

People v Juan DeJesus

Motion No: 2024-04842

Slip Opinion No: 2024 NY Slip Op 79092(U)

Decided on November 26, 2024

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. Cynthia S. Kern,
Barbara R. Kapnick
Ellen Gesmer
Tanya R. Kennedy
Kelly O’Neill Levy,

Justice Presiding,

Justices.

The People of the State of New York,
Respondent,

Motion No. 2024-04842

Ind. No. 71044/23

Case No. 2024-06049

-against-

Juan DeJesus,
Defendant-Appellant.

Defendant-appellant having moved to deem the moving papers herein a timely filed notice of appeal, or, in the alternative, for an order granting defendant permission to file an untimely notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about December 14, 2023, for leave to prosecute the appeal as a poor person and assignment of counsel, and for related relief,

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 moving papers a timely filed notice of appeal, and otherwise denied, with leave to renew, upon defendant's submission of a notarized affidavit, in compliance with CPLR 1101(a) and 22 NYCRR 1250.4(d)(1) and (4), setting forth the source of funds used to retain trial counsel, and an explanation as to why similar funds are not available to prosecute this appeal.

ENTERED: November 26, 2024



Susanna Molina Rojas
Clerk of the Court