

**Matter of Alvin L. Bragg, Jr., the Dist. Attorney of N.Y.
County**

Motion No: 2023-03539

Slip Opinion No: 2023 NY Slip Op 73667(U)

Decided on September 21, 2023

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. Dianne T. Renwick,
Sallie Manzanet-Daniels
Barbara R. Kapnick
Troy K. Webber
Cynthia S. Kern,

Presiding Justice,

Justices.

In the Matter of an Application
for an Order Compelling Michael Bachner to
Provide Materials Responsive to a Grand
Jury Subpoena Dated October 06, 2021 to
Derek Smith Law Group PLLC, by

SEALED
Motion No. 2023-03539
Case No. 2022-04758
Grand Jury
Investigation
No. 410027

Alvin L. Bragg, Jr., The District Attorney of
New York County,
Petitioner-Respondent,

Nicholas Calabrese, Christopher Calabrese,
Derek Smith Law Group, PLLC,
Objectants-Appellants.

Appeals having been taken to this Court from an order of the Supreme Court,
New York County, entered on or about October 03, 2022,

Now, upon reading and filing the correspondence from counsel for objectant-
appellant Nicholas Calabrese dated August 11, 2023, and due deliberation having been
had thereon,

It is ordered that the appeal of objectant-appellant Nicholas Calabrese is deemed
withdrawn in accordance with the aforesaid correspondence.

ENTERED: September 21, 2023



Susanna Molina Rojas
Clerk of the Court