

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

IN THE  
**Supreme Court of the  
United States**

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WILBUR IRICK,

*Petitioner,*

*v.*

STATE OF NEW YORK,

*Respondent.*

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ON PETITION FOR A WRIT OF CERTIORARI  
TO THE APPELLATE DIVISION, SUPREME COURT OF  
NEW YORK, FIRST JUDICIAL DEPARTMENT

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MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

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Matthew Bova  
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mbova@cfal.org

Petitioner Wilbur Irick moves for leave to proceed *in forma pauperis*, and to file the enclosed Petition for a Writ of Certiorari to the Appellate Division, Supreme Court of New York, First Judicial Department.

On November 8, 2018, Petitioner was granted, under New York County Law § 722, leave to so proceed in the Supreme Court of the State of New York, Appellate Division, First Judicial Department. A copy of the order granting leave to appeal *in forma pauperis* and assigning counsel is attached hereto.

RESPECTFULLY SUBMITTED this 24th day of August, 2022.

By:

Matthew Bova

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*Counsel of Record*  
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Present - Hon. Dianne T. Renwick, Justice Presiding,  
Rosalyn H. Richter  
Marcy L. Kahn  
Ellen Gesmer  
Anil C. Singh, Justices.

-----x  
The People of the State of New York,

Respondent,

M-4531  
Ind. No. 3869/15

Wilbur Irick,

**Defendant-Appellant.**

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about December 7, 2017, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, 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, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

**RECEIVED**

NOV 8 2018

Robert S. Dean, Esq., Center for Appellate Litigation,  
120 Wall Street, 28<sup>th</sup> Floor, New York, New York 10005, Telephone  
No. 212-577-2523, is assigned as counsel for defendant-appellant  
for purposes of the appeal. The time within which appellant  
shall perfect this appeal is hereby enlarged until 180 days from  
the date of filing of the complete record.

ENTERED: November 8, 2018

  
CLERK

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SUPREME COURT  
CRIMINAL TERM  
NEW YORK COUNTY