

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 27, 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-6263
Docket No. 2011 NY049743

Sabino Hernandez,
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 August 26, 2011, 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 27, 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-6653
Ind. No. 870/12

Shaun Simmons,
Defendant-Appellant.

-----X

Defendant having moved 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 18, 2013, 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 ten copies of such brief, together with the original record, pursuant to Rule 600.11 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 March 27, 2014.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
David Friedman
Diane T. Renwick
Helen E. Freedman
Rosalyn H. Richter, Justices.

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

-against-

M-6524
Ind. No. 3436/05

Isaac Diggins,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of **resentence** the Supreme Court, New York County, rendered on or about September 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 **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.

Richard M. Greenberg, Esq., Office of the Appellate Defender, 45 West 45th Street, Suite 706, New York, New York 10036, Telephone No. 212-719-0766, 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 27, 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-6172

Ind. No. 3142/11

Cornel Anderson, also known as
Cornell Anderson,

Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, Bronx County, rendered on or about February 20, 2013, and for leave to prosecute the appeal as a poor person on the original record and upon a reproduced appellant's brief, and for assignment of counsel,

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 moving papers a timely filed notice of appeal, 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 ten reproduced copies of such brief, together with the original record, pursuant to Rule 600.11 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, 45 West 45th Street, Suite 706, New York, New York 10036, Telephone No. 212-719-0766, 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 27, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Dianne T. Renwick
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-6045

Ind. No. 2449/12

Rayshawn Singleton,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about October 24, 2013, 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 denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, in compliance with CPLR 1101(a), setting forth the terms of defendant's retainer agreement with trial counsel, Lawrence M. Fisher, Esq., the amount and sources of funds for trial counsel's fee and an explanation as to why similar funds are not available to prosecute this appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

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 27, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Dianne T. Renwick
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-6049
Ind. No. 2090/10

Martrell A. Terrell,
Defendant-Appellant.

-----X

Defendant having moved 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 5, 2013, 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 denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth the amount and sources of funds to post the \$15,000 bail in the Supreme Court, the disposition thereof, and an explanation as to why similar funds are not available to prosecute this appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

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 27, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
David Friedman
Dianne T. Renwick
Helen E. Freedman
Roslyn H. Richter, Justice.

-----X
Ervin Johnson,
Plaintiff-Appellant,

-against-

Banner International Corp., et al.,
Defendants-Respondents.

M-5892
Index No. 106510/11

-----X

Defendant-respondent Banner International Corp. having moved for dismissal of the appeal taken from order of the Supreme Court, New York County, entered on or about October 11, 2013 (mot. seq. no. 002),

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, without prejudice to addressing issue upon hearing of the 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 27, 2014.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzarelli
Diane T. Renwick
Paul G. Feinman
Judith J. Gische, Justices.

-----X
Continental Casualty Co.,

Plaintiff-Respondent,

-against-

M-784
Index No. 602459/02

Quality King Distributors, Inc.,
et al.,

Defendants-Appellants.

-----X
National Union Fire Insurance
Company of Pittsburgh, PA.,

Plaintiff-Respondent,

-against-

Quality King Distributors, Inc.,
et al.,

Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal from a judgment of the Supreme Court, New York County, entered on or about July 23, 2013,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties, dated February 14, 2014, 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 September 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 March 27, 2014.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Diane T. Renwick
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

-----X
Bank of America, N.A.,
Plaintiff-Respondent,

-against-

Assan Samba,
Defendant-Appellant,

M-5848
M-6215
Index No. 380839/10

New York City Environmental Control
Board, et al.,
Defendants.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about March 15, 2013,

And plaintiff-respondent having moved to dismiss the aforesaid appeal (M-5848),

And defendant-appellant having cross-moved to stay the aforesaid order with related relief pending hearing and disposition of the appeal (M-6215),

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

Ordered that the motion and cross motion are 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 27, 2014.

PRESENT - Hon. Peter Tom, Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
Helen E. Freedman
Paul G. Feinman, Justices.

-----X
Anthony Rucano,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78 M-6581
of the Civil Practice Law and Rules, Index. No. 402431/12

-against-

New York City Police Department,
Defendant-Respondent.
-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, entered on or about May 28, 2013, 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 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 27, 2014.

