

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 8, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
Sun Sun Construction, Inc.,
Plaintiff-Appellant,

-against-

M-3022X
Index No. 600346/06

Yang Tze Realty Corporation, et al.,
Defendants-Respondents.

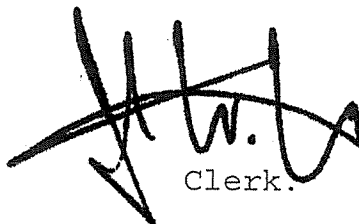
-----X
(And a third-party action)
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about July 30, 2007 (mot. seq. no. 001),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 16, 2008, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 8, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
Chariot Express LLC,
Plaintiff-Respondent-Appellant/
Appellant,

-against-

M-3021X
Index No. 110346/06

John D'Eri,
Defendant-Appellant-Respondent/
Respondent,

Fred J. Levine,
Defendant.

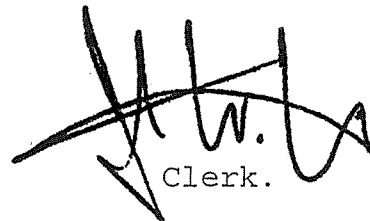
-----X

An appeal and cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about January 24, 2008 (mot. seq. no. 003), and plaintiff having taken an appeal from the order of said Court entered on or about February 20, 2008 (mot. seq. no. 004),

Now, after pre-argument conference and upon reading and filing the stipulations of the parties hereto, both "so ordered" June 16, 2008, and due deliberation having been had thereon,

It is ordered that the appeals and cross appeal are withdrawn in accordance with the aforesaid stipulations.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 8, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
Ruairi Kelly, an Infant Under the
Age of 14 Years, by his Father and
Natural Guardian, Keith Kelly, and
Keith Kelly, Individually,
Plaintiffs-Respondents,

-against-

M-3029X
Index No. 110426/04

Met Life, Inc., et al.,
Defendants-Appellants-Respondents/
Respondents,

Yates Restoration Group, Ltd.,
Defendant-Respondent-Appellant/
Respondent.

Spring Scaffolding Inc.,
Defendant-Respondent-Appellant/
Appellant.

-----X

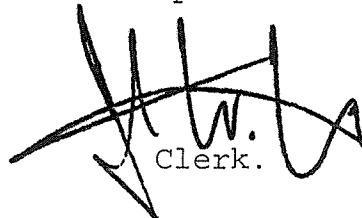
An appeal and cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about August 20, 2007 (mot. seq. no. 005)

And an appeal having been taken from the order of said Court, entered on or about August 20, 2007 (mot. seq. no. 006),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 17, 2008, and due deliberation having been had thereon,

It is ordered that the appeals and cross appeal are withdrawn in accordance with the aforesaid stipulation.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 8, 2008.

Present - Hon. Jonathan Lippman,	Presiding Justice,
Richard T. Andrias	
David Friedman	
Dianne T. Renwick	
Leland G. DeGrasse,	Justices.

-----x
M Entertainment, Inc., et al.,

Plaintiffs-Appellants,

-against-

M-2766
Index No. 119221/03

Laurence Leydier, et al.,

Defendants-Respondents.
-----x

An appeal having been taken to this Court from the amended order of the Supreme Court, New York County, entered on or about October 17, 2007 and from the judgment entered thereon on or about November 27, 2007, respectively,

And Satterlee Stephens Burke & Burke, LLP having moved for leave to withdraw as counsel for defendant-respondent Laurence Leydier on the appeal, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and upon the correspondence received from Michael H. Gibson, Esq. of Satterlee Stephens Burke & Burke, LLP dated June 12, 2008, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn in connection with the aforesaid correspondence.

ENTER:


Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 8, 2008.

Present - Hon. Jonathan Lippman,	Presiding Justice,
Peter Tom	
Angela M. Mazzairelli	
Richard T. Andrias	
David B. Saxe,	Justices.

-----X
The People of the State of New York
ex rel. Terrence G. Jordan,
Petitioner-Appellant,

-against-

M-2418
DC # 12
Index No. 75012/07

Warden, Rikers Island,
Respondent-Respondent.
-----X

An appeal having been taken by petitioner from the order of the Supreme Court, Bronx County, entered on or about January 12, 2007,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 15, 2008, pursuant to Rule 600.12(c) of said Rules of Practice, and there being no response thereto,

Now, upon the Court's own motion, it is

Ordered that the aforesaid appeal is dismissed.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme
Court held in and for the First Judicial Department
in the County of New York on July 8, 2008.

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

-----X
Rachel Brandes, etc., et al.,
Plaintiffs-Appellants,

-against-

M-2694
Index No. 6440/04

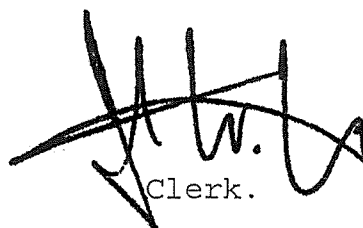
Frankie's Carnival Time, Inc.,
Defendant-Respondent.
-----X

Plaintiffs-appellants having moved for an enlargement of
time in which to perfect the appeal from the order of the Supreme
Court, Bronx County, entered on or about July 10, 2007,

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

Ordered that, sua sponte, the notice of appeal is deemed
timely filed. The motion is granted to the extent of enlarging
the time in which to perfect the appeal to the October 2008 Term,
with no further enlargements to be granted.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 8, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Richard T. Andrias
David Friedman
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
In the Matter of the Application of

Roberta Bell-Kliger, Cynthia Bell
and Marilyn Klein,

Petitioners-Respondents,

M-2859

Index No. 500163/06

For the Appointment of a Guardian
of the Person and Property of

Arline Bell,

An Alleged Incapacitated Person.

- - - - -
Evan Bell,

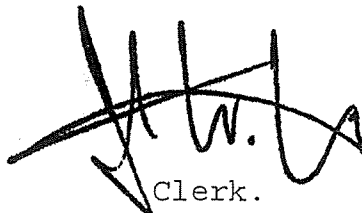
Petitioner-Appellant.

-----X
Petitioner-appellant having moved for an enlargement of time in which to perfect the appeal from the order and judgment (one paper) and the amended order of the Supreme Court, New York County, both entered on or about August 23, 2007,

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 in which to perfect the appeal to the October 2008 Term.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 8, 2008.

PRESENT: Hon. Jonathan Lippman, Presiding Justice,
Richard T. Andrias
David Friedman
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
Cathy Migliaccio, et al.,
Plaintiffs-Appellants,

-against-

M-3059
Index No. 116916/05


Fatmir Miruku,
Defendant-Respondent.
-----X

Plaintiffs-appellants having moved for an enlargement of time in which to perfect the appeal from an order of the Supreme Court, New York County, entered on or about September 5, 2007 (mot. seq. no. 003),

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the October 2008 Term.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 8, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,
Richard T. Andrias
David Friedman
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
Pamela Moore,
Plaintiff-Appellant,

-against-

158 St. Riverside Drive Housing
Co., Inc., et al.,
Defendants-Respondents.

M-2785
Index No. 108232/03
(mot. seq. no. 004)

[And a third-party action]

Index No. 591286/03

[And a second third-party action]

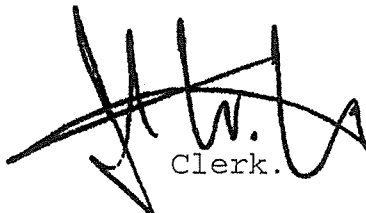
Index No. 5590170/05

-----X
Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about August 14, 2007,

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 appellant's time in which to perfect the appeal to on or before September 2, 2008 for the November 2008 Term.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme
Court held in and for the First Judicial Department
in the County of New York on July 8, 2008.

