

**Supreme Court of the State of New York**  
**Appellate Division: Second Judicial Department**

ADM 2003-0227

The Appellate Division of the Supreme Court of the State of New York, Second Judicial Department, pursuant to the authority vested in it,

DOES HEREBY, effective immediately, amend subdivisions (e), (f), and (g) of § 670.8 of Part 670 of Title 22 of the Official Compilation of Codes, Rules and Regulations of the State of New York as follows (additions in text are indicated by underlining and deletions by ~~strikethrough~~):

**§ 670.8 Placing Civil or Criminal Causes on Calendar; Time Limits for Filing.**

\* \* \* \* \*

(e) Notwithstanding any of the provisions of this Part, a civil appeal, action, or proceeding shall be deemed abandoned unless perfected

(1) within six months after the date of the notice of appeal, order granting leave to appeal, or order transferring the proceeding to this court, or,

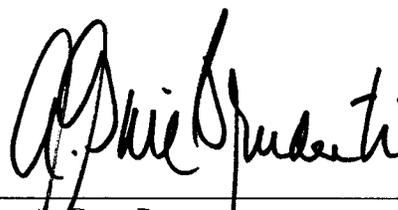
(2) within six months of the filing of the submission with the county clerk in an action on submitted facts pursuant to CPLR 3222,

~~unless for good cause shown an order shall have been entered on motion extending the time to perfect~~ shall have been extended pursuant to subdivision (d) of this section. The clerk shall not accept any record or brief for filing after the expiration of such six-month period or such period as extended.

(f) Notwithstanding any of the provisions of this Part, an unperfected criminal appeal by a defendant shall be deemed abandoned in all cases where no application has been made by the defendant for the assignment of counsel to prosecute the appeal within nine months of the date of the notice of appeal; ~~unless, for good cause shown, an order shall have been entered on motion therefor extending such time~~ the time to perfect shall have been extended pursuant to subdivision (d) of this section.

(g) Notwithstanding any of the provisions of this Part, an appeal by the People pursuant to CPL 450.20(1), (1-a) or (8) shall be deemed abandoned unless perfected within three months after the date of the notice of appeal; ~~unless for good cause shown an order shall have been entered on motion, extending the time to perfect~~ the time to perfect shall have been extended pursuant to subdivision (d) of this section. All other appeals by the People shall be deemed abandoned unless perfected within six months after the date of the notice of appeal; ~~unless for good cause shown an order shall have been entered on motion, extending the time to perfect~~ the time to perfect shall have been extended pursuant to subdivision (d) of this section.

Dated: Brooklyn, New York  
February 27, 2003



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A. GAIL PRUDENTI  
Presiding Justice