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

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

-against-

M-6656
Ind. No. 746/12

Neil Cardoso,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about November 14, 2013,

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 timely filed.

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 27, 2014.

PRESENT - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
David B. Saxe
Leland G. DeGrasse
Rosalyn H. Richter, Justices.

-----X
Danielle Lerman,
Plaintiff-Respondent,

-against-

The City of New York,
Defendant-Appellant.

M-5732
M-5994
Index No. 150605/12

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about September 5, 2013 (mot. seq. no. 002),

And plaintiff-respondent having moved to dismiss the aforesaid appeal as untimely taken (M-5732),

And defendant-appellant City of New York having cross-moved for an enlargement of time in which to file a notice of appeal (M-5994),

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

It is ordered that the cross motion is granted to the extent of deeming the notice of appeal timely filed (See CPLR 5520[1]) (M-5994). The motion to dismiss the appeal is denied (M-5732).

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 27, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
Helen E. Freedman
Paul G. Feinman, Justices.

-----X
Keith J. Long,
Plaintiff-Appellant,

-against-

Monson G. Mostae, et al.,
Defendants-Respondents.

M-6185
Index No. 106304/10

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about August 30, 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 September 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 March 27, 2014.

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

-----X
In the Matter of the Application of
Lisa J. Weksler, etc.,
Petitioner-Appellant,

For the Judicial Dissolution of
Bruce Supply Corp.,
Respondent,

M-6191
Index No. 652843/11

-and-

For Surcharge against Joseph Weksler
and Bruce Weksler,
Respondents.

-----X
Petitioner-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about March 8, 2013,

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 September 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 March 27, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
Helen E. Freedman
Paul G. Feinman, Justices.

-----X
William Smith,
Plaintiff-Appellant,

-against-

Kaushik Das, M.D., et al.,
Defendants-Respondents.

M-6282
Index No. 307889/10

-----X

Plaintiff-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 October 18, 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 September 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 March 27, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
Helen E. Freedman
Paul G. Feinman, Justices.

-----X
Energy EIAC Capital Ltd., Sanibel
Intertrade Corp., as Assignees of
Energy Infrastructure Acquisition
Corp.,
Plaintiffs-Appellants,

-against-

M-6626
Index No. 650180/10

Maxim Group LLC,
Defendant-Respondent.
-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about May 23, 2013 (mot. seq. no. 010), and for consolidation of the appeal with a prospective appeal taken from the order that results from an order of reference, 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 only to the extent of enlarging the time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about May 23, 2013, to the September 2014 Term, and otherwise denied as premature.

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 27, 2014.

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

-----x
Codan A/S and Tryg Forsikring A/S,
Plaintiffs-Respondents,

-against-

M-6619
Index No. 152468/12

Anthony Gordon,
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 March 19, 2013 and from orders of the same Court and Justice entered on or about September 6, 2013 (mot. seq. no. 002) and November 7, 2013 (mot. seq. no. 003), 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 to perfect the consolidated appeals to the September 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 March 27, 2014.

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

-----x
EPIC Sports International, Inc.,
formerly known as KLIP America, Inc.,
Plaintiff-Appellant,

-against-

M-6507
Index No. 651599/12

Sean Frost, et al.,
Defendants-Respondents.

-----x
Appeals having been taken to this Court by plaintiff-appellant from an order of the Supreme Court New York County, entered on or about February 26, 2013 (mot. seq. no. 003) and from orders of the same Court and Justice entered on or about April 26, 2013 (mot. seq. no. 004) and October 2, 2013 (mot. seq. no. 006), respectively,

And defendant-appellant having moved for an enlargement of time to perfect the appeal from the order entered on or about February 26, 2013 and for consolidation of that appeal with the appeals from the orders entered on or about April 26, 2013 and October 2, 2013,

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 aforesaid three 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 September 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 March 27, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
Helen E. Freedman
Paul G. Feinman, Justices.

-----X
Chellappa Shanmugam, also known as
Shan Shanmugam,
Plaintiff-Respondent,

-against-

M-6343
Index No. 600997/10

SCI Engineering, P.C., Shahid Iqbal,
Defendants-Appellants,

-and-

Tharmalingam Satkunarjah,
Defendant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, entered on or about October 23, 2013,

And defendants-appellants having moved for an order staying enforcement of said judgment 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 denied, without prejudice to defendants-appellants proceeding pursuant to CPLR 5519(a)(2), if so advised.

