

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 July 30, 2013.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David Friedman, Justices.

-----X  
Carlotta Barrera,  
Plaintiff-Respondent,

-against-

**M-3144X**  
Index No. 301196/10

Noble Mansion Owner LLC, et al.,  
Defendants-Appellants,

-and-

Kevin Williams,  
Defendant.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about November 16, 2012,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 5, 2013, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
CLERK

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 July 30, 2013.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David Friedman, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

**M-3101**  
Ind. No. 2414/04

Jose Hernandez,  
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about May 12, 2010, denying **resentence**,

Now, upon reading and filing the stipulation of the parties hereto, dated May 29, 2013, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
CLERK

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 July 30, 2013.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David Friedman, Justices.

-----X  
Raisa Lopez and Juan S. Lopez,

Plaintiffs-Respondents,

**M-3123**

Index No. 109440/11

-against-

Alfonso Dental Office, P.C., et al.,

Defendants-Appellants.  
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about February 11, 2013,

Now, upon reading and filing the stipulation of the parties hereto, filed June 6, 2013, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the June 2013 Term, is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
CLERK

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 July 30, 2013.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Karla Moskowitz  
Rolando T. Acosta  
Helen E. Freedman, Justices.

-----X  
In the Matter of the Application of  
Danos Kallas,  
Petitioner,

For a Judgment Pursuant to Article 78  
of the Civil Practice Law and Rules,

**M-2403**  
Index No. 102481/12

-against-

Barbara J. Fiala, Commissioner of the  
Department of Motor Vehicles of  
New York State,  
Respondent.

-----X

An Article 78 proceeding to review a determination of respondent having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about June 18, 2012,

And an order of this Court having been entered on December 27, 2012 (M-4381), denying petitioner's motion to remand the aforesaid proceeding to Supreme Court, and for related relief,

And petitioner pro se having moved for reconsideration of the aforesaid order of this Court entered on December 27, 2012 (M-4381),

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 denied. Sua sponte, the proceeding is dismissed for failure to timely prosecute.

ENTER:

  
CLERK

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 July 30, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David Friedman, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2914  
Ind. No. 4132/12

Lamar Brewer,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 23, 2013, for leave to have the appeal heard 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 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts 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.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, 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 120 days from the date of filing of the record.

ENTER:

  
CLERK

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 July 30, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David Friedman, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2916  
Ind. No. 3905/10  
Case No. 62980C/10

Keywannie Blackledge, also known as  
Keyewanie Blackledge,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about April 9, 2013, for leave to have the appeal heard 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 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, 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.

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, 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 120 days from the date of filing of the record.

ENTER:

  
CLERK

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 July 30, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David Friedman, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2917  
Ind. Nos. 1059/12  
5136/10

David Bullock,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 30, 2013, for leave to have the appeal heard 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 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, 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.

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, 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 120 days from the date of filing of the record.

ENTER:

  
CLERK

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 July 30, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David Friedman, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2920  
Ind. No. 5971/09

Edward K. Demirdjian,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 23, 2013, for leave to have the appeal heard 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 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, 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.

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, 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 120 days from the date of filing of the record.

ENTER:

  
CLERK

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 July 30, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David Friedman, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2921  
Ind. Nos. 3352/12  
1134/12

Ralph Edwards,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about March 6, 2013, for leave to have the appeal heard 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 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, 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.

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, 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 120 days from the date of filing of the record.

ENTER:

  
CLERK

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 July 30, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David Friedman, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2922  
Ind. No. 3410/12

Jose Espinal,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about May 7, 2013, for leave to have the appeal heard 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 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts 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.

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. 212-402-4100, 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 120 days from the date of filing of the record.

ENTER:



CLERK

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 July 30, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David Friedman, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2924  
Ind. No. 4658/11

Derrick Glaster,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 30, 2013, for leave to have the appeal heard 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 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts 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.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, 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 120 days from the date of filing of the record.

ENTER:

  
CLERK

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 July 30, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzaelli  
Richard T. Andrias  
David Friedman, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2925  
Ind. No. 2167/13

Timothy H. Gillette,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 22, 2013, for leave to have the appeal heard 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 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts 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.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, 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 120 days from the date of filing of the record.

ENTER:

  
CLERK

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 July 30, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David Friedman, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2926  
Ind. No. 4648/10

Douglas B. Hampton, also known as  
Douglas Hampton,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 24, 2013, for leave to have the appeal heard 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 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts 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.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, 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 120 days from the date of filing of the record.

ENTER:



CLERK

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 July 30, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David Friedman, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2927  
Ind. No. 4799/12

Michelle Harris,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 10, 2013, for leave to have the appeal heard 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 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts 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.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, 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 120 days from the date of filing of the record.

