

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

M248446
AFA/

ALAN D. SCHEINKMAN, PJ.

2017-02875

DECISION & ORDER ON MOTION

The People, etc., respondent,
v Cristo A. Sauri, appellant.

(Ind. No. 1023/16)

Motion by the appellant pursuant to CPL 460.50 for a stay of execution of a judgment of the Supreme Court, Queens County, rendered February 27, 2017, and to fix reasonable bail.

Upon the papers filed in support of the motion and the papers filed in opposition thereto, and upon hearing the attorneys for the respective parties, it is

ORDERED that the motion is granted and execution of the judgment is stayed by the giving of an insurance company bail bond in the amount of \$25,000 or by depositing the sum of \$25,000 as a cash bail alternative; and it is further,

ORDERED that this stay shall terminate and be of no further effect 120 days from the date hereof and the appellant shall thereafter surrender to serve the sentence imposed, unless the appeal shall have been brought to argument or submitted to this Court, or unless this Court shall have extended this order; 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,

ORDERED that upon receipt of a copy of this decision and order on motion together with proof that the appellant has given an insurance company bail bond in the amount of \$25,000 or has deposited the sum of \$25,000 as a cash bail alternative, the Warden of the facility at which the defendant is incarcerated, or his or her agent, is directed to immediately release the appellant; and

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it is further,

ORDERED that counsel for the appellant shall serve a copy of this order, by mail, on the Clerk of the court from which the appeal is taken.

A handwritten signature in black ink, appearing to read 'A. D. R.', with a horizontal line underneath it.

ALAN D. SCHEINKMAN

Presiding Justice