

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

M248496
SL/

MARK C. DILLON, J.P.
SANDRA L. SGROI
ROBERT J. MILLER
VALERIE BRATHWAITE NELSON, JJ.

2018-00142

DECISION & ORDER ON MOTION

In the Matter of Richard Lopez, petitioner-appellant, v Griceley Reyes, respondent-respondent; Emily L. (Anonymous), et al., nonparty-appellants.

(Docket Nos. V-720-14, V-721-14)

Motion by the petitioner-appellant pro se on appeals from an order of the Family Court, Orange County, dated November 29, 2017, for poor person relief and for the assignment of counsel.

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

ORDERED that the motion is denied, with leave to renew on or before May 7, 2018, upon proper papers, including the petitioner-appellant's affidavit setting forth the petitioner-appellant's full financial situation including all assets, both real and personal, as well as any and all sources of income and expenses; and it is further,

ORDERED that pursuant to § 670.4(a) of the rules of this Court (22 NYCRR 670.4[a]), on or before May 7, 2018, the petitioner-appellant shall file in the office of the Clerk of this Court one of the following:

- (1) an affidavit or affirmation stating that there are no minutes of the Family Court proceeding to be transcribed for the appeals; or
- (2) if there are such minutes, an affidavit or affirmation stating that the transcript has been received, and indicating the date that it was received; or
- (3) if the transcript has not been received, an affidavit or affirmation stating that it has been ordered and paid for, the date thereof, and the date by which the transcript

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is expected; or

(4) if the petitioner-appellant is indigent and cannot afford to obtain the minutes or perfect his appeal, a motion in this Court for poor person relief and for the assignment of counsel, as set forth above; or

(5) an affidavit or an affirmation withdrawing his appeal; and it is further,

ORDERED that if none of the actions described in (1), (2), (3), (4), or (5), above, has been taken on or before on or before May 7, 2018, the Clerk of this Court shall issue an order to all parties to the appeals to show cause why the appeal by the petitioner-appellant should or should not be dismissed.

DILLON, J.P., SGROI, MILLER and BRATHWAITE NELSON, 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

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