PRESENT - Hon. Jonathan Lippman,	Presiding Justice,
Richard T. Andrias	
David Friedman	
Dianne T. Renwick	
Leland G. DeGrasse,	Justices.

-----X
In the Matter of A Proceeding for
Support under Article 4 and 5-A
of the Family Court Act,

Commissioner of Social Services
of the City of New York as
Assignee of

Margaret F.,	M-2795
Petitioner-Respondent,	Docket No. F7279/04

-against

Irwin D.,
Respondent-Appellant.

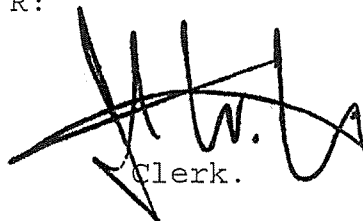
-----X

Respondent-appellant having moved for an enlargement of
time in which to perfect the appeal from the order of the Family
Court, New York County, entered on or about August 25, 2007,

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 in which to perfect the appeal to on or before
September 2, 2008 for the November 2008 Term.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme
Court held in and for the First Judicial Department
in the County of New York on July 8, 2008.

PRESENT - Hon. Jonathan Lippman,	Presiding Justice,
Richard T. Andrias	
David Friedman	
Dianne T. Renwick,	Justices.

-----X
Mary Elizabeth Stewart,
Plaintiff-Appellant,

-against-

M-2891
Index No. 113699/03

Manhattan and Bronx Surface
Transit Operating Authority and
New York City Transit Authority,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time
in which to perfect the appeal from the judgment of the Supreme
Court, New York County, entered on or about September 11, 2007,

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 appellant's time in which to perfect the appeal to the
November 2008 Term.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 8, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,
Richard T. Andrias
David Friedman
Dianne T. Renwick
Leland G. DeGrasse, Justices.

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

-against-

M-2520 (DC #72)
M-2830

Danny Reyes,
Defendant-Appellant.

Ind. No. 6385/05

-----X
An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, rendered on or about August 2, 2006,

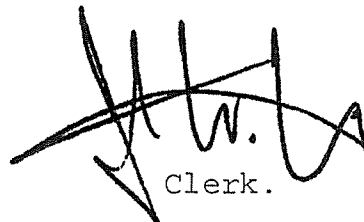
And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department (M-2520 [DC #72]),

And a calendar call having been held by the Clerk of the Court on May 15, 2008, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having moved for an enlargement of time in which to perfect the aforesaid appeal (M-2830),

Now, upon reading and filing the papers with respect to the motion (M-2830), and due deliberation having been had thereon, and upon the Court's own motion (M-2520 [DC #72]),

It is ordered that appellant's time to perfect the appeal is enlarged to the November 2008 Term and counsel is directed to so perfect.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 8, 2008.

PRESENT: Hon. Jonathan Lippman, Presiding Justice,
Richard T. Andrias
David Friedman
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
Walter R. Yetnikoff,
Plaintiff-Appellant,

-against-

M-2841
Index No. 600436/07

Teresita Mascardo, Gross and Gross
LLP, Ronald Lopez, The Ashe Group,
Inc., doing business as Peter Ashe
Real Estate, and Ariel Yehiel Tirosh,
Respondents-Respondents.

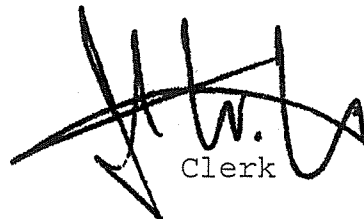
-----X

Counsel for plaintiff-appellant having moved for an order enlarging the time in which to perfect the appeals from the orders of the Supreme Court, New York County, entered on or about May 10, 2007 (mot. seq. no. 001), September 5, 2007 (mot. seq. no. 002), and January 25, 2008 (mot. seq. no. 003), respectively,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeals, which are, sua sponte, consolidated, to the May 2009 Term. Appellant is permitted to prosecute the appeals upon ten copies of one record and one copy of appellant's points covering the aforesaid 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 July 8, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
Richard T. Andrias
David B. Saxe, Justices.

-----X
In the Matter of

Chandel B., also known as
Chandel N. B.,

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

Commissioner of Social Services,
et al.,
Petitioners-Respondents,

M-2215
Docket No. B3036/04

Chandel B.,
Respondent-Appellant.

Steven Banks, Esq.,
Law Guardian 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 March 26, 2008, and for assignment of counsel, a free copy of the transcript, and related relief,

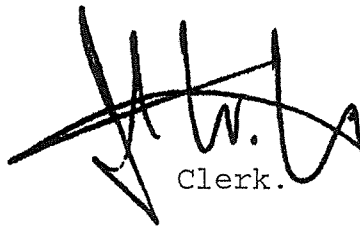
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of
(1) assigning, pursuant to Article 18b of the County Law and Section 1120 of the Family Court Act, Geoffrey P. Berman, Esq., 2005 Palmer Avenue, #176, Larchmont, New York 10538, Telephone No. 914-834-3053, as counsel, for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed within 60 days of service of a copy of this order upon the Clerk, the minutes of the proceedings held therein, for

July 8, 2008

inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹; (3) permitting appellant to dispense with any fee for transferring the record from the Family Court to this Court; and (4) enlarging the time to perfect this appeal until 120 days from the date of filing of the record. Assigned counsel is directed to immediately subpoena the record from the Family Court and to serve a copy of this order upon the Clerk of the Family Court.

E N T E R:



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 July 8, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Milton L. Williams
Karla Moskowitz
Rolando T. Acosta, Justices.

-----X
In the Matter of a Proceeding
for Custody/Visitation Under
Article 6 of the Family Court Act.

Susan B., M-2361
Petitioner-Respondent, Docket Nos. V708-05/07B
V708-05/08C
-against-

Charles M.,
Respondent-Appellant.
-----X

Respondent-appellant having moved to prosecute, as a poor
person, the appeal from an order of the Family Court, Bronx County,
entered on or about April 24, 2008, 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, Nancy Botwinik, Esq., 309 West 82nd Street,
Apt. 4-A, New York, NY 10024, Telephone No. 212-787-1501, as counsel,
for purposes of prosecuting the appeal; (2) directing the Clerk of
said Family Court to have transcribed within 60 days of service of a
copy of this order upon the Clerk, 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;
(3) permitting appellant to dispense with any fee for transferring the
record from the Family Court to this Court; and (4) enlarging the time
to perfect this appeal until 120 days from the date of filing of the
record. Assigned counsel is directed to immediately subpoena the
record from the Family Court and to 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 July 8, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Karla Moskowitz, Justices.

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

Respondent,

-against-

M-2697
Ind. No. 6717/06

Jorge Disla,

Defendant-Appellant.

