

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 March 6, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-505
Ind. Nos. 1379/10
1177/08

Fred Nelson,
Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from judgments of the Supreme Court, New York County, rendered on or about December 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) one transcript 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 March 6, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against- M-506
Ind. No. 2937/12

Jamaal Quince,
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 January 21, 2014, 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) one transcript 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 March 6, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-507
Ind. No. 121/12

Cynthia Ramos,
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 October 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) one transcript 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 March 6, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-508
Ind. No. 3433/11

Anthony Rivera,
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 January 29, 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) one transcript 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 March 6, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-509
Ind. No. 2096/12
Case No. 35978C/12

Lucero Seberiano, also known as
Lucero Sebebriano,
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 July 26, 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) one transcript 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 March 6, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzaelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-510
Ind. Nos. 4272N/13
1274N/13

John Thomas, also known as Thomas E. John,
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 January 9, 2014, 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) one transcript 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 March 6, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against- M-514
Ind. No. 1841/12

Robert Urena,
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 January 13, 2014, 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) one transcript 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 March 6, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-516
Ind. No. 5104/12

Richard Tevault,
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 December 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) one transcript 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 March 6, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against- M-519
Ind. No. 4139/12

Ajamu White, also known as Darwin Britt,
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 November 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) one transcript 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 March 6, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against- M-523
Ind. No. 5809/12

Ingrid Williams,
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 December 12, 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) one transcript 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 March 6, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X

In the Matter of

Hezekiah J., Ezekiel J., Jeremiah J.,
Joshua J., Gabriel J., and Isaiah J.,

Children Under 18 Years of Age Alleged
to be Neglected Under Article 10 of the
Family Court Act.

- - - - -

Commissioner of Social Services of
the City of New York,
Petitioner-Respondent,

M-349

Stacey J.,
Respondent-Appellant,

Docket Nos. NN-21824/12
NN-21825/12
NN-21826/12
NN-21827/12
NN-21828/12
NN-21819/12

- - - - -

The Legal Aid Society,
Juvenile Rights Division,
Attorney for the Child Ezekiel J.,

Kao Lew, Esq.,
Attorney for the Children Hezekiah,
J., Jeremiah J., Joshua J., and
Gabriel J.,

Lawyers for Children,
Attorney for the Child Isaiah, J.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about November 22, 2013, and for assignment of 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 Article 18b of the County Law and §1120 of the Family Court Act, Randall Carmel, Esq., 53 Jackson Avenue, Syosset NY 11791, Telephone No. (516)921-8800, 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 City of New York from funds available therefor¹ **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) appellant is directed 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

¹Service of appellant's brief upon respondent(s) 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 March 6, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X

In the Matter of

Elissa A.,
Petitioner-Appellant,

-against-

M-613
Docket No. V-32605/12

Samuel B.,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about November 25, 2013, and for assignment of 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 Article 18b of the County Law and §1120 of the Family Court Act, Randall Carmel, Esq., 53 Jackson Avenue, Syosset NY 11791, Telephone No. (516)921-8800, 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 City of New York from funds available therefor¹ **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

¹Service of appellant's brief upon respondent(s) shall include assigned counsel's copy of the transcript.

Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed 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:

A handwritten signature in black ink, appearing to read "Susan R. Jones", written in a cursive style.

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 March 6, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X

In the Matter of

Jayden S.,

A Dependent Child under 18 Years
of Age Pursuant to §384-b
of the Social Services Law,

Edwin Gould Services for Children and
Families,
Petitioner-Respondent,

M-5126
Docket No. B-14730/12

Kim C.,
Respondent-Appellant.

Lawyers for Children, Inc.,
Attorney for the Child.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about September 30, 2013, and for assignment of counsel, a free copy of the transcript, and 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 Article 18b of the County Law and § 1120 of the Family Court Act, Daniel R. Katz, Esq., 339 West 88th Street, Apt. #3, New York, NY 10024, Telephone No. (917)886-5620, 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 City

of New York from funds available therefor¹ **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 **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

¹Service of appellant's brief upon respondent(s) 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 March 6, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
In the Matter of

Marquise B.,

A Person Alleged to Be a Juvenile
Delinquent,

M-5258

Docket No. D-8661-12/13B

Appellant.
-----X

Respondent-appellant having moved for leave to prosecute the appeal from the orders of the Family Court, Bronx County, entered on or about September 4, 2013, and an order of said Court entered on or about July 10, 2013, as a poor person, for assignment of 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 and pursuant to Section 35 of the Judiciary Law, Article 18b of the County Law and Section 1120 of the Family Court Act (1) Thomas R. Villecco, Esq., 366 North Broadway, Suite 410, Jericho NY 11753, Telephone No. (860)841-8403, is assigned 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 therefor¹; **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 **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

¹Service of appellant's brief upon respondent(s) shall include assigned counsel's copy of the transcript.