ENTER:

  
CLERK

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 July 30, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David Friedman, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2928  
Ind. No. 429/13

Theodore Jones,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 25, 2013, for leave to have the appeal heard 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 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts 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.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, 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 120 days from the date of filing of the record.

ENTER:

  
CLERK

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 July 30, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David Friedman, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2929  
Ind. No. 110N/13

Michael Jones,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 17, 2013, for leave to have the appeal heard 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 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts 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.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, 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 120 days from the date of filing of the record.

ENTER:

  
CLERK

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 July 30, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David Friedman, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2931  
Ind. No. 3263/12

Andre Lane,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 23, 2013, for leave to have the appeal heard 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 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts 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.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, 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 120 days from the date of filing of the record.

ENTER:

  
CLERK

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 July 30, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David Friedman, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2932  
Ind. No. 4917/12

Melissa A. Meizies, also known as  
Melissa Meizies,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 19, 2013, for leave to have the appeal heard 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 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts 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.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, 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 120 days from the date of filing of the record.

ENTER:



CLERK

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 July 30, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David Friedman, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2933  
Ind. No. 636/12

Kashmishia Monroe,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 23, 2013, for leave to have the appeal heard 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 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts 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.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, 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 120 days from the date of filing of the record.

ENTER:

  
CLERK

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 July 30, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David Friedman, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2934  
Ind. No. 5928/12

Bruce Novello,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 24, 2013, for leave to have the appeal heard 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 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts 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.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, 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 120 days from the date of filing of the record.

ENTER:

  
CLERK

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 July 30, 2013.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzaelli  
Richard T. Andrias  
David Friedman, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2935  
Ind. Nos. 4339/11  
1833/11

Ariel Olivier,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 30, 2013, for leave to have the appeal heard 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 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, 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.

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, 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 120 days from the date of filing of the record.

ENTER:



CLERK

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 July 30, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David Friedman, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2936  
Ind. No. 5136/11

George Ramirez,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about May 6, 2013, for leave to have the appeal heard 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 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts 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.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, 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 120 days from the date of filing of the record.

ENTER:

  
CLERK

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 July 30, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David Friedman, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2937  
Ind. No. 5765/11

Alice Ryan,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 16, 2013, for leave to have the appeal heard 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 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts 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.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, 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 120 days from the date of filing of the record.

ENTER:

  
CLERK

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 July 30, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzaelli  
Richard T. Andrias  
David Friedman, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2938  
Ind. No. 4760/12

Ezequiel Rodriguez,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 30, 2013, for leave to have the appeal heard 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 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts 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.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, 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 120 days from the date of filing of the record.

ENTER:

  
CLERK

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 July 30, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzaelli  
Richard T. Andrias  
David Friedman, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2939  
Ind. No. 3309/12

Melinda Rodriguez,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 30, 2013, for leave to have the appeal heard 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 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts 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.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, 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 120 days from the date of filing of the record.

ENTER:

  
CLERK

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 July 30, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David Friedman, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2940  
Ind. No. 3974/12

Victor Tavarez,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about May 1, 2013, for leave to have the appeal heard 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 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts 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.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, 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 120 days from the date of filing of the record.

ENTER:

  
CLERK

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 July 30, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David Friedman, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2941  
Ind. No. 4888/12

Jimmy Torres,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 22, 2013, for leave to have the appeal heard 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 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts 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.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, 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 120 days from the date of filing of the record.

ENTER:

  
CLERK

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 July 30, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David Friedman, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2942  
Ind. No. 415/12

Leroy Williamson,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about May 1, 2013, for leave to have the appeal heard 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 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts 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.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, 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 120 days from the date of filing of the record.

ENTER:

  
CLERK

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 July 30, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David Friedman, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2943  
Ind. No. 1650/09

Sikorski Wojecich,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 9, 2013, for leave to have the appeal heard 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 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts 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.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, 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 120 days from the date of filing of the record.

ENTER:

  
CLERK

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 July 30, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David Friedman, Justices.

-----X  
The People of the State of New York, M-2944  
Respondent, Ind. Nos. 4392/10  
-against- 3342/11  
DeVaughnte Williams, 3343/11  
Defendant-Appellant. 3344/11  
3346/11  
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about March 21, 2013, for leave to have the appeal heard 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 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, 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.

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, 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 120 days from the date of filing of the record.

ENTER:

  
CLERK

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 July 30, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David Friedman, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2945  
Ind. No. 3148N/11

Tyrone Wortham,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 18, 2013, for leave to have the appeal heard 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 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts 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.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, 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 120 days from the date of filing of the record.

ENTER:

  
CLERK

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 July 30, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-1663  
Ind. No. 4934/96

Erick Ellis,  
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on May 13, 2003 (Appeal No. 1116), unanimously affirming a judgment of the Supreme Court, Bronx County (Patricia Williams, J.), rendered on May 4, 1999,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate counsel, 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 said application is denied.

