

**Jose Rodriguez v People of the State of New York**

Motion No: 2023-04352

Slip Opinion No: 2023 NY Slip Op 77705(U)

Decided on December 05, 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,  
David Friedman  
Tanya R. Kennedy  
Manuel J. Mendez  
John R. Higgitt,

Presiding Justice,  
  
Justices.

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The People of The State of New York,  
Respondent,  
  
-against-

Motion No. 2023-04352  
Ind. No. 1230/17  
Case No. 2018-2017

Jose Rodriguez,  
Defendant-Appellant.

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An order of this Court having been entered on March 13, 2018 (M-404) granting defendant leave to prosecute, as a poor person, the appeal taken to this Court from a judgment of the Supreme Court, Bronx County, rendered on or about September 12, 2017, and assigning Seymour W. James, Jr., Esq., as predecessor to Twyla Carter, Esq., The Legal Aid Society, as counsel to prosecute the appeal; and assigned counsel having moved to be relieved as such counsel, or, in the alternative, to dismiss the appeal without prejudice,

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

It is ordered that the motion is granted to the extent of deeming the appeal withdrawn.

ENTERED: December 05, 2023



Susanna Molina Rojas  
Clerk of the Court