

People v Tavares Gaston

Motion No: 3568 & 3569

Slip Opinion No: 2020 NYSlipOp 75791(U)

Decided on December 10, 2020

Appellate Division, First Department, Motion Decision

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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. David Friedman,
 Judith J. Gische
 Angela M. Mazzarelli
 Peter H. Moulton
 Saliann Scarpulla,

Justice Presiding,

Justices.

The People of the State of New York,
 Respondent,

-against-

Tavares Gaston,
 Defendant-Appellant.

Motion Nos. 3568 & 3569

Ind. Nos. 4846/16

1630/17

Case Nos. 2019-05179

2020-00074

Orders of this Court having been entered on March 17, 2020 (M-46, Ind. No. 1630/17, Case No. 2020-00074; and M-47, Ind. No. 4648/16, Case No. 2019-05179) granting defendant leave to prosecute, as a poor person, appeals taken from judgments of the Supreme Court, New York County, both rendered on or about September 13, 2019, and assigning Christina Swarns, Esq., predecessor counsel to Caprice R. Jenerson, Esq., Office of the Appellate Defender, as counsel to prosecute the appeals; and assigned counsel having moved to be relieved as such counsel, to substitute other counsel, and for related relief,

Now, upon reading and filing the papers with respect to the motions, and due deliberation having been had thereon,

It is ordered that the motions are granted to the extent of striking the designation of Caprice R. Jenerson, Esq., Office of the Appellate Defender, as assigned counsel to prosecute defendant's appeals, and substituting, pursuant to Section 722 of the County Law, Janet E. Sabel, Esq., The Legal Aid Society, 199 Water Street, 5th Floor, New York NY 10038, Tel. No. (212) 577-3688, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeals is extended until 120 days from the date of this order or the receipt of the complete record, whichever is later.

ENTERED: December 10, 2020



Susanna Molina Rojas
Clerk of the Court