ENTER:



\_\_\_\_\_  
CLERK

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 July 30, 2013.

Present: Hon. Peter Tom, Justice Presiding,  
Rolando T. Acosta  
David B. Saxe  
Helen E. Freedman, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

**M-2778**

Jamall Simmons, also known as Jamarr  
Simmons, Defendant-Appellant.  
Ind. Nos. 1046/06  
2356/08  
1992/06

-----X

Appeals having been taken from a judgment of **resentence** (under Ind. No. 1992/06) of the Supreme Court, Bronx County, rendered on or about December 13, 2010, and from a judgment of **resentence** (under Ind. Nos. 1046/06 and 2356/08) of said Court rendered on or about February 15, 2011, respectively,

And an order of this Court having been entered June 28, 2011 (M-1882), granting defendant leave to prosecute the appeal from the judgment of **resentence** of the Supreme Court, Bronx County, rendered on or about December 13, 2010, as a poor person, and assigning Richard M. Greenberg, Esq., Office of the Appellate Defender, as counsel for the purpose of prosecuting the appeal,

And defendant-appellant having moved for consolidation of the aforesaid appeals, for the assignment of counsel for purposes of prosecuting said appeal under Ind. Nos. 1046/06 and 2356/08, 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 consolidating the aforesaid appeals, permitting the appeals to be heard on the original record(s), 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court. Defendant is permitted to prosecute the consolidated appeals upon the original record(s) and of one set of appellant's points covering said appeals.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence, along with two transcripts of the stenographic minutes of **resentence**. 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.

The poor person relief previously granted is continued and extended such that Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal(s) under Ind. Nos. 1046/06 and 2356/08 in addition to Ind. No. 1992/06. The time to perfect the consolidated appeals is enlarged to 120 days after filing of the record for Ind. Nos. 1046/06 and 2356/08.

ENTER:

  
CLERK

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 July 30, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Sallie Manzanet-Daniels, Justices.

-----X

In re Mogid Saad,  
Petitioner-Appellant,

-against-

M-2648  
Index No. 403001/11

New York City Housing Authority,  
Respondent-Respondent.

-----X

Petitioner-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on April 30, 2013 (Appeal No. 9403),

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 denied.

ENTER:



CLERK

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 July 30, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
Rolando T. Acosta  
Sallie Manzanet-Daniels, Justices.

-----X

N450JE LLC, et al.,  
Plaintiffs-Respondents,

-against-

M-1192

M-1055

Index No. 603490/08

Priority I Aviation, Inc. and  
Insured Aircraft Title Service, Inc.,  
Defendants-Appellants.

-----X

Defendants-appellants having moved by separate motions (M-1192/M-1055) for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on January 31, 2013 (Appeal No. 9140),

Now, upon reading and filing the papers with respect to the motions, and due deliberation having been had thereon,

It is ordered that the motions are denied (M-1192/M-1055).

ENTER:



CLERK

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 July 30, 2013.

Present: Hon. Peter Tom, Justice Presiding,  
Rolando T. Acosta  
David B. Saxe  
Helen E. Freedman  
Paul G. Feinman, Justices.

-----X  
Yoseph David Ivry,

Plaintiff-Appellant,

-against-

DC 37 Local 1071, AFSCME, AFL-CIO,

Defendant-Respondent.  
-----X

**M-946**

Index No. 570979/11

Plaintiff-appellant having moved for leave to appeal to this Court from the order of the Appellate Term entered in the office of the Clerk of the Supreme Court, New York County, on or about September 19, 2012,

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 denied.

ENTER:

  
CLERK

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 July 30, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----X

TADCO Construction Corp.,  
Plaintiff-Appellant,

-against-

M-2307  
Index No. 600039/07

Dormitory Authority of the  
State of New York,  
Defendant-Respondent.

-----X

Plaintiff-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on March 29, 2012 (Appeal No. 7243),

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 denied.

ENTER:



CLERK

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 July 30, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Angela M. Mazzairelli  
David B. Saxe  
Leland G. DeGrasse, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-1678  
Ind. No. 4729/94

Karsem Williams,  
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on June 30, 1998 (Appeal No. 1804), unanimously modifying and otherwise affirming a judgment of the Supreme Court, New York County (James Leff, J.), rendered on September 7, 1995,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate counsel, 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 said application is denied.

ENTER:



\_\_\_\_\_  
CLERK

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 July 30, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Angela M. Mazzarelli  
Karla Moskowitz  
Judith J. Gische, Justices.

-----X

The People of the State of New York,

-against-

M-1732  
Ind. No. 1111/10

Ravi Loganathan,  
Defendant.

