

**People v Damian Voorhees**

Motion No: 2026-02912

Slip Opinion No: 2026 NY Slip Op 71986(U)

Decided on July 09, 2026

Appellate Division, First Department, Motion Decision

Published by [New York State Law Reporting Bureau](#) pursuant to  
Judiciary Law § 431.

This motion is uncorrected and is not subject to publication in  
the Official Reports.

**Supreme Court of the State of New York**  
**Appellate Division, First Judicial Department**

PRESENT Hon. Dianne T. Renwick,  
Sallie Manzanet-Daniels  
Troy K. Webber  
Peter H. Moulton  
Tanya R. Kennedy,

Presiding Justice,  
  
  
  
Justices.

---

The People of the State of New York,  
Respondent,  
  
-against-

---

Motion No. 2026-02912  
Ind. No. 70564/25  
Case No. 2026-03005

Damian Voorhees,  
Defendant-Appellant.

---

Defendant-appellant having moved, pursuant to CPL 380.55(2), for a waiver of costs, fees, and expenses on the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about April 27, 2026, for assignment of counsel, and for related relief,

Now, upon reading and filing the papers and the Certification of Marie Calvert-Kilbane, Esq., dated May 13, 2026, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent that the appeal shall be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon appellant's brief. Appellant and respondent are directed to enter their initial information for electronic filing in the New York State Courts Electronic Filing System (NYSCEF) pursuant to section 1245.3 of the Electronic Filing Rules of the Appellate Division, and thereafter electronically file their respective briefs.

The court reporter shall promptly make and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of any proceedings pursuant to CPL 210.20, articles 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

In the event the file has been sealed, it is hereby unsealed for the limited purpose of allowing assigned counsel or counsel's representative to access and copy the record for the purpose of preparing the appeal; the record shall include the court file papers and transcripts of the stenographic minutes as they pertain to appellant.

Upon being served with a copy of this order, the Department of Probation is directed to provide assigned counsel with a copy of the presentence report prepared in connection with appellant's sentencing, including the recommendation sheet and any prior reports which are incorporated or referenced in the report.

Caprice R. Jenerson, Esq., Office of the Appellate Defender, 11 Park Place, Suite 1601, New York, New York 10007, Telephone No. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the receipt of the complete record.

ENTERED: July 09, 2026

A handwritten signature in black ink, reading "Susanna Molina Rojas". The signature is fluid and cursive, with the first name "Susanna" being more prominent and the last name "Rojas" following in a similar style.

Susanna Molina Rojas  
Clerk of the Court