(Corrected Order - September 22, 2014)

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 March 6, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
Katherine P.,
Petitioner-Appellant,

-against-

M-5841
IDV No. 23/11
Docket No. V-53-11/13A
V-56-11/13A

Al M. R.,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the **Supreme Court**, Bronx County, (**IDV Part**) entered on or about October 4, 2013, and for assignment of 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 Article 18b of the County Law and §1120 of the Family Court Act, Leslie S. Lowenstein, Esq., 567 Sunset Drive, Woodmere NY1 11598; Telephone No. (516)994-6831, 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 City of New York from funds available therefor¹ **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) appellant is directed 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:



¹Service of appellant's brief upon respondent(s) 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 March 6, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
In the Matter of

Ramon A.,

A Person Alleged to Be a Juvenile
Delinquent,

M-6001
Docket No. D-23769/12

Appellant.
-----X

Respondent-appellant having moved for leave to prosecute the appeal from the order of the Family Court, Bronx County, entered on or about September 12, 2013, as a poor person, for assignment of 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 and pursuant to Section 35 of the Judiciary Law, Article 18b of the County Law and Section 1120 of the Family Court Act (1) Thomas R. Villecco, Esq., 366 North Broadway Suite 410, Jericho, NY 11753, Telephone No. (860)841-8403, is assigned 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 therefor¹; **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 **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

¹Service of appellant's brief upon respondent(s) 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 March 6, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice.
Peter Tom
David B. Saxe
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----X
Twin Securities, Inc., Twin Capital
Management, LLC, Twin Securities, L.P.,
Twin Capital Management Offshore, LLC,
Twin Master Fund, Ltd., and Twin
Offshore, Ltd.,
Plaintiffs-Respondents,

-against-

Advocate & Lichtenstein, LLP, Jason A.
Advocate, Linda Simon and T&M
Protection Resources, LLC,
Defendants-Appellants.

SEALED

M-189

M-334

Index No. 652389/11

-----X

Appeals having been taken from an order of the Supreme Court, New York County, entered on or about January 9, 2014 (mot. seq. no. 007),

And defendants-appellants (except T&M Protection Resources, LLC) having jointly moved for a stay of enforcement of the aforesaid order appealed, pending hearing and determination of the appeal (M-189)

And defendants-appellants (except T&M Protection Resources, LLC) having moved jointly to enlarge the record on appeal to include a certain forensic report and the parties' correspondence with the lower Court, and for related relief in the nature of the aforesaid stay with related relief (M-334),

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

It is ordered that so much of the motions as seek a stay are granted only to the extent of directing that the copy of the subject "hard drive" remain with the court, and otherwise denied to the effect that plaintiffs keep possession of the original hard drive for purposes of conducting their business, without prejudice to defendants seeking the relevant information in discovery. Leave to enlarge the record on appeal is denied (M-189/M-334).

ENTER:

A handwritten signature in black ink, appearing to read "Susan R. Jones". The signature is written in a cursive style with a large initial "S".

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 March 6, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
Rolando T. Acosta
Richard T. Andrias
Rosalyn H. Richter, Justices.

-----x

In Re: New York County Asbestos Litigation:

Ivana Peraica, as Administratrix for
the Estate of Ivo J. Peraica and
Milica Peraica, Individually,
Plaintiffs-Respondents,

-against-

M-473
Index No. 190339/11

A.O. Smith Water Products, et al.,
Defendants,

Including Crane Co.,
Defendant-Appellant.

-----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 November 21, 2012, and said appeal having been perfected and from a judgment of the same Court and Justice entered on or about December 3, 2013, respectively,

And plaintiffs-respondents having moved for dismissal of the appeal taken from the order entered on or about November 21, 2012, or in the alternative for consolidation of the aforesaid appeals,

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 adjourning the perfected appeal to the September 2014 Term and directing defendant to perfect the consolidated appeals for said September 2014 Term and otherwise denied. The Clerk is directed to calendar the appeals for hearing together.

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 March 6, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
Richard T. Andrias
David B. Saxe, Justices.

