

**Matter of Maldonado v Apple**

Motion No: CV-23-1831

Slip Opinion No: 2024 NY Slip Op 68357(U)

Decided on May 23, 2024

Appellate Division, Third Department, Motion Decision

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This motion is uncorrected and is not subject to publication in the  
Official Reports.

State of New York  
Supreme Court, Appellate Division  
Third Judicial Department

Decided and Entered: May 23, 2024

CV-23-1831

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In the Matter of NOEMI  
MALDONADO,

Appellant,

v

CRAIG D. APPLE SR., as Albany  
County Sheriff, et al.,

Respondents.

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DECISION AND ORDER  
ON MOTION

Motion to vacate dismissal of appeal and for extension of time to perfect appeal.

Motion for permission to proceed as a poor person and for assignment of counsel.

Upon the papers filed in support of the motions and the papers filed in opposition to the motion to vacate the dismissal of the appeal and for an extension of time to perfect the appeal, it is

ORDERED that the motion to vacate the dismissal of the appeal and for an extension of time to perfect the appeal is granted, without costs, the dismissal of the appeal is vacated (*see* 22 NYCRR 1250.10 [c]), and the time to perfect the appeal is extended to July 8, 2024, and it is further

ORDERED that the motion for permission to proceed as a poor person is granted, without costs, only to the extent that the filing fees required by CPLR 8022 are waived, and it is further

ORDERED that the motion for assignment of counsel is denied, without costs.

Egan Jr., J.P., Clark, Pritzker and McShan, JJ., concur.

ENTER:

Robert D. Mayberger  
Clerk of the Court