SUPREME COURT OF THE STATE OF NEW YORK APPELLATE DIVISION: FIRST DEPARTMENT

THE PEOPLE OF THE STATE OF NEW YORK,

Respondent,

: NOTICE OF MOTION

: FOR A WRIT OF ERROR

-against-: CORAM NOBIS

MIGUEL DE LOS SANTOS,

Petitioner/Defendant. : Ind. No. 3444-2002

PLEASE TAKE NOTICE that upon the annexed application of petitioner/defendant in this matter, duly sworn on the day of August 2021, (and documents attached thereto) and all the proceedings previously held herein, the petitioner will move this Court located at 27 Madison Avenue New York, New York, 10010 at 10:00 a.m., on the 27^{th} day of September, 2021, or as soon thereafter as counsel may be heard for: an order reversing a judgment of this Court dated October 6, 2016. People v. Santos, 143 AD3d 479 (A.D. 1 Dept. 2016), affirming petitioner's direct appeal, stemming from a judgment of the Supreme Court, New York County, rendered December 10, 2014 (Honorable Ruth Pickholz, J.).

PLEASE TAKE FURTHER NOTICE that any answering affidavits, if any, are to be served upon the undersigned at least 14 days prior to the return of this motion.

DATED:

Respectfully submitted,

Miquel Delos Santos #14-A-5516 Shawangunk Correctional Fac. P.O. Box 700 Wallkill, N.Y. 12589

TO:

Honorable Cyrus R. Vance, Jr. New York County DA One Hogan Place New York, N.Y. 10013

Edward V. Sapone, Esq. Appellate Counsel 40 Fulton Street (23rd Fl.) New York, N.Y. 10038