-----X

A judgment of conviction by the Supreme Court, New York County (Berkman, J.), having been rendered on August 4, 2010,

And defendant-appellant pro se having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate counsel, 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 said application is denied.

ENTER:



CLERK

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 July 30, 2013.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Helen E. Freedman  
Judith J. Gische, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2122  
Ind. No. 1110/12

Selwin J. Wilkes, also known as Pope,  
Defendant-Appellant.

-----X

Defendant having moved for an extension of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about January 17, 2013, 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 notice of appeal as timely filed 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts 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.

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, 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 120 days from the date of filing of the record.

ENTER:



CLERK

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 July 30, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
John W. Sweeny, Jr.  
David B. Saxe  
Karla Moskowitz, Justices.

-----X  
In the Matter of

Trayvon D.,

M-3088

A Person Alleged to Be a Juvenile  
Delinquent,

Docket No. D-12429/12

Respondent-Appellant.  
-----X

Jessica Brown, Esq., Family Court attorney for the respondent child, Trayvon D., having moved for leave to prosecute the appeal from an order of the Family Court, Bronx County, entered on or about May 3, 2013, as a poor person, for assignment of appellate counsel, a free copy of the transcript, 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 (1) assigning, pursuant to Section 35 of the Judiciary Law and Section 1120 of the Family Court Act, Lewis S. Calderon, Esq., 153-01 Jamaica Avenue Suite 201, Jamaica, NY 11432, Telephone No. (718) 883-1560, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the State of New York from funds available therefor;<sup>1</sup> **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) directing appellant to perfect this appeal in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:

  
CLERK

---

<sup>1</sup>Service of appellant's brief upon respondent shall include assigned counsel's copy of the transcript.

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 July 30, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
Leland G. DeGrasse  
Helen E. Freedman  
Sallie Manzanet-Daniels, Justices.

-----X  
Angela Green,  
Plaintiff-Appellant,

-against-

M-2183  
Index No. 570903/11

Fred L. Seeman and the Law Office  
of Fred L. Seeman,  
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for leave to appeal to this Court from the decision and order of the Appellate Term entered in the office of the Clerk of the Supreme Court, New York County, on or about November 26, 2012,

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 denied.

ENTER:

  
CLERK

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 July 30, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Karla Moskowitz  
Dianne T. Renwick  
Helen E. Freedman, Justices.

-----X  
Cosmetics Plus Corp., Ltd., et al.,  
Plaintiffs-Appellants,

-against-

M-2045  
Index No. 113240/09

Paul Traub, et al.,  
Defendants-Respondents.

-----X

Plaintiffs-appellants having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on February 28, 2013 (Appeal Nos. 8640-8641),

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 denied.

ENTER:



\_\_\_\_\_  
CLERK

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 July 30, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
David B. Saxe  
Sallie Manzanet-Daniels  
Judith J. Gische, Justices.

-----X

Getty Properties Corp., et al.,  
Plaintiffs-Respondents,

-against-

M-2597  
Index No. 651762/12

Getty Petroleum Marketing Inc.,  
Defendant,

1314 Sedgwick Ave., LLC, et al.,  
Defendants-Appellants.

-----X

Defendants-appellants having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on May 2, 2013 (Appeal Nos. 9972-9975, 9975A),

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 denied.

ENTER:



CLERK

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 July 30, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Karla Moskowitz  
Sallie Manzanet-Daniels  
Judith J. Gische, Justices.

-----X  
Christopher Tamas,  
Plaintiff-Respondent,

-against-

M-2608  
Index No. 310319/09

The City of New York, The New York  
City Department of Sanitation,  
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about July 11, 2012,

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 enlarging the time to perfect the appeal to the November 2013 Term.

ENTER:

  
CLERK

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 July 30, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
John W. Sweeny, Jr.  
David B. Saxe  
Karla Moskowitz, Justices.

-----X  
The Board Of Managers of the Onyx  
Chelsea Condominium, et al.,  
Plaintiffs-Appellants,

-against-

261 West LLC,  
Defendant-Respondent.  
-----X

M-3304  
Index No. 104912/10

Plaintiffs-appellants having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about March 12, 2012 (mot. seq. no. 003),

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 enlarging the time to perfect the appeal to the December 2013 Term.

ENTER:

  
CLERK

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 July 30, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
John W. Sweeny, Jr.  
David B. Saxe  
Karla Moskowitz, Justices.

-----x  
Carol Sayre and James Sayre as Co-  
Executors of the Estate of Kim Ann Calo,  
Plaintiffs-Respondents,

-against-

M-3154  
Index No. 118231/09

Thomas J. Hoey, Jr.,  
Defendant-Appellant,

Kitano Arms Corporation, doing business  
as Kitano Hotel,  
Defendant.