-----X

Defendant having renewed his motion for leave to prosecute,
as a poor person, the appeal from the judgment of the Supreme Court,
New York County, rendered on or about August 30, 2007, for leave to
have the appeal heard upon the original record and upon a reproduced
appellant's brief, and for related relief,

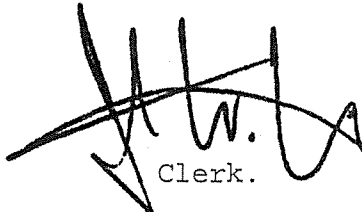
Now, upon reading and filing the papers with respect to the
motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of
permitting the appeal to be heard upon 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 10 reproduced copies of
such brief, together with the original record, with this Court.

The court reporter shall promptly make and file with the
criminal court (CPL §460.70) two transcripts of the stenographic
minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and
730, and of the plea or trial and sentence. The Clerk shall furnish
a copy of such transcripts to appellant's counsel, without charge,
the transcripts to be returned to this Court when appellant's brief
is filed.

Robert S. Dean, Esq., Center for Appellate Litigation,
74 Trinity Place, 11th Floor, New York, New York 10006, Telephone
No. 212-577-2523, is assigned as counsel for defendant-appellant for
purposes of the appeal. The time within which appellant shall perfect
this appeal is hereby enlarged until 120 days from the date of filing
of the record.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme
Court held in and for the First Judicial Department
in the County of New York on July 8, 2008.

PRESENT - Hon. Jonathan Lippman,
Richard T. Andrias
David Friedman
Leland G. DeGrasse,

Presiding Justice,

Justices.

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

-against-

M-2856
Ind. No. 3916/01

Bruce Rivers,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person,
the appeal from the judgment of the Supreme Court, Bronx County,
rendered on or about May 14, 2008, for leave to have the appeal heard
on the original record and upon a reproduced appellant's brief, and
for related relief,

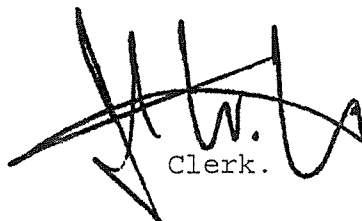
Now, upon reading and filing the papers with respect to the
motion, and due deliberation having been had thereon,

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 reproduced copies of
such brief, together with the original record, with this Court.

The court reporter shall promptly make and file with the criminal
court (CPL §460.70) two transcripts of the stenographic minutes of any
proceedings pursuant to CPL §210.20, Arts. 710 and 730, of the plea or
trial and sentence. The Clerk shall furnish a copy of such
transcripts to appellant's counsel, without charge, the transcripts to
be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation,
74 Trinity Place, 11th Floor, New York, New York 10006, Telephone
No. 212-577-2523, is assigned as counsel for defendant-appellant for
purposes of the appeal. The time within which appellant shall perfect
this appeal is hereby enlarged until 120 days from the date of filing
of the record.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 8, 2008.

Present - Hon. Jonathan Lippman, Presiding Justice,
Milton L. Williams
Karla Moskowitz
Rolando T. Acosta, Justices.

-----X
Russell D. Palmer,
Claimant-Appellant,

-against-

Court of Claims
M-2359
Claim No. 113249

The State of New York
Defendant-Respondent.
-----X

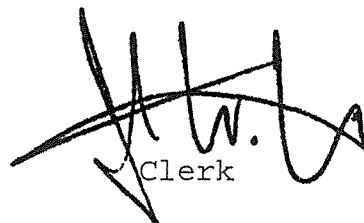
Claimant-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Court of Claims of the State of New York entered on or about January 24, 2008, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, for the assignment of counsel, and for related relief,

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

Ordered that 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 a copy of such brief upon the attorney for respondent and files 10 copies of such brief, together with the original record, with this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record.

The motion, to the extent it seeks the assignment of counsel, is denied. Claimant is directed to perfect the appeal on or before September 2, 2008 for the November 2008 Term.

ENTER:


Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 8, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
Richard T. Andrias
David B. Saxe, Justices.

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

SEALED

-against-

M-2668
Ind. No. 7972/00

Carlos Ferreira,
Defendant-Appellant.
-----X

Defendant-appellant having moved for consolidation of the direct appeal taken from the judgment of the Supreme Court, New York County, entered on or about May 4, 2005, and the purported appeal taken from the order of said court entered on or about April 9, 2008, which denied defendant's application for 440 relief (CPL 440.15 [2]),

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 appellant's time in which to perfect the direct appeal to the November 2008 Term, without prejudice to defendant seeking leave to appeal to this Court from the April 9, 2008 order, and the motion is 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 July 8, 2008.

Present: Hon. Jonathan Lippman,
Richard T. Andrias
David Friedman
Dianne T. Renwick
Leland G. DeGrasse,

Presiding Justice,

Justices.

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

Respondent,

-against-

M-2818
Ind. No. 4595/05

Giovanni Riquelme,

Defendant-Appellant.

-----X

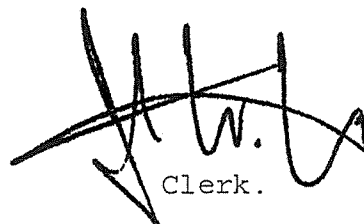
An appeal having been taken from the judgment of the Supreme Court, New York County, entered on or about December 15, 2006,

And defendant-appellant having moved for an order directing the Clerk of the Supreme Court, New York County and the individual court reporter(s) to have transcribed the minutes of all pre-trial appearances for the dates October 14, 2005 through November 13, 2006, in Part 60, Part 70 and Part 83, respectively, as enumerated in the affirmation of the moving papers,

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

It is ordered that the motion is granted to the extent of directing the Clerk of the Supreme Court, New York County, to have transcribed all minutes of the proceedings held therein as not yet transcribed, for inclusion in the record on appeal, within 30 days from the date of service upon the Clerk of a copy of this order, which counsel is directed to serve upon the Clerk and the individual court reporter(s) within 10 days from the date of entry hereof.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 8, 2008.

PRESENT: Hon. Jonathan Lippman,
Richard T. Andrias
David Friedman
Dianne T. Renwick
Leland G. DeGrasse,

Presiding Justice,

Justices.

-----X
New York Foundation for Senior
Citizens Inc., et al.,
Petitioners-Respondents,

-against-

M-2933
Index No. 111987/07

Norman Mactas Ackerman,
Respondent-Appellant.
-----X

An appeal having been taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about May 30, 2008,

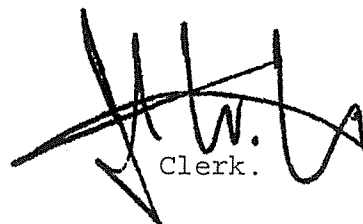
And respondent-appellant having moved for a stay of eviction pending hearing and determination of the aforesaid appeal and for leave to prosecute same, as a poor person,

Now, upon reading and filing the papers with respect to the motion and the stipulation of the parties hereto, dated June 23, 2008, and due deliberation having been had thereon,

It is ordered that the motion, to the extent it seeks a stay of eviction is granted on the terms and conditions contained in the aforesaid stipulation. Upon appellant's failure to comply with either condition respondent may move on notice to vacate the stay.

