

**Matter of the Application of the State of New York v State
of New York**

Motion No: 2023-03980

Slip Opinion No: 2023 NY Slip Op 75739(U)

Decided on October 26, 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. Barbara R. Kapnick,
Jeffrey K. Oing
Ellen Gesmer
Bahaati E. Pitt-Burke
Kelly O’Neill Levy,

Justice Presiding,

Justices.

In the Matter of the Application of
The State of New York,
Petitioner-Respondent,

-against-

Confidential
Motion No. **2023-03980**
Index No. 250144/18
Case No. 2023-03453

Anthony R.,
Respondent-Appellant.

For a Judgment Pursuant to Article 10 of
the Mental Hygiene Law.

An appeal having been taken to this Court from an order of the Supreme Court, Bronx County, entered on or about May 23, 2023,

And respondent-appellant having moved, pursuant to MHL § 10.13(c), for the appointment of Mental Hygiene Legal Services as appellate counsel, for leave to prosecute, as a poor person, the aforesaid appeal, and for leave to have the appeal heard on the original record and upon a reproduced appellant’s brief, and for other relief,

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

It is ordered that said motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant’s brief, on condition that appellant serves one copy of such brief upon the attorney for respondent and files with this Court an original, and 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. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record.

Marvin Bernstein, Esq., Mental Hygiene Legal Service, 41 Madison Avenue, 26th Floor, New York, New York 10010, Telephone No. 646-386-5891, is assigned as counsel for respondent-appellant for the purposes of prosecuting 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: October 26, 2023

A handwritten signature in black ink, reading "Susanna Molina Rojas". The signature is written in a cursive, flowing style.

Susanna Molina Rojas
Clerk of the Court