

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

M246260
E/rr

RUTH C. BALKIN, J.P.
LEONARD B. AUSTIN
SANDRA L. SGROI
VALERIE BRATHWAITE NELSON, JJ.

2017-02198

The People, etc., respondent,
v Anthony Baldwin, appellant.

DECISION & ORDER ON MOTION

(S.C.I. No. 72660/15)

Motion by the appellant on an appeal from a judgment of the Supreme Court, Kings County, rendered December 21, 2016, to extend a stay of execution of the judgment which was granted by decision and order on motion of this Court dated March 29, 2017, and extended by decisions and orders on motion of this Court dated August 15, 2017, and December 28, 2017, respectively.

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

ORDERED that the motion is granted, and the stay of execution of the judgment granted by the decision and order on motion of this Court dated March 29, 2017, and extended by decisions and orders on motion of this Court dated August 15, 2017, and December 28, 2017, is further extended pending determination of the appeal on condition that the appeal is perfected by April 30, 2018, and upon the same bail conditions imposed by the decision and order on motion of this Court dated March 29, 2017; and it is further,

ORDERED that this stay shall terminate and be of no further effect and the appellant shall thereafter surrender to serve the sentence imposed, unless the appeal is perfected on or before April 30, 2018; and it is further,

ORDERED that upon the termination of this stay as provided above, this order shall constitute authorization to any peace officer to arrest and deliver the appellant to the sentencing court to begin the execution of sentence; and it is further,

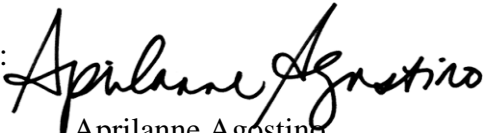
February 16, 2018

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ORDERED that assigned counsel is directed to serve a copy of this decision and order on motion upon the clerk of the court from which the appeal is taken.

BALKIN, J.P., AUSTIN, SGROI and BRATHWAITE NELSON, JJ., concur.

ENTER: 
Aprilanne Agostino
Clerk of the Court