

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 November 17, 2011.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

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

Respondent,  
M-4363  
-against- Ind. No. 5018N/10

Leonardo Acosta,

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 July 27, 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) 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.

November 17, 2011

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:



A handwritten signature in black ink, appearing to read "Susan R.", is positioned above a horizontal line. Below the line, the word "CLERK" is printed in capital letters.

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 November 17, 2011.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

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

Respondent,  
M-4364  
-against- Ind. No. 5437/10

Ikeem Alexander,

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 18, 2010, 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.

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November 17, 2011

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.

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A handwritten signature in black ink, appearing to read "Susan R.", is written over a horizontal line. Below the line, the word "CLERK" is printed in capital letters.

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 November 17, 2011.

Present - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela A. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

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

Respondent,  
M-4366  
-against- Ind. No. 4826/10

Pierre Appolon,

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 June 14, 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) 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.

November 17, 2011

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 November 17, 2011.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

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

Respondent,  
M-4367  
-against-  
Ind. No. 601/11

Martin Bonola,

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 25, 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) 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.

November 17, 2011

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:



---

Susan 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 November 17, 2011.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

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

Respondent,  
M-4368  
-against-  
Ind. No. 2783/11

Andrew Dixon,

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 24, 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) 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.

November 17, 2011

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.

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---

Susan 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 November 17, 2011.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

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

Respondent,  
M-4369  
-against-  
Ind. No. 4220/10

Titus Halterman, also known as  
Titus Halteman,

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 18, 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) 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.

November 17, 2011

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.

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PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

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

Respondent,  
M-4373  
-against-  
Ind. No. 3385/10

Carlos Melo,

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 17, 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) 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.

November 17, 2011

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.

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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 November 17, 2011.

Present - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

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

Respondent,  
M-4374  
-against-  
Ind. No. 236/11

Claude McCree,

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 July 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) 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.

November 17, 2011

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:



Susan 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 November 17, 2011.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

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

Respondent,  
M-4376  
-against-  
Ind. No. 4582/10

Aldeen Sanders,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 4, 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) 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.

November 17, 2011

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 November 17, 2011.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Richard T. Andrias  
David B. Saxe  
John W. Sweeny, Jr., Justices.

-----X  
In the Matter of

Fatoumata D.;  
and Zaidy S. D., also known as  
Zaidy D.,

**M-3889**  
Docket Nos. B8629/08  
B8630/08

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

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

Sokona D.,  
Respondent-Appellant.

-----  
Steven Banks, Esq., The Legal Aid  
Society, Juvenile Rights Division,  
Attorney for the Children.

-----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 May 10, 2011, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Randall Carmell, Esq., 53 Jackson Avenue, Syosset, New York 11791, Telephone No. (516) 921-8800, as counsel for purposes of prosecuting the appeal; (2) directing the

November 17, 2011

Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor<sup>1</sup> **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:

  
\_\_\_\_\_  
CLERK

---

<sup>1</sup>Service 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 November 17, 2011.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Nelson S. Román, Justices.

-----X  
Leon Kucherovsky, Esq.,  
Plaintiff-Respondent,

-against-

**M-4332**

Index No. 100488/08

Excel Medical & Diagnostic Services,  
P.C., et al.,  
Defendants,

-and-

Persad Chalasani, M.D.,  
Defendant-Appellant,

-and-

Moriah United Corporation,  
Intervenor-Respondent.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about September 16, 2010, and said appeal having been perfected,

And intervenor-respondent having moved for an order striking defendant-appellant's brief and dismissing the appeal or, in the alternative, extending the time in which to file a respondent's brief,

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

Ordered that intervenor-respondent's motion is granted to the extent of adjourning the appeal to the February 2012 Term and otherwise denied without prejudice to respondent addressing the issues regarding the contents of defendant-appellant's brief directly on appeal.

ENTER:



Susan 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 November 17, 2011.

PRESENT - Hon: Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Nelson S. Román, Justices.

-----X  
In the Matter of

Brandon R., also known as  
Brandon Lee R., also known as  
Brandan R.,

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

-----  
Children's Aid Society, M-4442  
Petitioner-Respondent, Docket No. B-16833/09

Chrystal R., also known as  
Chrystal Michelle R., also known as  
Crystal R.,  
Respondent-Appellant.

