

No. \_\_\_\_\_

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**In the  
Supreme Court of the United States**

\_\_\_\_\_  
ANGEL ORTIZ,

*Petitioner,*

*v.*

DENNIS BRESLIN, SUPERINTENDENT OF QUEENSBORO  
CORR. FACILITY, AND THE NEW YORK STATE DEPT OF  
CORRECTIONS AND COMMUNITY SUPERVISION,

*Respondents.*

\_\_\_\_\_  
*ON PETITION FOR A WRIT OF CERTIORARI  
TO THE COURT OF APPEALS OF THE STATE OF NEW YORK*

**MOTION FOR LEAVE TO PROCEED  
IN FORMA PAUPERIS**

\_\_\_\_\_  
Lawrence T. Hausman (thausman@legal-aid.org)  
*Counsel of Record* (646-584-5885)

Will A. Page\*

Ursula Bentele

THE LEGAL AID SOCIETY

CRIMINAL APPEALS BUREAU

199 Water Street, 5th Floor

New York, New York 10038

*\* Admitted in N.Y. and the Second Circuit*

*Counsel for Petitioner*

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**MOTION FOR LEAVE TO PROCEED  
IN FORMA PAUPERIS**

Petitioner Angel Ortiz moves for leave to proceed *in forma pauperis*, and to file the enclosed Petition for a Writ of Certiorari to the Court of Appeals of the State of New York.

On September 12, 2017, Petitioner was granted leave to so proceed in the Supreme Court of the State of New York, Appellate Division, First Department, in matters related to New York's Sex Offender Registration Act. A copy of that court's order is attached to this motion. Additionally, Petitioner was allowed to proceed as a poor person throughout the state habeas corpus proceedings at issue here based on a certification prepared by our office on June 19, 2018, which is also attached to this motion.

Respectfully submitted,

[/s Lawrence Hausman](#)

Lawrence T. Hausman

*Counsel of Record*

Will A. Page

Ursula Bentele

THE LEGAL AID SOCIETY

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646-584-5885

April [22](#), 2021

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 12, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Peter Tom  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick, Justices.

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The People of the State of New York,  
Respondent,

**Confidential**

M-4155

-against-

Ind. No. 1168/08

Angel Ortiz,  
Defendant-Appellant.

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Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Zweibel, J.), entered on or about October 11, 2016, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, 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 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 District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Zweibel as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Seymour W. James, Jr., Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed.

The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTERED:

A handwritten signature in black ink, appearing to read "Susan R. Jones", is written over a horizontal line.

CLERK



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June 19, 2018

Clerk of the Court  
Supreme Court, Queens County  
125-01 Queens Blvd.  
Kew Gardens, NY 11415

Blaine (Fin) V. Fogg  
*President*

Seymour W. James, Jr.  
*Attorney-in-Chief*

Justine M. Luongo  
*Attorney-in-Charge*  
Criminal Practice

**Re: People ex rel. Angel Ortiz v. Dennis Breslin et al.**

David Loftis  
*Attorney-in-Charge*  
Post-Conviction and  
Forensic Litigation

**CERTIFICATION PURSUANT TO C.P.L.R. § 1101(e)**

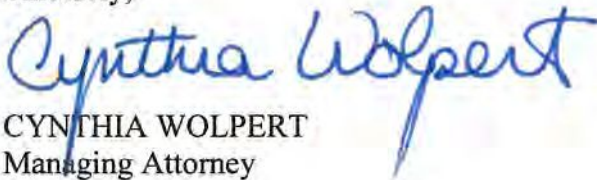
Dear Clerk of the Court:

The Appellate Division, First Department, in September 2017, assigned The Legal Aid Society to represent Angel Ortiz in connection with proceedings under the Sex Offender Registration Act because he could not afford to hire a lawyer of his own. Mr. Ortiz has been incarcerated the entire time our office has represented him and his financial circumstances have not changed.

We are now representing him in connection with the instant petition for a writ of habeas corpus, and the attorney, WILL A. PAGE, is in need of an Index Number (or Special Proceeding Number) in order to represent him in those proceedings.

I have determined and hereby certify that Mr. Ortiz cannot afford to purchase one. Please kindly issue same, without fee to WILL A. PAGE, a representative of the Society, and also please waive the fee for the filing of the Request for Judicial Intervention Form.

Sincerely,

  
CYNTHIA WOLPERT  
Managing Attorney

**CERTIFICATION PURSUANT TO C.P.L.R. § 1101(e)**

**A018**