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 27, 2014.

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

-----X
Jeanette Marks and Thomas Marks,

Plaintiffs-Appellants,

-against-

M-4

Index No. 100537/13

170 West 85 Street Housing Development
Fund Corporation,

Respondent-Respondent.
-----X

Plaintiffs-appellants having moved, pursuant to CPLR 5704(a), for an order of this Court granting certain relief denied by a Justice of the Supreme Court, New York County, on or about December 24, 2013,

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 27, 2014.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
Karla Moskowitz, Justices.

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

-against-

M-6421
Ind. No. 3584/01

Otto Gonell,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County (Seth Marvin, J.) entered on or about November 26, 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 Marvin as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Robert S. Dean, 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 March 27, 2014.

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

-----X
Jose R.,
Petitioner-Appellant,

-against-

M-730
Docket No. F-5354/12

Yvette O-M.,
Respondent-Respondent.
-----X

Petitioner-appellant having moved for an enlargement of time to perfect the appeal from an order of the Family Court, New York County, entered on or about April 19, 2013,

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 September 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 March 27, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Richard T. Andrias
Leland DeGrasse
Roslyn H. Richter, Justice.

-----X
244 Lenox Avenue, LLC and Rakesh Aggarwal,

Plaintiffs-Appellants,

-against-

Edgar Bazelais, et al.,

Defendants-Respondents.
-----X

M-770
Index No. 810279/11

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about April 26, 2013 (mot. seq. nos. 002, 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 September 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 March 27, 2014.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Diane T. Renwick
Darcel D. Clark, Justices.

-----X
In the Matter of

Nazaray McK.,

M-669

M-738

A Person Alleged to Be a Juvenile
Delinquent,

Docket No. D-29297/12

Petitioner-Appellant.
-----X

An appeal having been taken from an Order of Disposition of the Family Court, Bronx County, entered on or about May 8, 2013, and an appeal having been taken from a Corrected Order of Disposition of said Family Court also entered on or about May 8, 2013,

And petitioner-appellant having moved, by duplicate motion papers, for leave to enlarge the time to perfect the aforesaid appeals,

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 granted to the extent of enlarging the time to perfect the appeals which are, sua sponte, consolidated to the September 2014 Term. Appellant is permitted to prosecute the consolidated appeals upon 9 copies of one record and of one set of appellant's points covering the appeals.

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 27, 2014.

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

-----X

The People of the State of New York,

Respondent,

-against-

M-6436
Ind. No. 4740/10

Deron Boone,

Defendant-Appellant.

-----X

Defendant-appellant, in connection with an appeal taken from the judgment of the Supreme Court, New York County, rendered on or about July 14, 2011, having moved for leave to file a pro se supplemental brief,

And an order of this Court having been entered on November 21, 2013 (M-5285 - DC #16) granting defendant-appellant an enlargement of time to perfect the appeal to the June 2014 Term,

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 after the appeal has been perfected by defendant's assigned counsel.

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 27, 2014.

Present: Hon. David Friedman, Justice Presiding,
Helen E. Freedman
Rosalyn H. Richter
Paul G. Feinman
Judith J. Gische, Justices.

-----X

The People of the State of New York,

Appellant,

-against-

M-63

Ind. No. 6029/02

Terrance Wood, also known as Maurice Wood,

Defendant-Respondent.

-----X

The People having moved to "amend the remittitur" with respect to the decision and order of this Court entered on December 31, 2013 (Appeal Nos. 10992 and 10993), which reversed the judgment of **resentence** rendered September 28, 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 deemed one for reargument and, upon reargument, the decision and order of this Court entered on December 31, 2013 (Appeal Nos. 10992 and 10993) is recalled and vacated and a new decision and order substituted therefor. (See Appeal Nos. 10992 and 10993, decided simultaneously 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 March 27, 2014.

Present: Hon. David Friedman, Justice Presiding,
Helen E. Freedman
Rosalyn H. Richter
Paul G. Feinman
Judith J. Gische, Justices.