It is further ordered that the motion to the extent it seeks poor person relief is denied, with leave to renew within 30 days of the date of entry hereof, upon respondent-appellant's submission of a detailed notarized affidavit, in compliance with CPLR 1101(a), including a statement as to his interests in bank accounts, the nature of his interest in and the nature of real property to which he holds title, its value, and his equity interest in such realty.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 8, 2008.

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

-----X
Edison Ronquillo,
Plaintiff-Appellant,

-against-

M-2731
Index No. 111679/03

Turner Construction Company,
McClier Corporation and American
Express Company,
Defendants-Respondent.

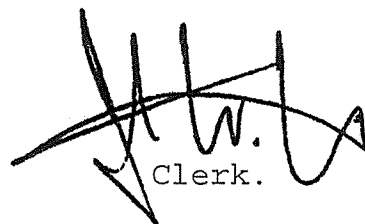
-----X

Counsel for plaintiff-appellant having moved for a stay of all proceedings in the above-entitled action pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about July 23, 2007 (mot. seq. no. 003), and an enlargement of time in which to so perfect,

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 appellant's time in which to perfect the appeal is enlarged to the December 2008 Term, with leave to seek an additional enlargement if necessary.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 8, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,
Richard T. Andrias
David Friedman
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
In the Matter of the Application of

Carl Ginsberg and Margaret Ginsberg,

Petitioners-Respondents,

For the Appointment of a Guardian of
the Person and Property of

M-3168
Index No. 500036/07

Annie Larralde,

Appellant.

An Alleged Incapacitated Person.
-----X

Appellant having moved for a stay of the order in the above-entitled action pending hearing and determination of the appeal taken from an order of the Supreme Court, New York County, entered on or about December 31, 2007,

Now, upon reading and filing the papers with respect to the motion, including the stipulation of the parties dated June 25, 2008, and due deliberation having been had thereon,

It is ordered that the motion is granted and appellant is directed to perfect the appeal on or before September 29, 2008 for the December 2008 Term.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 8, 2008.

PRESENT: Hon. Jonathan Lippman, Presiding Justice,
Richard T. Andrias
David Friedman
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
Proceeding for Revocation of Letters
of Administration and Issuance to
Petitioner in the Estate of
Wanda S. Tarka,
Deceased.

Melanie Tarka,
Petitioner-Appellant,

-against-

M-2343
Surrogate's Court
File No. 4041/95

Public Administrator of the County of
New York, as Administrator c.t.a. of
the Estate of Wanda S. Tarka, Deceased.
Respondent-Respondent.
-----X

Petitioner-appellant having moved for an order staying all proceedings pending hearing and determination of the appeal taken from the order of the Surrogate's Court, New York County, entered on or about January 9, 2007,

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

It is ordered that the motion is denied.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 8, 2008.

PRESENT: Hon. Jonathan Lippman, Presiding Justice,
Richard T. Andrias
David Friedman
Dianne T. Renwick,
Leland G. DeGrasse, Justices.

-----X
Nancy Cruz,
Plaintiff-Appellant,

-against-

M-2745
Index No. 111804/05

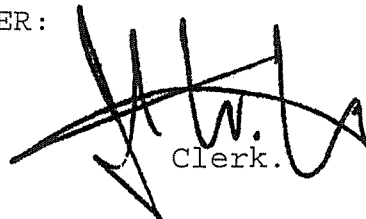
Hope Homes-HDFC,
Defendant-Respondent.
-----X

Plaintiff-appellant having moved for a stay of the orders of the Supreme Court, New York County, entered on or about September 12, 2006 and January 22, 2008 (mot. seq. no. 003), respectively, pending hearing and determination of the appeal taken from the aforesaid order of said Court entered on or about January 22, 2008 (mot. seq. no. 003),

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

It is ordered that the motion is denied and the stay of eviction relief afforded appellant by the order of a Justice of this Court, dated May 28, 2008, is hereby vacated.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 8, 2008.

PRESENT: Hon. Jonathan Lippman, Presiding Justice,
Richard T. Andrias
David Friedman
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
In the Matter of the Petition of

Puerto Rican Home Attendants
Services, Inc.,
Petitioner-Appellant,

For a Judgment Pursuant to
Article 78 of the CPLR,

M-2930
Index No. 303712/07

-against-

Robert Doar, etc.,
Respondent-Respondent.

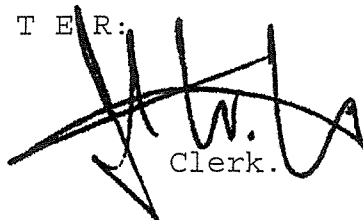
-----X

Petitioner-appellant having moved for a stay of enforcement of the order of the Supreme Court, Bronx County, entered on or about May 29, 2008 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.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 8, 2008.

PRESENT: Hon. Jonathan Lippman, Presiding Justice,
Richard T. Andrias
David Friedman
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
Virginia Albizu,
Plaintiff-Respondent,

-against-

M-2993
Index No. 302180/04

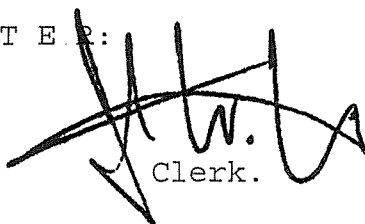
Jose Duval,
Defendant-Appellant.
-----X

Defendant-appellant having moved for a stay of enforcement of the judgment of the Supreme Court, New York County, entered on or about May 14, 2008 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.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme
Court held in and for the First Judicial Department in
the County of New York on July 8, 2008.

Present - Hon. Jonathan Lippman,	Presiding Justice,
David B. Saxe	
John T. Buckley	
Rolando T. Acosta,	Justices.

-----X
Arnold Tuico,
Plaintiff-Appellant,

Edward J. Garofalo,
Plaintiff-Appellant-Respondent,

M-2951
Index No. 117680/04

-against-

Edward C. Maher, et al.,
Defendants-Respondents.

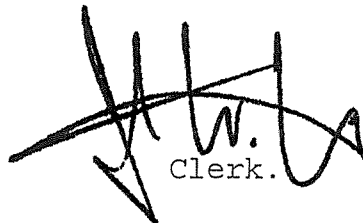
-----X

Plaintiffs Arnold Tuico and Edward J. Garofalo having
jointly moved for reargument of the decision and order of this
Court entered on June 3, 2008 (Appeal No. 3576),

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.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 8, 2008.

Present - Hon. Jonathan Lippman,	Presiding Justice,
Luis A. Gonzalez	
John W. Sweeny, Jr.	
James M. Catterson,	Justices.

-----X
Angelo Iannone,
Plaintiff-Appellant

-against-

M-2241
Index No. 107560/06


ING Financial Services, LLC, et al.,
Defendants-Respondents.
-----X

Plaintiff-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on March 18, 2008 (Appeal No. 3113),

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.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 8, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson, Justices.

-----X
Charlene McLean, as mother and
natural guardian of the infant
Briana Hall, et al.,
Plaintiffs-Respondents,

-against-

M-2590
Index No. 119189/00

The City of New York,
Defendant-Appellant,

Patricia Theroulde, et al.,
Defendants.

