

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

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LEONARD B. AUSTIN, J.P.
SHERI S. ROMAN
JEFFREY A. COHEN
BETSY BARROS, JJ.

2016-08916

The People, etc., respondent,
v Morgan Friend, appellant.

ORDER TO SHOW CAUSE

(Ind. No. 15-01160)

Motion by the appellant's assigned counsel on an appeal from a judgment of the County Court, Westchester County, rendered July 12, 2016, to be relieved on the ground that the appellant has abandoned the appeal by failing to respond to communications by assigned counsel.

Upon the papers filed in support of the motion and no papers having been filed in opposition or in relation thereto, it is

ORDERED that on the Court's own motion, the appellant is directed to show cause before this Court why an order should or should not be made and entered dismissing the appeal on the ground that the appellant has abandoned the appeal, by filing an affirmation or an affidavit on that issue in the office of the Clerk of this Court on or before May 21, 2018; and it is further,

ORDERED that the motion by assigned counsel to be relieved is held in abeyance in the interim; and it is further,

ORDERED that the Clerk of this Court or her designee is directed to serve a copy of this order to show cause upon the appellant at his last known place of residence or, if he is imprisoned, at the institution in which he is confined, and upon the attorney who last appeared for him, and upon the District Attorney, by ordinary mail pursuant to CPL 470.60(2).

AUSTIN, J.P., ROMAN, COHEN and BARROS, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

April 20, 2018

PEOPLE v FRIEND, MORGAN