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

-against-

M-65
Ind. No. 4505/07

Thomas Bond, also known as Thomas
Barnes, also known as Ali Achmed,

Defendant-Respondent.
-----X

The People having moved to "amend the remittitur" with respect to the decision and order of this Court entered on December 31, 2013 (Appeal Nos. 10550 and 10551), which reversed the judgment of **resentence** rendered October 12, 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 deemed one for reargument and, upon reargument, the decision and order of this Court entered on December 31, 2013 (Appeal Nos. 10550 and 10551) is recalled and vacated and a new decision and order substituted therefor. (See Appeal Nos. 10550 and 10551, decided simultaneously 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 March 27, 2014.

Present: Hon. David Friedman, Justice Presiding,
Diane T. Renwick
Karla Moskowitz
Rosalyn H. Richter
Paul G. Feinman, Justices.

-----X
Olu Shoyinka and Linnaire Shoyinka,

Plaintiffs-Appellants,

-against-

Ralph DeAngelis, et al.,

Defendants-Respondents.
-----X

M-763

Index No. 308972/08

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about July 9, 2013,

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 a demonstration of plaintiffs-appellants' aggrievement as a result of the order appealed (CPLR 5511).

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 27, 2014.

Present: Hon. David Friedman, Justice Presiding,
Diane T. Renwick
Karla Moskowitz
Rosalyn H. Richter
Paul G. Feinman, Justices.

-----X
Lawrence T. Babbio, Jr.,
Plaintiff-Respondent,

-against-

M-898

Index No. 314649/11

Sheri Lee Babbio,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about August 1, 2013, and said appeal having been perfected for the May 2014 Term,

And defendant-appellant having moved for a discretionary appellate preference maintaining the aforesaid perfected appeal on this Court's calendar for the May 2014 Term,

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 27, 2014.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
David B. Saxe
Darcel D. Clark, Justices.

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

Appellant,

-against-

M-389

Ind. No. 1853/04

Anthony Gathor, also known as Antwane McLeod,

Defendant-Respondent.
-----X

The People having moved to "amend the remittitur" with respect to the decision and order of this Court entered on January 16, 2014 (Appeal Nos. 10640, 10641, 10642), which reversed the judgment of **resentence** rendered August 14, 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 deemed one for reargument and, upon reargument, the decision and order of this Court entered on January 16, 2014 (Appeal Nos. 10640, 10641 and 10642) is recalled and vacated and a new decision and order substituted therefor. (See Appeal Nos. 10640, 10641 and 10642, decided simultaneously 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 March 27, 2014.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,
Diane T. Renwick
Richard T. Andrias
Helen E. Freedman
Paul G. Feinman, Justices.

-----X
David H. Noe,
Petitioner-Appellant,

-against-

James Coffey,
Respondent-Respondent.

M-5942
Index No. 650302/12

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 10, 2013,

And Wilson, Elser Moskowitz Edelman & Dicker, LLP (Fred N. Knopt, of counsel) attorney for plaintiff-appellant, having moved to be relieved as said counsel, and for a "stay" of proceedings to allow petitioner to secure appellate counsel,

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 Wilson, Elser Moskowitz Edelman & Dicker, LLP to withdraw as counsel for petitioner-appellant on the aforesaid appeal. So much of the motion which seeks a stay pending petitioner securing appellate counsel is denied without prejudice to renew upon a demonstration of the merits of the appeal. Sua sponte, the time to perfect the appeal is enlarged to the September 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 March 27, 2014.

Present: Hon. Rolando T. Acosta, Justice Presiding,
Diane T. Renwick
Karla Moskowitz
Helen E. Freedman
Paul G. Feinman, Justices.

-----X
The People of the State of New York
ex rel. Anthony Bailey, Esq., on
behalf of Rafael Rodriguez,
Petitioner-Appellant,

M-742
Index No. 401513/13

-against-

Artemio Colon, Warden, et al.,
Respondents-Respondents.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal purportedly taken from a judgment of the Supreme Court, New York County, entered on or about September 10, 2013, which dismissed a habeas corpus proceeding, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for assignment of counsel,

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 a timely, properly filed, and served, notice of 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 27, 2014.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Karla Moskowitz
Helen E. Freedman
Paul G. Feinman, Justices.