-----X

Municipal defendant-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on March 18, 2008 (Appeal No. 3116),

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

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

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

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

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme
Court held in and for the First Judicial Department in
the County of New York on July 8, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,
 Luis A. Gonzalez
 John W. Sweeny, Jr.
 James M. Catterson, Justices.

-----X
Future Purchases, LLC,
 Plaintiff-Respondent,

-against-

M-2316
Index No. 115204/04

The City of New York, et al.,
 Defendants-Appellants.
-----X

Plaintiff-respondent having moved for leave to appeal
to the Court of Appeals from the decision and order of this Court
entered on March 18, 2008 (Appeal No. 3109),

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.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 8, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,
Angela M. Mazzaelli
John T. Buckley
Dianne T. Renwick, Justices.

-----X
Juan Carlos Gonzalez,
Plaintiff-Appellant-Respondent,

-against-

Glenwood Mason Supply Co., Inc., et al.,
Defendants-Respondents-Appellants,

M-2137
M-2475
Index Nos. 6877/04
84184/04

Superior Block Corp.,
Defendant-Respondent.

-----X
Bovis Lend Lease, Inc., formerly known as
Bovis Construction Corp. is sued herein as
Bovis Construction, Inc., et al.,
Third-Party Plaintiffs,

-against-

New Town Corp.,
Third-Party Defendant-Respondent-Appellant,

Ferguson Hauling Corp., et al.,
Third-Party Defendants.

-----X

Defendant-respondent-appellant Glenwood Mason Supply Co., Inc. having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on June 28, 2007 (Appeal No. 1457) [M-2137],

And defendant-respondent-appellant Dyer Avenue Associates LLC and third-party plaintiffs Bovis Lend Lease, Inc., Dyer Avenue Associates L.L.C. and third-party defendant New Town Corp. having moved for same relief [M-2475],

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

Ordered that the motions are denied.

E N T E R


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 8, 2008.

Present - Hon. Peter Tom, Justice Presiding,
David Friedman
Eugene Nardelli
James M. Catterson
Karla Moskowitz, Justices.

-----x
Hugh Gallagher, et al.,
Plaintiffs-Appellants,

-against-

The New York Post, et al.,
Defendants-Respondents.

M-2587
Index No. 400957/05

- - - - -
(And a third-party action)
-----x

Appeals having been taken to this Court from orders of the Supreme Court, New York County, entered on or about January 10, 2007 (mot. seq. no. 002) and on or about August 9, 2007 (mot. seq. nos. 003, 004, 005 and 006), respectively,

And an order of this Court having been entered on December 4, 2007 (M-5917), granting a stay of proceedings pending hearing and determination of the aforesaid perfected appeals,

And plaintiffs-appellants having moved, pursuant to CPLR 5519, for modification of the stay granted by the order entered on December 4, 2007 (M-5917), so as to permit plaintiff to move in Supreme Court, New York County, for an order severing the third-party defendant, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the correspondence from Richard Imbrogno, Esq. of Jones Hirsch Connors & Bull P.C., dated June 25, 2008, and due deliberation having been had thereon,

It is ordered that the motion is denied.

ENTER:


Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 8, 2008.

Present - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Eugene Nardelli
Milton L. Williams, Justices.

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

-against-

M-1363
M-2146
Ind. No. 7190/90

Ruth Ramirez,
Defendant-Appellant.
-----x

The People having moved to dismiss the appeal from the judgment of the Supreme Court, New York County, rendered on or about May 9, 2006 (M-1363),

And defendant-appellant having cross-moved for leave to prosecute the appeal as a poor person, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief (M-2146),

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

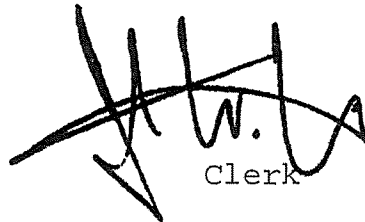
It is ordered that the motion to dismiss the appeal is denied. The cross motion for poor person relief is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and 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 10 reproduced copies of such brief, together with the original record, with 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.

July 8, 2008

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:



Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 8, 2008.

Present - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
Milton L. Williams
John W. Sweeny, Jr., Justices.

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

Respondent,

-against-

M-1619
Ind. No. 4472/05

Terhan Bey,

Defendant-Appellant.
-----x

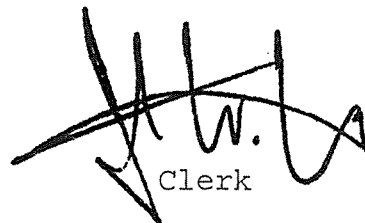
An order of this Court having been entered on August 31, 2006 (M-4258), granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about June 14, 2006, and assigning Steven Banks, Esq., as counsel to prosecute the appeal,

And assigned counsel having moved for an order to be relieved as counsel and for the assignment of substitute counsel to prosecute 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 relieving Steven Banks, Esq. as counsel on the appeal and, sua sponte, the appeal is deemed withdrawn.

ENTER:


Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 8, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,
David B. Saxe
David Friedman
John T. Buckley
James M. Catterson, Justices.

-----X

The People of the State of New York,
Appellant,

-against-

Angel Cortez, also known as
Angel Baez, also known as
Angelo Ortiz,

M-2498
Ind. Nos. 4405/94
4395/97
6410/04

Defendant-Respondent.

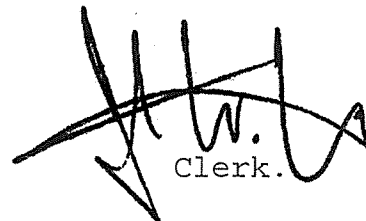
-----X

The People having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about September 7, 2007,

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 in which to perfect the appeal to the October 2008 Term.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 8, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,
David B. Saxe
David Friedman
John T. Buckley
James M. Catterson, Justices.

-----X
In the Matter of the Commitment of the
Guardianship and Custody of

Jaiheem M.S., also known as
Jaheim H., also known as
Jaiheem H., and
Shavar D.H., also known as
Shavaer H.,

Children Under the Age of 18 Years
Pursuant to Section §384-b of
the Social Services Law of the
State of New York.

M-2478
Docket Nos. B12671/06
B12672/06

The Children's Aid Society, et al.,
Petitioners-Respondents,

Sharon H.,
Respondent-Appellant,

Steven Banks, Esq., Legal Aid Society,
Juvenile Rights Division,
Law Guardian 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, New York County, both entered on or about January 2, 2008, and 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

July 8, 2008

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, Michael S. Bromberg, Esq., 44 Hampton Street, Sag Harbor, NY 11963, Tel. No. 631-725-0641, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed within 60 days of service of a copy of this order upon the Clerk, 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 60 days of service of a copy of this order upon the Clerk; (3) permitting appellant to dispense with any fee for transferring the record from the Family Court to this Court; and (4) enlarging the time to perfect this appeal until 120 days from the date of filing of the record. Assigned counsel is directed to immediately subpoena the record from the Family Court and to 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 July 8, 2008.

Present - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzairelli
David Friedman
John T. Buckley
James M. McGuire, Justices.