-----X
Magen David of Union Square and The
Sixteenth Street Synagogue
Plaintiffs,

3 West Development LLC,
Plaintiff-Appellant,

-against-

3 West 16th Street, LLC,
Defendant-Respondent.

M-616
Index No. 600573/08

-----X
3 West 16th Street, LLC,
Third-Party Plaintiff-Respondent,

-against-

Steven J. Ancona,
Third-Party Defendant-Appellant.
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about January 27, 2014 (mot. seq. no. 013),

And, plaintiff-appellant 3 West Development and third-party defendant-appellant Steven J. Ancona having moved for a stay of enforcement of the aforesaid order, pending hearing and determination of the appeal taken therefrom,

And an order of a Justice of this Court having been entered on February 5, 2014, establishing a schedule for certain discovery,

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 for a stay is denied and the relief granted by a Justice of this Court on February 5, 2014, is continued pending hearing and determination of the aforesaid appeal.

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 March 6, 2014.

Present - Hon. Peter Tom, Justice Presiding,
David Friedman
David B. Saxe
Rosalyn H. Richter
Darcel D. Clark, Justices.

-----x

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

-against-

M-6446
Index No. 651762/12

Getty Petroleum Marketing Inc.,
Defendant,

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

-----x

An appeal having been taken to this Court from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about December 10, 2013 (mot. seq. nos. 018, 019), and said appeal having been perfected,

And defendants-appellants having moved for a stay of the aforesaid contempt order pending hearing and determination of the 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 granted to the extent of continuing the interim relief granted by the order of a Justice of this Court dated December 12, 2013, pending hearing and determination of the appeal and otherwise 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 March 6, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Leland DeGrasse
Judith J. Gische
Darcel D. Clark, Justices.

-----X

Fernando Roman, et al.,
Plaintiffs,

Liberty Mutual Insurance Company,
as subrogee of Julia Román,
Plaintiff-Respondent,

M-162
Index No. 301224/10

-against-

Silvia B. Cabrera,
Defendant,

Frank Lawrence, IV,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about April 12, 2013, and said appeal having been decided by this Court on January 28, 2014 (Appeal No. 11569),

And plaintiff-respondent having moved for leave to submit a post-hearing memorandum,

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 March 6, 2014.

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

-----x
In the Matter of Isabel D.,
Appellant,

An Incapacitated Person under Article 81
of the Mental Hygiene Law,

-against-

M-323
Index No. 400729/08

Jewish Association for Services for
the Aged,
Guardian-Respondent,

98 St. Mark's Limited Partnership,
Landlord-Respondent.

-----x

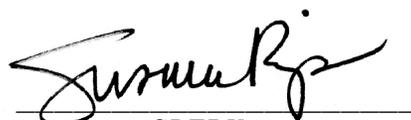
An appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about January 9, 2014,

And Rebekah Diller, Esq., of the Benjamin N. Cardozo School of Law Guardianship Clinic, having moved on the AIP-appellant's behalf for continuation of a stay execution of a certain warrant of eviction, 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 granted and execution of the aforesaid warrant of eviction is stayed, pending hearing and determination of the appeal, on condition petitioner-appellant perfects the appeal for the September 2014 Term, and on condition petitioner-appellant remains current in her rent/use and occupancy.

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 March 6, 2014.

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

-----X
In re Kelly S. Boyd,

Petitioner-Appellant,

-against-

New York State Division of Housing
and Community Renewal, et al.,
Respondents-Respondents,

M-6284
M-6352
Index No. 110437/11

C-UPTOWN Realty, et al.,
Respondents.

-----X

Respondent-respondent New York State Division of Housing and Community renewal having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on October 29, 2013 (Appeal No. 10122) [M-6284],

And respondents-respondents landlords, 232/242 Realty Co., LLK, also known as UPTOWN Realty and Robert Candee, having moved separately for leave to appeal to the Court of appeals from the aforesaid decision and order of this Court and for a stay of proceedings, pending hearing and determination of the appeal in the Court of Appeals in the event leave is granted [M-6352],

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 to the extent they seek leave to appeal to the Court of Appeals are granted [M-6284/M-6352], 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 this Court which reversed and vacated the judgment of the Supreme Court, properly made?"

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

So much of the respondents-respondents landlord's motion seeking a stay of proceedings is denied [M-6284].

ENTER:

A handwritten signature in black ink, appearing to read "Susan R. Jones". The signature is written in a cursive style with a prominent initial "S".

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 March 6, 2014.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Dianne T. Renwick
Richard T. Andrias
Karla Moskowitz, Justices.

-----X

In the Matter of

Ramel Anthony S.,
Ranijah Aniqua Garrett W.,
Rayshawn Anthony Terrell G.,

Application of the Guardianship and Custody of Children Pursuant to §384-b of the Social Services Law,

Good Shepard Services and Administration for Children's Services Petitioners-Respondents,

M-6303
Docket No. B-28209/11
B-28210/11
B-28211/11

Canita G.,
Respondent-Appellant.

Michael M. DeMatteo, Sr.,
Attorney for the Children.

