

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

M248691
AFA/

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

2018-03194

ORDER ON CERTIFICATION
Assignment of Counsel

In the Matter of Fernando Seoane, respondent-
appellant, v Martha Nunez, appellant-respondent,
Juan Nunez, respondent.

(Docket Nos. V-29341-08, V-19966-11;
V-13206-15; O-22682-14)

Appeal by Martha Nunez, and cross appeal by Fernando Seoane, from an order of the Family Court, Kings County, dated February 16, 2018. Pursuant to Family Court Act §§ 1118 and 1120, and upon the certification of Matthew J. Kazansky dated April 3, 2018, it is

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

Elliot Green
32 Court Street, Suite 404
Brooklyn, New York 11201
718-260-8668

and it is further,

ORDERED that assigned counsel shall promptly attempt to contact Martha Nunez at the address provided by this Court, and on or before April 30, 2018, shall notify the Case Manager assigned to the appeal, in writing, that he has done so and that either

- (1) Martha Nunez is interested in prosecuting the appeal, or
- (2) Martha Nunez is not interested in prosecuting the appeal, or that he has been unable to contact her, and wishes to be relieved of the assignment;

and it is further,

April 16, 2018

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ORDERED that the appeal and cross appeal will be heard on the original papers (including a certified transcript of the proceedings, if any) and on the briefs of the parties. 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]; Family 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 Family Court, and the clerk of the Family Court shall furnish one of such certified transcripts to Martha Nunez's assigned counsel, without charge; in the case of transcription services, one transcript shall be filed with the clerk of the Family 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 appeal, including the attorney for the child, if any, when counsel serves a brief upon those parties; and it is further,

ORDERED that the assigned counsel shall prosecute the appeal 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 Martha Nunez is interested in proceeding with the appeal, the assigned counsel is directed to serve a copy of this order upon the clerk of the court from which the appeal and cross appeal are taken.

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