-----X
Janet M. Johnson,
Plaintiff-Respondent,

-against-

M-1760
M-2233
Index No. 350749/01

Allan M. Chapin,
Defendant-Appellant.
-----X

Plaintiff-respondent having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on March 13, 2008 (Appeal Nos. 9858/9859) [M-1760],

And defendant-appellant having cross-moved for reargument of the aforesaid decision and order [M-2233],

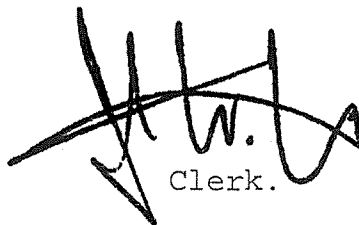
Now, upon reading and filing the papers with respect to the motion and cross motion, and due deliberation having been had thereon,

It is ordered that the motion and cross motion, to the extent that they seek reargument, are denied. The motion to the extent that it seeks leave to appeal to the Court of Appeals, is granted, and this Court, pursuant to CPLR 5713, certifies that the following question of law, decisive of the correctness of its determination, has arisen, which in its opinion ought to be reviewed by the Court of Appeals:

"Was the order of this Court, which modified 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.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 8, 2008.

Present - Hon. Peter Tom,	Justice Presiding,
David B. Saxe	
Eugene Nardelli	
Milton L. Williams,	Justices.

-----X
Dawn Peters, as Administratrix
of the Estate of Riccardo Gandolfo,
Deceased, etc.,
Plaintiff-Respondent,

-against-

M-2369
Index No. 24817/99

Eli Goldner, M.D., et al.,
Defendants-Appellants,

Infu-Tech, Inc.,
Defendant-Respondent.


-----X

Plaintiff-respondent having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on April 8, 2008 (Appeal No. 3297),

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.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 8, 2008.

Present - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Eugene Nardelli
Milton L. Williams, Justices.

-----X

In re Richard J. Condon,
in his official capacity as
Special Commissioner of Investigation
for the New York City School District,
Petitioner-Respondent,

Index No. 406703/07

-against-

The Inter-Religious Foundation for
Community Organization, Inc.,
Respondent-Appellant.

M-2756

-----X

In re Richard J. Condon,
in his official capacity as
Special Commissioner of Investigation
for the New York City School District,
Petitioner-Respondent,

Index No. 406704/07

-against-

Lucius Walker, Jr.,
Respondent-Appellant.


-----X

Respondent(s)-appellant(s) having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on May 6, 2008 (Appeal No. 3606),

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.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 8, 2008.

PRESENT - Hon. Angela M. Mazzairelli, Justice Presiding,
Milton L. Williams
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

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

-against-

M-6522
Ind. No. 388/03

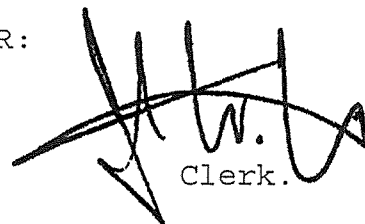
Robisson Santos,
Defendant-Appellant.
-----X

The People having moved to dismiss the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about July 14, 2004,

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 the appeal is dismissed.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 8, 2008.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
David Friedman
James M. Catterson
Rolando T. Acosta, Justices.

-----X
In the Matter of the Application for
the Custody and Guardianship of

Elijah F., also known as
Elijah Manuel F.,

A Child Under 18 Years of Age Pursuant
to § 384-b of the Social Services Law
of the State of New York.

Catholic Guardian Society and Home
Bureau, et al.,
Petitioners-Respondents,

M-81
M-1880
Docket No. B24312/03

Donna Denise M.,
Respondent-Appellant,

Edgar F., also known as Edgar L. F.,
Respondent-Appellant.

Edward Arfe, Esq.,
Law Guardian for the Child.

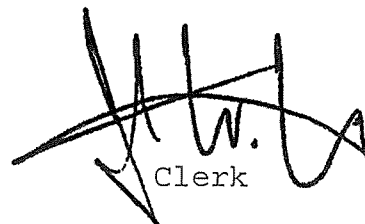
-----X
Separate appeals having been taken to this Court from the order of the Family Court, Bronx County, entered on or about May 30, 2006,

And petitioner-respondent agency having moved for dismissal 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 motions 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 July 8, 2008.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Milton L. Williams
Dianne T. Renwick, Justices.

-----X
In the Matter of

Tyami Alotta M., also known as
Tyami M., also known as
Ty-Ami M., also known as
Tammy M., also known as
Baby Girl M.;
Sedejah Ann M., also known as
Sedajah M., also known as
Sedejah M.,

M-2641
Docket Nos. B27707/06
B27708/06

Dependent Children under 14 Years
of Age Pursuant to §384-b
of the Social Services Law,

Little Flower Children and Family
Services of New York, et al.,
Petitioners-Respondents,

Marisa M., also known as
Marissa M.,
Respondent-Appellant.

Steven Banks, Esq.,
Law Guardian for the Children.

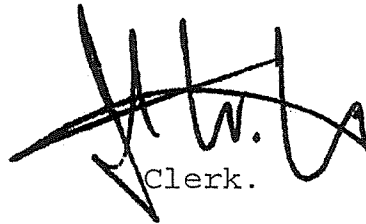
-----X
Respondent-appellant mother having moved for leave to
prosecute, as a poor person, the appeal from the orders of the
Family Court, Bronx County, both entered on or about February 15,
2008, and for assignment of counsel, a free copy of the
transcript, and related relief,

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

July 8, 2008

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and Section 1120 of the Family Court Act, Robin Steinberg, Esq., The Bronx Defenders, 860 Courtlandt Avenue, Bronx, New York 10451, Telephone No. 718-838-7878, as counsel, for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed within 60 days of service of a copy of this order upon the Clerk, 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; (3) permitting appellant to dispense with any fee for transferring the record from the Family Court to this Court; and (4) enlarging the time to perfect this appeal until 120 days from the date of filing of the record. Assigned counsel is directed to immediately subpoena the record from the Family Court and to serve a copy of this order upon the Clerk of the Family Court.

E N T E R:



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 July 8, 2008.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Milton L. Williams
Dianne T. Renwick, Justices.

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

-against-

M-2624
Ind. No. 2642/04

Jason Pimentel
Defendant-Appellant.
-----X

Defendant having moved for an extension of time in which to file
a notice of appeal from the judgment of the Supreme Court, New York
County, rendered on or about September 19, 2007, and for leave to
prosecute the appeal as a poor person upon the original record and a
reproduced appellant's brief, and for assignment of counsel,

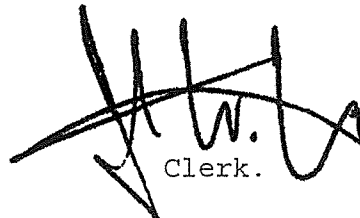
Now, upon reading and filing the papers with respect to the
motion, and due deliberation having been had thereon,

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 10 reproduced copies of
such brief, together with the original record, with 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.

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.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 8, 2008.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Milton L. Williams
Dianne T. Renwick, Justices.