-----X

Respondent-appellant mother having moved for leave to prosecute, as a poor person, the appeal from the orders of the Family Court, Bronx County, entered on or about October 17, 2013, and for assignment of counsel, a free copy of the transcript, and 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 Article 18b of the County Law and § 1120 of the Family Court Act, Joseph Moliterno, Esq., 670 White Plains Road, Suite 207 Scarsdale, NY 10583, Telephone No. (914)722-6922, 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 City

of New York from funds available therefor¹ **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 **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

¹Service of appellant's brief upon respondent(s) 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 March 6, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Dianne T. Renwick
Leland DeGrasse
Paul G. Feinman
Judith J. Gische, Justices.

-----X

Christopher Peat
Plaintiff-Respondent,

-against-

Fordham Hill Owners Corporation,
Defendant-Appellant,

Fordham Hill Cooperative Apartments,
et al.,
Defendants,

M-5905
M-6484
M-6485
M-6500

Fordham Hill Leasing Company
Defendant-Respondent.

Index Nos. 26245/04
85073/06
86150/07
83873/08

- - - - -
Fordham Hill Owners Corporation,
Third-Party Plaintiff-Appellant,

Fordham Hill Cooperative Apartments,
Third-Party Plaintiff,

-against-

A. Brantley Flooring Co.,
Third-Party Defendant-Respondent.

- - - - -
Fordham Hill Leasing Company,
Third-Party Plaintiff-Respondent,

Billy Lerner, et al.,
Third-Party Plaintiffs,

-against-

A. Brantley Flooring Co., et al.,
Third-Party Defendants-Respondents.

[And Another Third-Party Action]

-----X

Defendant/third-party plaintiff-appellant Fordham Hill Owners Corporation 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 October 31, 2013 (Appeal Nos. 10930-10931) [M-5905],

And by separate motions, the Law Reform Alliance of New York, the National Federation of Independent Business, the Property Casualty Insurers Association of America, DRI - The Voice of the Defense Bar, and Defense Association of New York, Inc., having moved to file a brief amicus curiae on the aforesaid motion for reargument of, or in the alternative, for leave to appeal to the Court of Appeals (M-6484/M-6485/M-6500)

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

It is ordered that each and every one of the aforesaid motions are denied (M-5905/M-6484/M-6485/M-6500).

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 March 6, 2014.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Richard T. Andrias
David B. Saxe
Helen E. Freedman
Paul G. Feinman, Justices.

-----X

In the Matter of the Application of
Janice Stalzer, Jeannette A. Pryor
and John Credaroli, as interested
parties in the Last Will and Testament of,

M-84

SURROGATE'S COURT
File No. 1766/12

Jeannette Giaimo,
Deceased,

for a Construction and Reformation of
Decedent's Last Will and Testament.

-----X

Separate appeals having been taken by Janice Stalzer, Jeanette A. Pryor and John Credaroli (Stalzer Appellants) and by Angela Giaimo Marse and Joseph Harry Giaimo (Giaimo Appellants) from the order of the Surrogate's Court, New York County, entered on or about October 8, 2012,

And the respondent-executor, Joseph O. Giaimo, having moved for dismissal of the aforesaid appeals for failure to file a timely notice of 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 granted to the extent of dismissing the Giamio Appellant's appeal as untimely and otherwise denied to the extent respondent seeks dismissal of the Stalzer appellant's appeal.

ENTER:



CLERK

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

BEFORE: Hon. Dianne T. Renwick
Justice of the Appellate Division

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

M-393
Ind. No. 2872/12

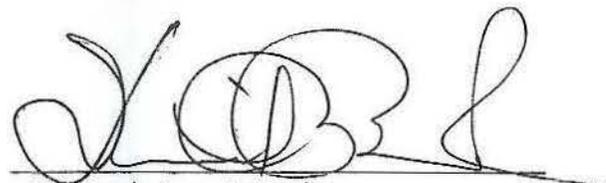
-against-

CERTIFICATE
DENYING LEAVE

Ronald Jackson,
Defendant.

-----X

I, Hon. Dianne T. Renwick, 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 October 31, 2013 is hereby denied.


Associate Justice

Dated: March 3, 2014 , 2014
New York, New York

ENTERED: March 6, 2014

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

BEFORE: Hon. Leland G. DeGrasse
Justice of the Appellate Division

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

M-622
Ind. No. 338/91

-against-

CERTIFICATE
DENYING LEAVE

Sherman Walker,
Defendant.

-----X

I, Hon. Leland G. DeGrasse, 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 November 18, 2013, is hereby denied.

Dated: New York, New York
February 26, 2014

Entered: March 6, 2014



Hon. Leland G. DeGrasse
Justice of the Appellate Division