-----x  
Appeals having been taken to this Court by defendant-  
appellant from an order of the Supreme Court New York County,  
entered on or about August 15, 2012 (mot. seq. no. 004), and from  
the order of said Court entered on or about March 4, 2013 (mot.  
seq. no. 005), respectively,

And defendant-appellant having moved for consolidation of  
the aforesaid appeals and for an enlargement of time to perfect  
same,

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  
permitting appellant to prosecute the appeals upon 9 copies of  
one record and one set of appellant's points covering the appeals  
and enlarging the time in which to perfect the consolidated  
appeals to the December 2013 Term.

ENTER:

  
CLERK

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 July 30, 2013.

PRESENT : Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
John W. Sweeny, Jr.  
David B. Saxe  
Karla Moskowitz, Justices.

-----X  
Kristan L. Peters,  
Plaintiff-Appellant,

-against-

M-3229  
Index No. 150078/11

Collazo, Carling & Mish, doing  
business as Collazo Florentino & Keil,  
Defendant-Respondent.

-----X

Plaintiff-appellant having moved for consolidation of the appeals taken from the order of the Supreme Court, New York County, entered on or about January 17, 2012 and from the judgment of said Court entered on or about November 19, 2012, respectively,

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 permitting appellant to prosecute the appeals upon 9 copies of one record and of one set of appellant's points covering the appeals and enlarging the time in which to perfect the consolidated appeals to the December 2013 Term.

ENTER:

  
CLERK

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 July 30, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
John W. Sweeny, Jr.  
David B. Saxe  
Karla Moskowitz, Justices.

-----X  
The People of the State of New York  
ex rel. Woodrow Flemming,  
Petitioner-Appellant,

-against-

M-3005  
Index Nos. 30199/11  
402955/11

Warden: David Rock at Upstate  
Correctional Facility,  
Respondent-Respondent.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, entered on or about December 9, 2011, and said appeal having been perfected,

And petitioner-appellant, pro se, having moved to be provided with certain additional minutes,

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 denied.

ENTER:

  
\_\_\_\_\_  
CLERK

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 July 30, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
John W. Sweeny, Jr.  
David B. Saxe  
Karla Moskowitz, Justices.

-----X  
Mara Gajevska,  
Plaintiff-Appellant,

-against-

M-3208  
Index No. 115727/10

Teachers' Retirement System of the  
City of New York and Harvey Brown,  
Individually and as Administrator  
of the Estate of Steven J. Brown,  
Defendants-Respondents.

-----X

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about April 24, 2012, and said appeal having been perfected,

And defendant-respondent having moved for leave to strike an argument with respect to issues raised for the first time in the appellant's brief or in the alternative to supplement the record on appeal to include a "Qualified Pension Beneficiary Designation" on file 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 striking the appeal, brief and record filed by plaintiff from this Court's calendar, with leave to refile on or before September 3, 2013, for the November 2013 Term, upon a corrected record and brief in conformity with the rules of this Court. Respondents are granted leave to file the aforesaid "Qualified Pension Plan Beneficiary Designation" as an exhibit and, sua sponte, the related appeal *Matter of Gajevska v Teachers' Retirement System of the City of New York* (Cal. No. 666/13), currently calendared to be heard with the instant appeal is adjourned to said November 2013 Term accordingly. The Clerk is directed to calendar the aforesaid appeals for hearing together if the instant appeal is re-perfected in accordance herewith.

ENTER:



CLERK

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 July 23, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
John W. Sweeny, Jr.  
David B. Saxe  
Karla Moskowitz, Justices.

-----X  
The People of the State of New York,  
ex rel. Niall Macgiollabhui, Esq., on  
behalf of Michael Clare,  
Petitioner-Appellant,

-against-

M-3104  
Index No. 260993/12

Dora B. Schriro, etc.,  
Respondent-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about May 8, 2013, which denied his application for a writ of habeas corpus,

And petitioner-appellant having moved to be released on bail previously posted pending hearing and determination of the aforesaid appeal,

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 denied.

ENTER:

  
CLERK

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 July 30, 2013.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Karla Moskowitz  
Sallie Manzanet-Daniels  
Judith J. Gische, Justices.

-----X  
The People of the State of New York  
ex rel. Edwin Lopez,  
Petitioner,

-against-

M-2548

NYS Department of Corrections &  
Community Supervision,  
Respondent.  
-----X

The above-named petitioner having moved for, inter alia, a writ of habeas corpus to be issued from this Court, 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 denied, with leave to renew upon proof of service upon Terrence Tracy, Esq., counsel for respondent, Board of Parole, Department of Corrections and Community Supervision Counsel's Office, 1220 Washington Avenue, Building 2, Albany, New York 12226-2050.

