

No. _____

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

MARK WATKINS,

Petitioner,

v.

STATE OF NEW YORK,

Respondent.

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

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Petitioner Mark Watkins 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 March 5, 2019, 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. The New York Court of Appeals subsequently renewed that poor-person status on September 14, 2023. A copy of both orders is attached hereto.

RESPECTFULLY SUBMITTED on September 20, 2024

By:



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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 March 5, 2019.

Present - Hon. David Friedman,
Dianne T. Renwick
Rosalyn H. Richter
Peter Tom
Angela M. Mazzarelli,

Justice Presiding,
Justices.

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The People of the State of New York,
Respondent,

-against-

M-6279
Ind. No. 4292/16

Mark Watkins,
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about March 26, 2018, for leave to prosecute the appeal as a poor person 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 deeming the moving papers as a timely filed notice of appeal and 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, and 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.

March 5, 2019

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th 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 receipt of the complete record.

ENTERED:



Susan R.
CLERK

People etc. v Mark Watkins
Motion No: 2023-492
Slip Opinion No: 2023 NY Slip Op 73287
Decided on September 14, 2023
Court of Appeals Motion Decision
Published by <u>New York State Law Reporting Bureau</u> pursuant to Judiciary Law § 431.
This motion is uncorrected and subject to revision before publication in the Official Reports.

The People etc.,

Respondent,

v

Mark Watkins,

Appellant.

Motion for assignment of counsel granted and Jenay Nurse Guilford, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, NY 10005 assigned as counsel to the appellant on the appeal herein.