

*State of New York  
Court of Appeals*

*John P. Asiello  
Chief Clerk and  
Legal Counsel to the Court*

*Clerk's Office  
20 Eagle Street  
Albany, New York 12207-1095*

August 30, 2019

Government Justice Center, Inc.  
Attn: Cameron J. Macdonald, Esq.  
P.O. Box 7113  
Albany, NY 12224-0113

Re: Delgado v State of New York

Dear Mr. Macdonald:

The Court has received your preliminary appeal statement and will examine its subject matter jurisdiction with respect to whether a direct appeal lies pursuant to CPLR 5601(b) (2). This examination of jurisdiction shall not preclude the Court from addressing any jurisdictional concerns in the future.

You should file within ten days after this letter's date your comments in letter format justifying the retention of subject matter jurisdiction and a copy of the papers filed by each party in Supreme Court. By copy of this letter, your adversary is likewise afforded the opportunity to comment in letter format on the Court's subject matter jurisdiction within the same ten-day period after this letter's date. All letters shall be filed with proof of service of one copy of the letter on each party.

The times within which briefs on the merits must be filed are held in abeyance during the pendency of this jurisdictional inquiry. If this inquiry is terminated by the Court, the Clerk will notify counsel in writing and set a schedule for the perfecting of the appeal. This communication is without prejudice to any motion any party may wish to make.

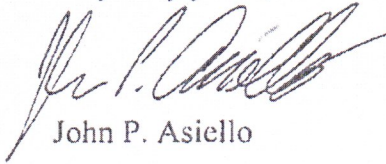
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If you have any questions regarding this letter, you may contact either Margaret N. Wood at 518-455-7702 or Edward J. Ohanian at 518-455-7701.

Very truly yours,

A handwritten signature in black ink, appearing to read "John P. Asiello", written in a cursive style.

John P. Asiello

JPA/mnw/ai

cc: Hon. Letitia James  
New York State Attorney General