

**Matter of Nicole D. v Monique L.**

Motion No: 2024-05244

Slip Opinion No: 2024 NY Slip Op 80971(U)

Decided on December 24, 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. Dianne T. Renwick,  
Sallie Manzanet-Daniels  
Troy K. Webber  
Cynthia S. Kern  
Jeffrey K. Oing,

Presiding Justice,  
  
  
  
Justices.

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In the Matter of a Proceeding For a Family  
Offense Pursuant to Article 8 of the Family  
Court Act.

**Confidential**

Motion No.      2024-05244  
Case No.        2024-06511  
Docket No.     O-06313/22

Nicole D.,  
Petitioner-Appellant,

-against-

Monique L.,  
Respondent-Respondent.

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Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about October 18, 2024, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion and the Certification of Ryan Besinque, Esq. dated October 24, 2024, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and Section 1120 of the Family Court Act, Andrew J. Baer, Esq., 299 Broadway 17th Floor, New York, NY 10007, Telephone No. 212-233-0318, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor<sup>1</sup> **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk**; (3) permitting appellant to dispense with any fee for the

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<sup>1</sup> Service of appellant's brief upon respondent(s) shall include assigned counsel's copy of the transcript.

transfer of the record from the Family Court to this Court; and (4) directing appellant to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court. The Clerk of the Family Court shall transfer the record upon receipt of this order.**

ENTERED: December 24, 2024

A handwritten signature in black ink, appearing to read "Susanna M. Rojas". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Susanna Molina Rojas  
Clerk of the Court