

1
2 COURT CLERK: Number 24, Dominic Franza.

3 MR. VERBY: Peter Verby, 225 Broadway, New
4 York, New York, for Mr. Franza.

5 MR. BRANCATTO: John Brancatto, appearing for
6 the district attorney.

7 Your Honor, if you wish, we can have the
8 defendant brought down to court on September 27,
9 at 12:00 o'clock.

10 THE COURT: All right, I so direct.

11 MR. VERBY: A couple of brief matters on the
12 record, if I may.

13 Your Honor, as you know Mr. Franza had filed
14 a pro-se 4.40 pro-se motion. The Court, over Mr.
15 Franza's objection, and frankly over mine, has
16 assigned me to represent him on the 4.40.

17 Mr. Franza submitted a five page letter
18 today, which your Honor has read, Mr. Franza
19 wanted read into the record. I understand that on
20 the adjourned date --

21 THE COURT: We'll deal with all issues and
22 the district attorney will have interposed his
23 response to the initial motion.

24 MR. VERBY: At Mr. Franza's instruction, I
25 want to add a couple of things.

Michael Frankel, Sr. Court Reporter

1
2 I believe he's opposing the timeliness of the
3 response because his motion was served in July.

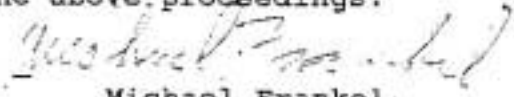
4 He's opposing any proceedings whatsoever
5 without him being present in court. And the
6 understanding is the D.A.'s office will have him
7 here on the next date.

8 THE COURT: Very well.

9 MR. VERBY: Thank you, Judge.

10 o0o

11
12 I hereby certify the foregoing to be a
13 true and accurate transcript of the original
14 stenographic record in the above proceedings.

15 
16 Michael Frankel,
17 Senior Court Reporter

18
19
20
21
22
23
24
25

Michael Frankel, Sr. Court Reporter