-----X
325 Wadsworth Realty, LLC,
Plaintiff-Respondent,

-against-

M-816
Index No. 603339/09

J. Klein Associates, et al.,
Defendants-Appellants,

American International Specialty
Lines Insurance Company,
Defendant.

J. Klein Associates, LLC,
Third-Party Plaintiff-Appellant,

-against-

Index No. 590443/10

Program Brokerage Corporation,
Third-Party Defendant-Respondent.

-----X

Defendant/third-party plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about October 2, 2012 (mot. seq. no. 002),

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 September 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 March 27, 2014.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
David B. Saxe
Karla Moskowitz
Paul G. Feinman, Justice.

-----X
MMS USA Holdings, Inc.,
Plaintiff-Appellant,

-against-

Pricewaterhousecoopers LLP,
Defendant-Respondent.
-----X

M-6634
Index No. 650382/12

Plaintiff-appellant having moved for an enlargement of time to perfect the appeals from an order of the Supreme Court, New York County, entered on or about March 20, 2013 (mot. seq. no. 002), and from a judgment of said Court entered on or about May 16, 2013,

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 appeals to the September 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 March 27, 2014.

Present: Hon. Rolando T. Acosta, Justice Presiding,
David B. Saxe
Karla Moskowitz
Paul G. Feinman, Justices.

-----X

The People of the State of New York,

Respondent,

M-6713

Ind. Nos. 4649/12

-against-

4821/09

5673/09

Kiron Ritchens,

749/10

Defendant-Appellant.

-----X

An order of this Court having been entered on May 2, 2013 (M-1169), 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 February 4, 2013, under Indictment No. 4649/12, and assigning counsel therefor,

And defendant-appellant having moved for an order amending the notice of appeal and the aforementioned order to include Indictment Nos. 4821/09, 5673/09 and 749/10,

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

It is ordered that said motion is granted to the extent of amending defendant's notice of appeal and the aforementioned order to include Indictment Nos. 4821/09, 5673/09 and 749/10, 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 March 27, 2014.

Present: Hon. Rolando T. Acosta, Justice Presiding,
David B. Saxe
Karla Moskowitz
Paul G. Feinman, Justices.

-----X

The People of the State of New York,

Respondent,

M-6697

Ind. Nos. 1128/12

-against-

555/12

1720/12

Vincent Medina,

Defendant-Appellant.

-----X

An order of this Court having been entered on May 30, 2013 (M-1949), inter alia, granting defendant's motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about February 21, 2013, under Indictment No. 1128/12, and assigning counsel therefor,

And defendant-appellant having moved for an order amending the notice of appeal and the aforementioned order to include Indictment Nos. 555/12 and 1720/12,

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

It is ordered that said motion is granted to the extent of amending defendant's notice of appeal and the aforementioned order to include Indictment Nos. 555/12 and 1720/12, 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 March 27, 2014.

Present: Hon. Karla Moskowitz, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

-----X
Selnick Harwood Consulting Engineers,
P.C.,

Plaintiff-Respondent,

M-900

Index No. 110859/11

-against-

Perkins Eastman Architects, P.C.,
et al.,

Defendants-Appellants.
-----X

Defendants-appellants having moved for an enlargement of time to perfect their appeal from a judgment of the Supreme Court, New York County, entered on or about May 29, 2013,

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 September 2014 Term, with no further enlargements to be granted.

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-341
Ind. No. 2864/88

-against-

CERTIFICATE
DENYING LEAVE

Joseph Mullady,

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 October 7, 2013 is hereby denied.


Associate Justice

Dated: March 5, 2014
New York, New York

ENTERED: March 27, 2014

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

BEFORE: Hon. Judith J. Gische
Justice of the Appellate Division

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

M-602
Ind. No. 953/08

-against-

Robert Harris,

Defendant.
-----X

The above-named defendant having moved for an extension of time to file a certificate pursuant to Criminal Procedure Law sections 450.15 and 460.15, for leave to appeal the order of Supreme Court, Bronx County, entered on or about, December 20, 2013,

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 granting defendant leave to file the certificate within 90 days from the date of entry hereof.



Justice

Dated: March 11, 2014
New York, New York

ENTERED: March 27, 2014