion, in effect, was held in abeyance in the interim.

Now, upon the order to show cause and the papers filed in response thereto, and upon the papers filed in support of the appellant's motion 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* CPL 460.30); and it is further,

ORDERED that the appellant's motion is denied as academic.

SCHEINKMAN, P.J., DILLON, HINDS-RADIX and CHRISTOPHER, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

February 15, 2018

PEOPLE v MENDEZ, STEVE