-----  
Hal Silverman, Esq.,  
Lawyers for Children, Inc.,  
Attorney for the Child.

-----X  
An appeal having been taken from the order of the Family Court, New York County, entered on or about December 3, 2010,

And respondent-appellant mother having moved for an order granting interim supervised visitation pending hearing and determination of said appeal,

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

It is ordered that the motion is denied.

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 17, 2011.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Richard T. Andrias  
David B. Saxe  
John W. Sweeny, Jr., Justices.

-----X  
Vito Sacchetti and T.M.S.  
Management, Inc.,  
Plaintiffs-Respondents,

-against-

M-4095  
Index No. 301374/07

Stern Agency, Inc., Merchants and  
Businessmens Mutual Insurance  
Company and Virginia Surety Company,  
Defendants-Appellants.

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

Defendant-appellant Virginia Surety Company, Inc.  
having moved for an enlargement of time in which to perfect the  
appeal from an order of the Supreme Court, Bronx County, entered  
on or about December 22, 2010,

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 March  
2012 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 November 17, 2011.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Richard T. Andrias  
David B. Saxe  
John W. Sweeny, Jr., Justices.

-----X

Calogero Candela and Carmela  
Candela,  
Plaintiffs-Appellants,

-against-

M-4092  
Index No. 117686/00

New York City School Construction  
Authority, et al.,  
Defendants-Respondents.

-----X

Plaintiffs-appellants 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 November 18, 2010,

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 March 2012 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 November 17, 2011.

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

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

-against-

M-1869  
Ind. No. 6883/95

Stanley Jackson,  
Defendant-Appellant.

-----X  
A decision and order of this Court having been entered on February 14, 2002 (Appeal No. 220), unanimously affirming a judgment of the Supreme Court, Bronx County (Martin Marcus, J.), rendered on April 16, 1998,

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

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

It is ordered that said application is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 17, 2011.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
Rolando T. Acosta  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----X  
Michael J. Devereaux,  
Plaintiff-Appellant,

-against-

M-4365  
Index No. 114428/09

Carolina E. Pascacio,  
Defendant-Respondent.

-----X  
Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from order of the Supreme Court, New York County, entered on or about October 19, 2010,

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 March 2012 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 November 17, 2011.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
Rolando T. Acosta  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----X  
In the Matter of Albert N. Eisenberg,  
Grantor, Deceased,

Law Offices of Seema Verma, PLLC,  
Petitioner-Appellant,  
-against-

M-4435  
Surrogate's Court  
File No. 2010-2629/E

Citigroup, Inc., et al.,  
Respondents-Respondents.  
-----X

Respondent-respondent Citigroup, Inc., having moved for dismissal of the appeal taken from the order of the Surrogate's Court, New York County, entered on or about July 18, 2011, and said appeal having been perfected,

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 raising the argument with respect to the appealability of the order appealed in the respondent's brief. Sua sponte the appeal is adjourned to the February 2012 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 November 17, 2011.

PRESENT - Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
Rolando T. Acosta  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----X  
In the Matter of

Moona C.,  
Robina C.,  
Amal K., and  
Nadia K.,

Dependent Children under 18 Years  
of Age Alleged to be Abused and/or  
Neglected Under Article 10 of the  
Family Court Act.

-----  
Administration for Children's Services, M-4517  
Petitioner-Respondent, Docket Nos. NN2641-44/08

Charlotte K.,  
Respondent-Appellant.

-----  
Steven Banks, Esq., Legal Aid Society,  
Law Guardian for Children Moona C.,  
Amal K. and Nadia K.,

Michael Moorman, Esq., Lawyers for  
Children, Law Guardian for Child  
Robina C.

-----X

Respondent-appellant having moved for a further enlargement of time in which to perfect the appeal from the orders of the Family Court, New York County, entered on or about May 1, 2009 and October 26, 2009, 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 to the March 2012 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 November 17, 2011.

