

People v Francisco Rivera

Motion No: 2022-00247

Slip Opinion No: 2022 NYSlipOp 62010(U)

Decided on February 22, 2022

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. Rolando T. Acosta,
 Dianne T. Renwick
 Sallie Manzanet-Daniels
 Judith J. Gische
 Barbara R. Kapnick,

Presiding Justice,

Justices.

The People of the State of New York,
 Respondent,

 -against-

Motion No. 2022-00247
Ind. No. 26/2020
Case No. 2022-00178

Francisco Rivera,
 Defendant-Appellant.

An order of the Supreme Court, Bronx County, having been entered on or about January 05, 2022, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about January 05, 2022,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and the notice of appeal filed on defendant's behalf,

It is ordered 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 a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files with this Court an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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, Arts. 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.

Janet E. Sabel, Esq., The Legal Aid Society, 199 Water Street, 5th Floor, New York, New York, 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby extended until 180 days from the date of receipt of the complete record.

ENTERED: February 22, 2022

A handwritten signature in black ink, appearing to read "Susanna Molina Rojas". The signature is fluid and cursive, with the first name "Susanna" being the most prominent.

Susanna Molina Rojas
Clerk of the Court