ENTER:

  
CLERK

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 July 30, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
John W. Sweeny, Jr.  
David B. Saxe  
Karla Moskowitz, Justices.

-----X  
Madison 96<sup>th</sup> Associates, LLC,  
Plaintiff,

-against-

Action No. 1  
M-3237  
Index No. 601386/03

17 East Owners Corp.,  
Defendant.

-----X  
17 East Owners Corp.,  
Plaintiff,

-against-

Action No. 2  
Index No. 108695/04

Madison 96<sup>th</sup> Associates, LLC and 21  
East 96<sup>th</sup> Street Condominium,  
Defendants.

-----X  
Madison 96<sup>th</sup> Associates, LLC,  
Defendant and Third-Party Plaintiff,

-against-

Action No. 3  
Index No. 591089/05

Atlantic Demolition Corp.,  
Third-Party Defendant.

-----X  
Madison 96<sup>th</sup> Associates, LLC,  
Third-Party Plaintiff,

-against-

Index No. 591089/05

Marson Contracting, Inc.,  
Third-Party Defendant.

-----X  
Madison 96<sup>th</sup> Associates, LLC,  
Third-Party Plaintiff,

-against-

Index No. 590585/07

Illinois Union Insurance Company,  
Third-Party Defendant.

-----X

-----X

Madison 96<sup>th</sup> Associates, LLC,  
Third-Party Plaintiff-Respondent,

-against-

Index No. 590113/08

QBE Insurance Corporation,  
Third-Party Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, entered on or about May 9, 2013,

And third-party defendant QBE Insurance Corporation having moved for a preference and expedited briefing schedule with respect to the aforesaid appeal,

Now, upon reading and filing the papers with respect to said motion, and due deliberation having been had thereon,

It is ordered that said motion is denied.

ENTER:



\_\_\_\_\_  
CLERK

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 July 30, 2013.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,  
John W. Sweeny, Jr.  
Helen E. Freedman  
Paul G. Feinman  
Judith J. Gische, Justices.

-----X

Wanda Y. Collins, et al.,  
Plaintiffs-Appellants,

-against-

M-2510  
Index No. 109726/07

The City of New York, et al.,  
Defendants,

Verizon New York, Inc., et al.,  
Defendants-Respondents.

-----X

Plaintiffs-appellants having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on April 25, 2013 (Appeal Nos. 9546-9546A),

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 denied.

ENTER:



CLERK

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 July 30, 2013.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,  
Rolando T. Acosta  
Helen E. Freedman  
Rosalyn H. Richter  
Judith J. Gische, Justices.

-----X

Angelo Ruotolo,  
Plaintiff-Appellant,

-against-

M-2784  
Index No. 109449/08

Mussman & Northey, et al.,  
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on April 18, 2013 (Appeal No. 9852),

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 denied.

ENTER:



CLERK

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 July 30, 2013.

PRESENT - Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
Rolando T. Acosta  
Sallie Manzanet-Daniels, Justices.

-----X  
Cadlerock Joint Venture, L.P.,  
Plaintiff-Appellant-Respondent,

-against-

David S. Bersson, et al.,  
Defendants.

M-801  
M-886  
M-1040  
Index No. 604191/06

-----  
Elaine Thompson,  
Proposed Intervenor-Plaintiff,

Marc Benhuri, et al.,  
Proposed Intervenors-Plaintiffs-  
Appellants,

-against-

Mel Cooper,  
Proposed Defendant,

Imperial Capital, LLC,  
Proposed Intervenor-Defendant-  
Respondent.

-----X

Proposed defendant, Mel Cooper, and proposed intervenor-defendant-respondent, Imperial Capital, LLC, having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on January 10, 2013 (Appeal No. 8980) (M-801),

And proposed defendant, Mel Cooper, and proposed intervenor-defendant-respondent, Imperial Capital, LLC, having moved by a separate motion for a stay of the order of the Supreme Court, New York County, entered on or about June 15, 2011 pending hearing and determination of the aforesaid motions, and for related relief (M-886),

And plaintiff-appellant, Cadlerock Joint Venture, L.P., having cross-moved for an order issuing sanctions, costs and reasonable attorneys' fees against Mel Cooper and Imperial Capital, LLC (M-1040),

Now, upon reading and filing the papers with respect to the motions and cross motion, and due deliberation having been had thereon,

It is ordered that the motions and cross motion are denied. and the interim relief granted order of a Justice of this Court dated February 14, 2013, is vacated.

ENTER:

  
CLERK

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 July 30, 2013.

Present: Hon. David Friedman, Justice Presiding,  
Karla Moskowitz  
Leland G. DeGrasse  
Rosalyn H. Richter  
Judith J. Gische, Justices.