-----x
John Coratti and Sharon Coratti,
Plaintiffs-Appellants,

-against-

The Wella Corporation, et al.,
Defendants-Respondents,

M-2648
M-2727
M-2781
Index No. 106168/01

L'Oreal USA Products, Inc., et al.,
Defendants-Respondents.
-----x

Appeals having been taken to this Court from the orders of the Supreme Court, New York County, entered on or about January 11, 2007 (mot. seq. nos. 002, 003) and August 10, 2007 (mot. seq. no. 004), respectively,

And plaintiffs-appellants having moved for consolidation of the aforesaid appeals, and for an enlargement of time in which to perfect same [M-2648],

And defendants-respondents The Wella Corporation, et al. having cross-moved for dismissal of the aforesaid appeals, and for other relief [M-2727],

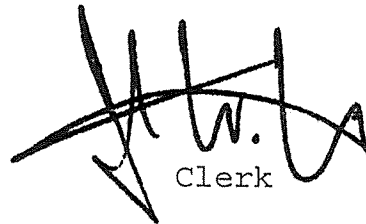
And defendants-respondents L'Oreal USA Products, Inc., et al. having cross-moved for dismissal of the aforesaid appeals, and for other relief [M-2781],

July 8, 2008

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

It is ordered that the motion is granted to the extent of permitting appellants to prosecute the appeals upon 10 copies of one record and one set of appellants' points covering the appeals and enlarging the time in which to perfect the consolidated appeals to the October 2008 Term, with no further enlargements to be granted. The cross motions to dismiss the appeals are denied without prejudice to addressing the issue on direct 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 July 8, 2008.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Eugene Nardelli
Richard T. Andrias
Leland G. DeGrasse, Justices.

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

-against-

M-1680
Ind. No. 9252/98

Mark Green,
Defendant-Appellant.

-----X

Defendant-appellant having moved for reargument of the decision and order of this Court entered on October 15, 2002 (Appeal No. 1866 [M-5115]),

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.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme
Court held in and for the First Judicial Department in
the County of New York on July 8, 2008.

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

-----X
In re Judith L. Hancock,
Petitioner-Respondent-Appellant,

-against-

M-2677
Index No. 604417/06

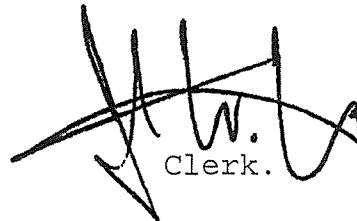
Arts4All, Ltd., etc.,
Respondent-Appellant-Respondent.
-----X

Respondent-appellant-respondent having moved for
reargument of or, in the alternative, for leave to appeal to the
Court of Appeals from the decision and order of this Court
entered on April 10, 2008 (Appeal No. 3343 [M-1206]),

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.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 8, 2008.

Present - Hon. David B. Saxe, Justice Presiding,
Eugene Nardelli
Karla Moskowitz
Rolando T. Acosta
Leland G. DeGrasse, Justices.

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

-against-

M-2708
Ind. No. 1011/03

Terrence Ray,
Defendant-Appellant.

-----X

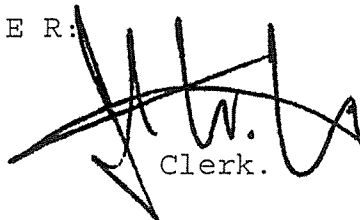
An order of this Court having been entered on May 8, 2007 (M-1975), inter alia, granting defendant's motion for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about March 8, 2007, under Indictment No. 1011/03, and assigning counsel therefor,

And defendant-appellant having moved for an order amending the notice of appeal and the aforementioned order to reflect the correct judgment date of June 7, 2007 and to deem the premature notice of appeal from the aforesaid judgment as timely,

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 the judgment rendered on or about June 7, 2007, and extending the poor person relief previously granted to cover same.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 8, 2008.

Present: Hon. David B. Saxe,	Justice Presiding,
Eugene Nardelli	
James M. Catterson	
James M. McGuire,	Justices.

-----X
In the Matter of

Eric J.,

A Person Alleged to Be a Juvenile
Delinquent,

M-2263

Docket No. E693/07

Respondent-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 April 23, 2008, 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 to the extent of (1) assigning, pursuant to Section 35 of the Judiciary Law and Section 1120 of the Family Court Act, Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. 212-402-4100, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the State of New York from funds available therefor;¹ **within 60 days of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for transferring the record from the Family Court to

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

July 8, 2008

this Court; and (4) enlarging the time to perfect the appeal until 120 days from the date of filing of the record. Assigned counsel is directed to immediately subpoena the record from the Family Court and to serve a copy of this order upon the Clerk of the Family Court.

ENTER:


Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 8, 2008.

PRESENT: Hon. David B. Saxe, Justice Presiding,
Eugene Nardelli
Karla Moskowitz
Rolando T. Acosta
Leland G. DeGrasse, Justices.

-----X
Craig Brown,
Plaintiff-Appellant,

-against-

M-2721
Index No. 105230/02

Mark G. Speaker MD, Laser & Corneal
Surgery Associates PC, TLC Laser
Eye Center and William Tullo OC,
Defendants-Respondents.

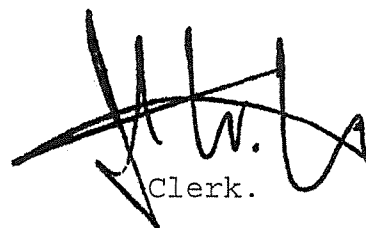
-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect his appeal from a judgment of the Supreme Court, New York County, entered on or about August 3, 2007,

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 in which to perfect the appeal to the October 2008 Term.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 8, 2008.

PRESENT - Hon. David B. Saxe, Justice Presiding,
Eugene Nardelli
Karla Moskowitz
Rolando T. Acosta
Leland G. DeGrasse, Justices.

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

-against-

M-1847
Ind. No. 2547/84

George Villanueva,
Defendant-Appellant.

-----X
A decision and order of this Court having been entered on June 23, 1987 (Appeal No. 30396), unanimously affirming the judgment of the Supreme Court, Bronx County (Jerome Reinstein, J.), rendered on February 10, 1986,

And orders of this Court having been entered on September 6, 1990 (M-3241), February 6, 1992 (M-5740), and November 15, 2001 (M-2281), respectively, denying defendant's motions, in the nature of writs of error coram nobis, for a review of his claims of ineffective assistance of appellate counsel,

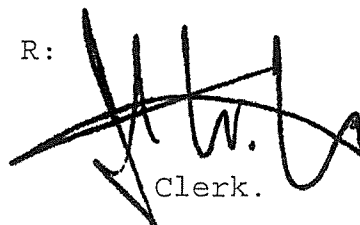
And an order of a Justice of this Court (Wallach, J.), having been entered on January 18, 2000 (M-7480) denying defendant's application for leave to appeal to the Appellate Division from the order of the Supreme Court, Bronx County entered on or about September 30, 1999,

And defendant having again moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate counsel, and for related relief,

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

It is ordered that said application is denied.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 8, 2008.

Present - Hon. David B. Saxe,	Justice Presiding,
Luis A. Gonzalez	
John T. Buckley	
Rolando T. Acosta,	Justices.

-----X
B.B.C.F.D., S.A., etc., et al.,
Plaintiffs-Respondents,

-against-

M-2031
Index No. 604084/03

Bank Julius Baer & Co. Ltd., et al.,
Defendants-Appellants,

David Bonner, et al.,
Defendants.

