

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

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MARK C. DILLON, J.P.
LEONARD B. AUSTIN
ROBERT J. MILLER
SYLVIA O. HINDS-RADIX, JJ.

2016-01788

The People, etc., respondent,
v Crystal Joseph, appellant.

DECISION & ORDER ON MOTION

(Ind. No. 1332/11)

Motion by the appellant to be provided with the transcripts of certain proceedings on an appeal from a judgment of the Supreme Court, Queens County, rendered January 22, 2016.

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 it is further,

ORDERED that the decision and order on motion of this Court dated August 22, 2016, which granted poor person relief to the appellant, is amended to include a direction to the court reporter to make, certify and file two transcripts of the stenographic minutes of the proceedings which occurred on the following dates in the above-entitled action, in the Criminal Court, Queens County, if they are available: January 12, 2011, January 14, 2011, January 21, 2011, January 26, 2011, February 4, 2011, February 7, 2011, February 8, 2011, February 23, 2011, March 30, 2011, May 9, 2011, May 25, 2011, June 8, 2011, June 23, 2011 (APAR1/3), and June 23, 2011 (AP6); and to make, certify, and file two transcripts of the stenographic minutes of the proceedings which occurred on the following dates in the above-entitled action, in the Supreme Court, Queens County, if they are available: July 13, 2011, July 27, 2011, August 4, 2011, August 11, 2011, August 22, 2011, September 7, 2011, November 1, 2011, December 6, 2011, January 10, 2012, February 23, 2012, March 5, 2012, April 4, 2012, April 26, 2012, June 11, 2012, June 14, 2012 (K6), June 14, 2012 (TAP A), June 28, 2012, July 26, 2012, August 16, 2012, September 13, 2012, September 25, 2012, October 1, 2012, October 4, 2012, November 13, 2012, December 3, 2012, December 19, 2012, February 1, 2013, February 19, 2013, March 8, 2013, April 9, 2013, May 2, 2013, June 13, 2013, July 8, 2013, September 9, 2013, October 18, 2013, November 26, 2013, December 6, 2013, January 29, 2014, March 14, 2014, April 29, 2014, June 16, 2014, September 3, 2014, October 8,

February 23, 2018

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2014, October 31, 2014, November 7, 2014, December 10, 2014, January 15, 2015, March 16, 2015, April 20, 2015, May 4, 2015, June 15, 2015, July 6, 2015, July 22, 2015, and July 27, 2015; and it is further,

ORDERED that the stenographer is directed to make, certify and file such transcripts within 45 days of the date of this decision and order on motion and the clerk of the trial court shall furnish one certified transcript of each of the proceedings to the appellant's counsel, Paul Skip Laisure, Esq., Appellate Advocates, 111 John Street - 9th Floor, New York, NY 10038, without charge (*see* CPL 460.70); assigned counsel is directed to turn over those transcripts to the respondent when counsel serves the appellant's brief on the respondent; and it is further,

ORDERED that in the event the stenographer has already prepared a copy of any of the transcripts for a codefendant, then the clerk of the trial court is directed to reproduce a copy thereof for assigned counsel; and it is further,

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; and it is further,

ORDERED that the appellant's time to perfect the appeal is enlarged; assigned counsel shall prosecute the appeal expeditiously in accordance with this Court's rules (*see* 22 NYCRR 670.1, *et seq.*) and written directions.

DILLON, J.P., AUSTIN, MILLER and HINDS-RADIX, JJ., concur.

ENTER:

A handwritten signature in black ink that reads "Aprilanne Agostino". The signature is written in a cursive, flowing style.

Aprilanne Agostino
Clerk of the Court