-----X  
HSBC Bank USA, National Association,  
Plaintiff-Respondent,

-against-

**M-2300**

Index No. 152194/12

Community Parking, Inc.,  
Defendant,

Elida Pena,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on March 26, 2013 (Appeal No. 9609),

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, to the extent it seeks reargument, is granted and upon reargument, the decision and order of this Court entered on March 26, 2013 (Appeal No. 9609) is recalled and vacated and a new decision and order substituted therefor. (See Appeal No. 9609, decided simultaneously herewith.) The motion, to the extent it seeks leave to appeal to the Court of Appeals, is denied.

ENTER:

  
\_\_\_\_\_  
CLERK

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 July 30, 2013.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,  
David B. Saxe  
Leland G. DeGrasse  
Paul G. Feinman, Justices.

-----X  
Benedetto Giambrone, et al.,  
Plaintiffs-Respondents,

-against-

**M-2649**

Index No. 307139/09

Kings Harbor Multicare Center, etc.,  
Defendant-Appellant,

Westchester Square Hospital, et al.,  
Defendants.

-----X

Defendant-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on March 21, 2013 (Appeal No. 9236N),

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, and this Court, pursuant to CPLR 5713, certifies that the following question of law, decisive of the correctness of its determination, has arisen, which in its opinion ought to be reviewed by the Court of Appeals:

"Was the order of the Supreme Court, as affirmed by the this Court, properly made?"

This Court further certifies that its determination was made as a matter of law and not in the exercise of discretion.

ENTER:

  
CLERK

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 July 30, 2013.

PRESENT - Hon. Rolando T. Acosta, Justice Presiding,  
David B. Saxe  
Dianne T. Renwick  
Rosalyn H. Richter  
Darcel D. Clark, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2660  
Ind. No. 4109/11

Robert Claiborne,  
Defendant-Appellant.

-----X

Defendant having renewed his motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about December 14, 2011, for leave to have the appeal heard on the original record and upon 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 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 reproduced copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts 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.

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, 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 120 days from the date of filing of the record.

ENTER:

  
CLERK

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 July 30, 2013.

Present: Hon. Rolando T. Acosta, Justice Presiding,  
David B. Saxe  
Dianne T. Renwick  
Rosalyn H. Richter  
Darcel D. Clark, Justices.

-----X

Gerald P. Halpern, Executor for  
the Estate of Fred Zeiss, et al.,  
Petitioners-Respondents,

**M-2305**

Index No. 570827/12

-against-

Mark Tunne,  
Respondent-Appellant.

-----X

An order of the Appellate Term having been entered in the Office of the Clerk of the Supreme Court, New York County, on or about December 11, 2012,

And respondent-appellant pro se having moved for reargument of an order of Appellate Term, First Department, entered on February 26, 2013, inter alia, denying leave to appeal to this Court or, in the alternative for leave to appeal to this Court, 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 denied in its entirety.

ENTER:

  
CLERK

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 July 30, 2013.

Present: Hon. Rolando T. Acosta, Justice Presiding,  
David B. Saxe  
Dianne T. Renwick  
Rosalyn H. Richter  
Darcel D. Clark, Justices.

-----X  
Nancy Wallach,  
Plaintiff,

-against-

**M-2590**

Index No. 109547/09

R & J Construction Corp.,  
Defendant-Respondent,

Scott A. Wolinetz, Esq.,  
Non-Party Appellant.

-----X

Non-party appellant Scott A. Wolinetz, Esq., counsel for plaintiff, having moved for an enlargement of time to perfect appeal taken from an order of the Supreme Court, New York County, entered on or about July 11, 2012,

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 enlarging the time to perfect the appeal to the December 2013 Term.

ENTER:

  
CLERK

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 July 30, 2013.

Present: Hon. Dianne T. Renwick, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-3402  
Ind. No. 6609/04

James Ogata,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Marcy Kahn, J.) entered on or about May 29, 2013, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, 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 permitting the appeal to be heard on the original record 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL 460.70) two transcripts of the stenographic minutes of the SORA hearing and any other proceedings before Justice Kahn as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Steven Banks, Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed.

The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

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 July 30, 2013.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X  
David Rebibo, et al.,  
Plaintiffs-Respondents,

-against-

Axton Owner LLC,  
Defendant-Appellant.

M-3361  
Index No. 105995/10

-----X

Defendant-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about October 17, 2012 (mot. seq. no. 003),

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 enlarging the time to perfect the appeal to the December 2013 Term.

ENTER:

  
CLERK

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 July 30, 2013.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X  
United States Fire Insurance Company,  
Plaintiff-Appellant-Respondent,

-against-

M-3507  
Index No. 603284/09

Nine Thirty FEF Investments, LLC, and  
Nine Thirty VC Investments, LLC,  
Defendants-Respondents-Appellants.

