

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

M247738  
AFA/

ALAN D. SCHEINKMAN, P.J.  
RUTH C. BALKIN  
LEONARD B. AUSTIN  
SYLVIA O. HINDS-RADIX, JJ.

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2016-08706

DECISION & ORDER ON MOTION

The People, etc., respondent,  
v Samuel Olabiya, appellant.

(Ind. No. 752/13)

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Motion by the appellant pro se on an appeal from a judgment of the County Court, Nassau County, dated July 26, 2016, for leave to prosecute the appeal as a poor person, and for the assignment of counsel.

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

ORDERED that the motion is denied, with leave to renew upon proper papers, including the appellant's affidavit setting forth whether the appellant was represented by assigned counsel or retained counsel in the trial court and, if retained, the amount and source of counsel fees paid to retained counsel.

SCHEINKMAN, P.J., BALKIN, AUSTIN and HINDS-RADIX, JJ., concur.

ENTER:



Aprilanne Agostino  
Clerk of the Court

March 20, 2018

PEOPLE v OLABIYA, SAMUEL