PRESENT: Hon. Peter Tom, Justice Presiding,  
David B. Saxe  
Karla Moskowitz  
Leland G. DeGrasse  
Sheila Abdus-Salaam, Justices.

-----X  
Virginia Surety Insurance Company,  
Plaintiff-Appellant,

-against-

Harway Terrace, Inc., et al.,  
Defendant-Respondent,

M-4410  
Index No. 110207/06

-----X  
Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about October 1, 2009,

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 June 2012 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 November 17, 2011.

Present: Hon. Peter Tom, Justice Presiding,  
David Friedman  
James M. Catterson  
Dianne T. Renwick  
Sheila Abdus-Salaam, Justices.

-----X  
Stephanie L. Berardo, as Surviving Spouse and as Administratrix of the Estate of Francis Lindner, et al., Plaintiffs-Respondents, **M-3923**  
Index No. 6630/01

-against-

Jacques Guillet, et al., Defendants-Appellants.

-----X

Plaintiffs-respondents having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on July 14, 2011 (Appeal No. 3948), and to stay vacatur of a certain default judgment,

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 November 17, 2011.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
David B. Saxe  
Rolando T. Acosta  
Leland G. DeGrasse  
Sallie Manzanet-Daniels, Justices.

-----X  
Dalia A.,  
Petitioner-Appellant,  
  
-against- M-4459  
Jenny H. (deceased), Hilda H. and Docket No. G22355/11  
Javier R.,  
Respondents.  
-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Family Court, Bronx County, entered on or about September 15, 2011, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief,

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

It is ordered that said motion is 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 serve one copy of such brief upon the attorney for respondent and file 8 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 Clerk of Supreme Court, Bronx County, is directed to have transcribed the minutes of the proceedings held therein, if any, for inclusion in the record on appeal, with a copy to appellant's counsel, the cost thereof to be charged against the City of New York from funds available therefor and any other fees in connection therewith.

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 November 17, 2011.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Karla Moskowitz  
Rolando T. Acosta  
Sheila Abdus-Salaam, Justices.

-----X

In the Matter of

"Baby Boy" W., also known as Jaheem W.,  
also known as Jaheeem W. V.,

**M-4848**

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

Docket No. B24861/05

-----  
Family Support Systems Unlimited, Inc.,  
et al.,

Petitioners-Respondents,

Celeste W.,  
Respondent-Appellant.

-----  
Steven Banks, Esq., The Legal Aid Society, Juvenile Rights Division,  
Attorney for the Child.

-----X  
-----  
Respondent-appellant mother having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about May 25, 2011, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Carol L. Kahn, Esq., 225 Broadway, Suite 1510, New York, NY 10007, Telephone No. (212) 227-0206, as counsel for purposes of prosecuting the appeal; (2) directing the

November 17, 2011

Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor<sup>1</sup> **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:

  
\_\_\_\_\_  
CLERK

---

<sup>1</sup>Service 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 November 17, 2011.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
James M. Catterson  
Karla Moskowitz  
Sheila Abdus-Salaam, Justices.

-----X  
Tadco Construction Corp., et al.,  
Plaintiff-Appellant,

-against-

M-3910  
Index No. 6000039/07

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

-----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 October 15, 2010,

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 March 2012 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 November 17, 2011.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
James M. Catterson  
Karla Moskowitz  
Sheila Abdus-Salaam, Justices.

-----X  
Samuel Almonte,  
Plaintiff-Respondent,

-against-

M-3959  
Index No. 300890/07

Centerplate, and New York Yankees  
Partnership,  
Defendants-Appellants.

-----X  
Defendant-appellant New York Yankees Partnership having moved for an enlargement of time in which to perfect the appeal from orders of the Supreme Court, Bronx County, entered on or about May 11, 2010,

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 March 2012 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 November 17, 2011.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
James M. Catterson  
Karla Moskowitz  
Sheila Abdus-Salaam, Justices.

-----X  
In the Matter of the Application of  
Arlene Ramery,

Petitioner-Appellant,

For a Judgment Pursuant to Article 78  
of the CPLR,

-against-

M-4113

Index No. 115488/09

Raymond Kelly, et al.,  
Respondents-Respondents.