-----X

Plaintiff-appellant-respondent and defendants-respondents-appellants having jointly moved for an enlargement of time in which to perfect the appeal and cross appeal from the order of the Supreme Court, New York County, entered on or about July 11, 2011,

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 enlarging the time to perfect the appeal and cross appeal to the January 2014 Term.

ENTER:

  
CLERK

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 July 30, 2013.

Present - Hon. Dianne T. Renwick, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----x  
In the Matter of the Proceeding of  
Emma Torres, Co-Conservator of  
the Conservatorship of

Jose Torres, Jr.,  
Deceased.

-----  
Emma Torres,  
Co-Conservator-Appellant,

M-3246  
Index No. 19704/88

-against-

Fidelity and Deposit Company of  
Maryland, surety for Bernard Cohen,  
deceased Co-Conservator,  
Respondent-Respondent.

-----x

Co-conservator-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about June 21, 2012,

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 denied, with leave to renew upon submission of an affidavit explaining, in detail, the circumstances that gave respondent the need for the enlargement of time.

ENTER:

  
CLERK

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 July 30, 2013.

PRESENT: Hon: Dianne T. Renwick, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-3309  
Ind. No. 554/10

Shaun Nelson, also known as  
Shawn Nelson,  
Defendant-Appellant.

-----X

An order of this Court having been entered on July 14, 2011 (M-2320), inter alia, granting defendant's motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about April 4, 2011, under Indictment No. 554/10, and assigning counsel therefor,

And defendant having moved for an order amending the notice of appeal and the aforementioned order to include Name Shawn Nelson,

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 amending defendant's notice of appeal and the aforementioned order of this Court to include Shawn Nelson, and extending the poor person relief previously granted to cover same.

ENTER:

  
CLERK

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 July 30, 2013.

Present - Hon. Dianne T. Renwick, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----x  
In Re: New York City Asbestos Litigation  
-----

This Document Relates to:

All Weitz and Luxemburg Cases in which M-3435  
Blackmer Pump Company is a Defendant. Index No. 40000/88  
-----

Weitz & Luxemburg, P.C.,  
Plaintiff-Respondent,

-against-

Blackmer Pump Company,  
Defendant-Appellant.  
-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about June 19, 2013 (mot. seq. no. 009),

And defendant-appellant Blackmer Pump Company having moved for a stay of the aforesaid order which, inter alia, denied its motion for a protective order, pending hearing and determination of the appeal taken therefrom,

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 continuing the interim relief granted by order of a Justice of this Court dated June 26, 2013, pending hearing and determination of the appeal.

ENTER:

  
CLERK

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

BEFORE: Hon. Sallie Manzanet-Daniels  
Justice of the Appellate Division

-----X  
The People of the State of New York,

M-2439  
Ind. No. 6058/10

-against-

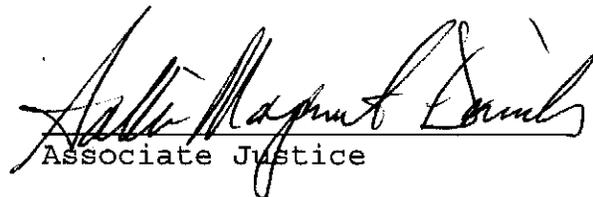
CERTIFICATE  
DENYING LEAVE

Kenneth Ivey,

Defendant.

-----X

I, Sallie Manzanet-Daniels, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about March 12, 2013, is hereby denied.

  
Associate Justice

Dated: May 30, 2013  
New York, New York

ENTERED: JUL 30 2013

PM ORDERS  
ENTERED ON  
JULY 30, 2013

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 July 30, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
John W. Sweeny, Jr.  
David B. Saxe  
Karla Moskowitz, Justices.

-----X

Darrell Bridgers and Franca  
Ferrari-Bridgers,  
Plaintiffs-Appellants,

-against-

M-3133  
Index No. 112204/07

West End 82nd Street Owners Corp.,  
et al.,  
Defendants-Respondents.

-----X

Appeals having been taken from an order and judgment of the Supreme Court, New York County, entered on or about August 14, 2012 and from an order of the same Court entered on or about August 10, 2012, respectively, and said appeals having been perfected,

And defendants having moved for dismissal of the aforesaid appeals, or in the alternative, for an order compelling plaintiffs-appellants to file a supplemental appendix providing certain omitted material and for additional time for defendants to file a respondents' brief,

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 dismissing the appeals unless plaintiffs file a supplemental appendix, including omitted material as specified by defendants, on or before September 3, 2013 for the November, 2013 Term; should plaintiffs so file, defendants are granted leave to file their respondents' brief on or before October 2, 2013 for said November 2013 Term with leave to challenge the improper inclusion of the aforesaid appendix material in the respondents' brief. The motion is otherwise denied.

ENTER:

  
CLERK