

**Matter of Earl S.**

Motion No: 2022-04324

Slip Opinion No: 2022 NY Slip Op 75736(U)

Decided on December 13, 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.
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In the Matter of

**Confidential**

Earl S., Jr.,  
Charisma S.,

Motion No.     **2022-04324**  
Case No.        2022-04859  
Docket Nos.    NA-08296-20  
                    NA-08297-20

Children under Eighteen Years of Age  
Alleged to be Abused by

Earl S.,  
Donte S.,

Respondents-Appellants.

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Twyla Carter, Esq.,  
Legal Aid Society, Juvenile Rights Practice,  
Attorney for the Children.

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Respondent-appellant Earl S., having moved for leave to prosecute, as a poor person, the appeal taken to this Court from an order of the Family Court, Bronx County, entered on or about October 18, 2022, for the assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of Annie Carney, Esq., dated October 31, 2022, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and Section 1120 of the Family Court Act, Steven Forbes, Esq., 223 Wall Street, #143, Huntington, New York, 11743, Telephone No. 718-791-8444, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New

York from funds available therefor<sup>1</sup> **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court; and (4) directing appellant to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court. The Clerk of the Family Court shall transfer the record upon receipt of this order.**

ENTERED: December 13, 2022



Susanna Molina Rojas  
Clerk of the Court

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<sup>1</sup> Service of appellant's brief upon respondent(s) shall include assigned counsel's copy of the transcript.