-----X

Petitioner-appellant having moved for an enlargement of time in which to perfect the appeal from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about June 15, 2010,

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 March 2012 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 November 17, 2011.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
James M. Catterson  
Karla Moskowitz  
Sheila Abdus-Salaam, Justices.

-----X  
In the Matter of the Application of  
Edwin Ortiz,

Petitioner-Appellant,

For a Judgment Pursuant to Article 78  
of the CPLR,

-against-

M-4114

Index No. 115486/09

Raymond Kelly, et al.,  
Respondents-Respondents.

-----X

Petitioner-appellant having moved for an enlargement of time in which to perfect the appeal from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about November 12, 2010,

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 March 2012 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 November 17, 2011.

PRESENT: Hon. Angela M. Mazzarelli                          Justice Presiding,  
                  David Friedman  
                  James M. Catterson  
                  Karla Moskowitz  
                  Sallie Manzanet-Daniels,                          Justices.

-----x  
In the Matter of the Application of  
Vincent Lazio,  
Petitioner-Appellant,

For a Judgment pursuant to Article 78  
of the CPLR, etc.,

M-4115  
Index No. 114527/09

-against-

Raymond Kelly, etc., et al.,  
Respondents-Respondents.

Petitioner-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 June 29, 2010,

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 March 2012 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 November 17, 2011.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny Jr.  
Rolando T. Acosta  
Dianne T. Renwick  
Leland G. DeGrasse, Justices.

-----X  
Randall S. Newman, et al.,  
Plaintiffs-Appellants,

-against-

M-3371  
Ind. No. 100878/09

Wells Fargo Bank, N.A., et al.,  
Defendant-Respondents.

-----X  
Plaintiff-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on June 7, 2011 (Appeal No. 5092),

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 November 17, 2011.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
James M. Catterson  
Karla Moskowitz  
Dianne T. Renwick  
Sheila Abdus-Salaam, Justices.

-----X  
Olga Batyreva,  
Petitioner-Appellant,

-against-

M-4586  
Index No. 117451/09

New York City Department of Education,  
et al.,  
Respondents-Respondents.

-----X

Petitioner-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 June 22, 2010,

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 January 3, 2012 for the March 2012 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 November 17, 2011.

Present: Hon. Richard T. Andrias, Justice Presiding,  
David Friedman  
Leland G. DeGrasse  
Helen E. Freedman  
Sallie Manzanet-Daniels, Justices.

-----X  
Madeline D'Anthony Enterprises, Inc.,

Plaintiff-Appellant,

**M-4547**

-against-

**M-4530**

Index No. 109605/10

Robert (Robbie) Sokolowsky, et al.,

Defendants-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about May 19, 2011,

And an order of this Court having been entered on August 18, 2011 (M-2691), granting plaintiff's motion for a stay of all proceedings in Supreme Court on condition plaintiff perfects their appeal for the December 2011 Term,

And proposed-appellant ZCAM, LLC having moved for an order to be substituted as appellant and to amend the caption accordingly, and to stay enforcement of the aforesaid order pending hearing and determination of the aforesaid appeal (M-4547),

And defendants-respondents having cross-moved to vacate the stay afforded plaintiff by the order of this Court entered on August 18, 2011 [M-2691] and to dismiss plaintiff's appeal (M-4530),

November 17, 2011

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 proposed-appellant ZCAM, LLC's motion is granted only to the extent of continuing the stay afforded plaintiff-appellant, Madeline D'Anthony Enterprises, Inc., by the order of this Court entered August 18, 2011 [M-2691] on condition that said plaintiff-appellant perfects the appeal on or before January 3, 2012 for the March 2012 Term, and the motion is otherwise denied without prejudice to movant ZCAM, LLC seeking the aforesaid relief in Supreme Court (M-4547). Defendants-respondents' cross motion is denied (M-4530).

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 November 17, 2011.

Present - Hon. Richard T. Andrias, Justice Presiding,  
John W. Sweeny Jr.  
Dianne T. Renwick  
Helen E. Freedman  
Sallie Manzanet-Daniels Justices.