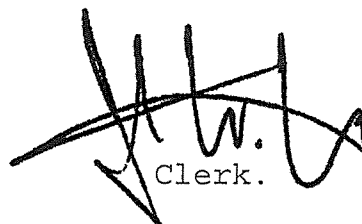
-----X

Plaintiffs-respondents having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on March 13, 2008 (Appeal No. 3075),

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.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme
Court held in and for the First Judicial Department
in the County of New York on July 8, 2008.

Present: Hon. David Friedman, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson, Justices.

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

Respondent,

-against-

M-2666
Ind. No. 4465/06

Juan Urbeaz, also known as Juan Urbaez,

Defendant-Appellant.
-----X

Defendant having renewed his motion for leave to prosecute,
as a poor person, the appeal from the judgment of the Supreme Court,
New York County, rendered on or about May 30, 2007, for leave to have
the appeal heard upon the original record and upon a reproduced
appellant's brief, and for related relief,

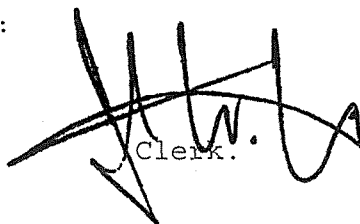
Now, upon reading and filing the papers with respect to the
motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of
permitting the appeal to be heard upon 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 10 reproduced copies of
such brief, together with the original record, with this Court.

The court reporter shall promptly make and file with the
criminal court (CPL §460.70) two transcripts of the stenographic
minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and
730, and of the plea or trial and sentence. The Clerk shall furnish
a copy of such transcripts to appellant's counsel, without charge,
the transcripts to be returned to this Court when appellant's brief
is filed.

Richard M. Greenberg, Esq., Office of the Appellate Defender,
11 Park Place, Room 1601, New York, NY 10007, Tel. No. 212-402-4100,
is assigned as counsel for defendant-appellant for purposes of the
appeal. The time within which appellant shall perfect this appeal is
hereby enlarged until 120 days from the date of filing of the record.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 8, 2008.

PRESENT - Hon. Luis A. Gonzalez, Justice Presiding,
Milton L. Williams
James M. Catterson
Karla Moskowitz, Justices.

-----X
The CLC/CFI Liquidating Trust, et al.,
Plaintiffs-Appellants,

-against-

M-2647
Index No. 603859/03

Bloomington's, Inc., a Division of
Federated Department Stores, Inc.,
an Ohio Corporation, et al.,
Defendants-Respondents.

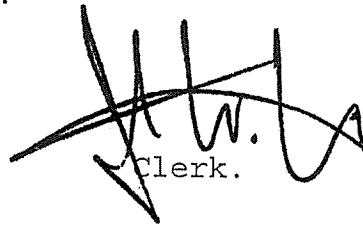
-----X

Plaintiffs-appellants having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on April 15, 2008 (Appeal Nos. 3244N-3244NA),

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.

E N T E R:


Clerk.

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

BEFORE: Hon. Richard T. Andrias,
Associate Justice

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

M-2021
Ind. No. 5954/03

-against-
Ronnie Covington,
Defendant.

ORDER TRANSFERRING MOTION
PURSUANT TO CPL 440.20
and
CERTIFICATE DENYING LEAVE

-----X

I, Richard T. Andrias, 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 Section 460.15,
and upon the record and proceedings herein, that part of
defendant's motion pursuant to CPL 460.15 for leave to appeal
from that part of an order of the Supreme Court, New York County
(Richard D. Carruthers, J.), entered on or about March 20, 2008,
which denied his motion pursuant to CPL 440.20 to set aside his
sentence, is deemed a renewal of his CPL 440.20 motion and said
motion is hereby transferred to Supreme Court, New York County,
for determination pursuant to CPL 440.20(3).

Insofar as the motion seeks a certificate pursuant to CPL
460.15 for permission to appeal from that part of the order
denying defendant's motion pursuant to CPL 440.10, there is no

(M-2021)

question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from that part of the Order of the Supreme Court, New York County, (Richard D. Carruthers, J.), entered on or about March 20, 2008, which denied defendant's motion pursuant to CPL 440.10, is hereby denied.

Dated: New York, New York
June 24, 2008



Justice of the Appellate Division

ENTERED: July 8, 2008

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

BEFORE: Hon. Milton L. Williams
Justice of the Appellate Division

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

M-1806
Ind. No. 763/04

-against-

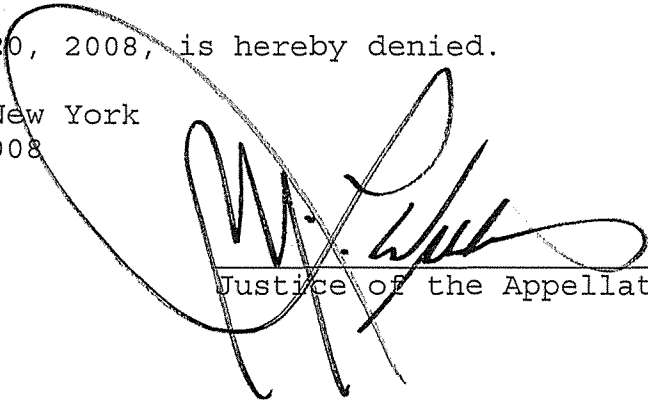
CERTIFICATE
DENYING LEAVE

LARRY JONES,
Defendant.

-----X

I, Milton L. Williams, 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, section 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, Bronx County, entered
on or about March 20, 2008, is hereby denied.

Dated: New York, New York
June 25, 2008


Justice of the Appellate Division

ENTERED

JUL 08 2008

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- 2254
Ind. No. 14237/89

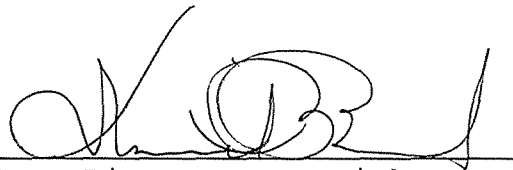
-against-

CERTIFICATE
DENYING LEAVE

Robert Jones,
Defendant.

-----X

I, 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 March 28, 2008, is hereby
denied.


Hon. Dianne T. Renwick
Associate Justice

Dated: JUN 26 2008
New York, New York

ENTERED: JUL 08 2008

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- 2563
Ind. No. 13501/89

-against-

CERTIFICATE
DENYING LEAVE

Samuel Edward Davis,
Defendant.

-----X

I, 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 April 17, 2008, is hereby
denied.



Hon. Dianne T. Renwick
Associate Justice

Dated: JUN 26 2008
New York, New York

ENTERED: JUL 08 2008

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- 2565
Ind. No. 7193/83

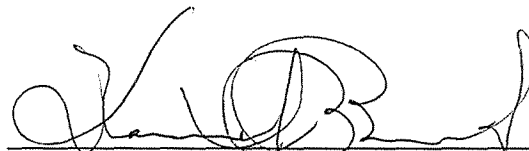
-against-

CERTIFICATE
DENYING LEAVE

Cedric Partee,
Defendant.

-----X

I, 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 April 15, 2008, is hereby
denied.



Hon. Dianne T. Renwick
Associate Justice

Dated: JUN 26 2008
New York, New York

ENTERED: JUL 08 2008