

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

M248335
E/afa

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

2014-02217

The People, etc., respondent,
v Howard Freire, appellant.

DECISION & ORDER ON MOTION

(Ind. No. 1162/12)

Appeal by Howard Freire from a judgment of the Supreme Court, Queens County, rendered March 3, 2014. By decision and order of this Court dated January 31, 2018, the matter was remitted to the Supreme Court, Queens County, for further proceedings on the appellant's motion to set aside the verdict pursuant to CPL 330.30, and the appeal was held in abeyance in the interim. The Supreme Court, Queens County, has filed its report, upon remittitur, dated February 23, 2018.

Now, on the Court's own motion, it is

ORDERED that the court reporter is directed to make, certify and file two transcripts of the stenographic minutes of the proceedings of any hearing held in connection with the remittitur directed by the decision and order of this Court dated January 31, 2018; 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, 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 a 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,

April 3, 2018

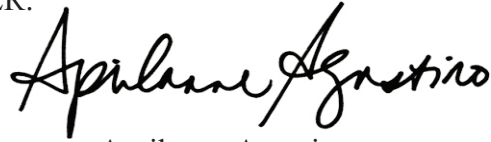
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ORDERED that assigned counsel is directed to serve a copy of this decision and order on motion upon the clerk of the court from which the appeal is taken.

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

ENTER:

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

Aprilanne Agostino
Clerk of the Court