

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

M247746
SL/

ALAN D. SCHEINKMAN, P.J.
WILLIAM F. MASTRO
REINALDO E. RIVERA
MARK C. DILLON
RUTH C. BALKIN, JJ.

2018-02084, 2018-02103

DECISION & ORDER ON MOTION

In the Matter of Donovan Devon Guy, respondent,
v Melonie Frances Weichel, appellant.

(Docket No. V-1059-11/15B)

On the Court's own motion, it is

ORDERED that the order on certification of this Court dated March 15, 2018, in the above-entitled case is recalled and vacated, and the following order on certification is substituted therefor:

Appeals by Melonie Frances Weichel from two orders of the Supreme Court, Kings County (IDV Part), both dated December 14, 2017. Pursuant to Family Court Act §§ 1118 and 1120, and upon the certification of Philip Groner, dated December 26, 2017, it is

ORDERED that the appellant is granted leave to proceed as a poor person on the appeals, and the following named attorney is assigned as counsel to prosecute the appeals:

Jill M. Zuccardy, Esq.
225 Broadway, Suite 1515
New York, NY 10007
917-309-2763

and it is further,

ORDERED that assigned counsel shall promptly attempt to contact the appellant at the address provided by the Court, and on or before April 3, 2018, shall notify the Case Manager assigned to the appeals, in writing, that he has done so and that either

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(1) the appellant is interested in prosecuting the appeals, or

(2) the appellant is not interested in prosecuting the appeals, or that he has been unable to contact the appellant, and wishes to be relieved of the assignment; and it is further,

ORDERED that the appeals will be heard on the original papers (including a certified transcript of the proceedings, if any) and on the briefs of the appellant, the respondent, and the attorney for the child, if any. The parties are directed to file nine copies of their respective briefs and to serve one copy on each other (22 NYCRR 670.9[d][1][ii]; Supreme Ct Act § 1116); and it is further,

ORDERED that the stenographer(s) and/or the transcription service(s) is/are required promptly to make and certify two transcripts of the proceedings, if any, except for those minutes previously transcribed and certified (22 NYCRR 671.9); in the case of stenographers, both transcripts shall be filed with the clerk of the Supreme Court, and the clerk of the Supreme Court shall furnish one of such certified transcripts to the appellant's counsel, without charge; in the case of transcription services, one transcript shall be filed with the clerk of the Supreme Court and one transcript shall be delivered to the assigned counsel. Assigned counsel is directed to provide copies of said transcripts to all of the other parties to the appeals, including the attorney for the child, if any, when counsel serves the appellant's brief upon those parties; and it is further,

ORDERED that the assigned counsel shall prosecute the appeals expeditiously in accordance with any scheduling order or orders issued pursuant to § 670.4(a) of the rules of this Court (22 NYCRR 670.4[a]); and it is further,

ORDERED that upon a determination that the appellant is interested in proceeding with the appeals, the assigned counsel is directed to serve a copy of this order upon the clerk of the court from which the appeals are taken.

SCHEINKMAN, P.J., MASTRO, RIVERA, DILLON and BALKIN, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

The Case Manager assigned to this case is Ms. Vazquez. Please contact her at 718-722-6488 with any questions.