-----X  
In re Countrywide Insurance Company,  
Petitioner-Appellant,

-against-

M-3297  
Ind. No. 106563/10

DHD Medical, P.C.,  
Respondent-Respondent.

-----X

Petitioner-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on July 7, 2011 (Appeal No. 5507),

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 November 17, 2011.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,  
John W. Sweeny, Jr.  
Rolando T. Acosta  
Helen E. Freedman  
Sallie Manzanet-Daniels, Justices.

-----X  
In the Matter of the Application of  
Stanley Moore,  
Petitioner-Appellant,

For a Judgment Pursuant to Article 78  
of the CPLR,

M-4380  
-against- Index No. 100479/10

Andrea W. Evans, Chairwoman,  
New York State Division of Parole,  
Respondent-Respondent.

-----X  
Petitioner-appellant having moved for an enlargement of time in which to perfect the appeal from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about August 2, 2010,

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 April 2012 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 November 17, 2011.

PRESENT: Hon. David B. Saxe, Justice Presiding,  
John W. Sweeny, Jr.  
Leland G. DeGrasse  
Sallie Manzanet-Daniels, Justices.

-----X  
Steven Neil,  
Plaintiff-Appellant,

-against-

M-4545  
Index No. 300754/07

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

-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about December 15, 2010,

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 March 2012 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 November 17, 2011.

PRESENT: Hon. David B. Saxe, Justice Presiding,  
John W. Sweeny, Jr.  
Leland G. DeGrasse  
Sallie Manzanet-Daniels  
Nelson S. Román, Justices.

-----X  
Paulo Gomes De Sousa  
Plaintiff,

-against- M-4614  
Index No. 23192/05

The Triborough Bridge and Tunnel Authority, and Metropolitan Transit Authority,  
Defendants-Appellants.

-----X  
The Triborough Bridge and Tunnel Authority and Metropolitan Transit Authority,  
Third-Party Plaintiffs-Appellants,

-against- Third-Party  
Index No. 84292/08

Petric and Associates, Inc.,  
Third-Party Defendants-Respondents.

-----X  
The Triborough Bridge and Tunnel Authority and Metropolitan Transit Authority,  
Second Third-Party Plaintiffs-Appellants,

-against- Second Third-Party  
Index No. 83819/09

Hudson Insurance Company and Petric and Associates, Inc.,  
Second Third-Party Defendants-Respondents.

-----X  
Defendants/third-party plaintiffs-appellants The Triborough Bridge and Tunnel Authority and Metropolitan Transit Authority 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 August 4, 2010,

November 17, 2011

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the April 2012 Term.

ENTER:



Susan 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 November 17, 2011.

PRESENT: Hon. David Friedman, Justice Presiding,  
James M. Catterson  
Karla Moskowitz  
Helen E. Freedman  
Sheila Abdus-Salaam, Justices.

-----X  
Don Buchwald & Associates, Inc.,  
Plaintiff-Appellant,

-against-

M-4474  
Index No. 601790/06

Triple Crème, Inc., Steven Kaufman  
and Adam Gershuny,  
Defendants-Respondents.

-----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 November 1, 2010,

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 March 2012 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 November 17, 2011.

PRESENT: Hon. Helen E. Freedman, Justice Presiding,  
Rosalyn H. Richter  
Sheila Abdus-Salaam  
Sallie Manzanet-Daniels  
Nelson S. Román, Justices.

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

-against-

M-3776  
Ind. No. 5443/10

Julio Mora,  
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, New York County, rendered on or about June 3, 2011, for leave to prosecute the appeal as a poor person, 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 only to the extent of deeming the moving papers a timely filed notice of appeal.

The motion, to the extent that it seeks poor person relief, is denied, with leave to renew upon defendant's submission of a notarized affidavit, pursuant to CPLR 1101, setting forth facts sufficient to establish that defendant has no funds or assets with which to prosecute the appeal, including the amount and sources of his income and listing his property with its value.

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 November 17, 2011.

PRESENT - Hon. Helen E. Freedman,  
Rosalyn H. Richter  
Sheila Abdus-Salaam  
Sallie Manzanet-Daniels  
Nelson S. Román,

Justice Presiding,  
Justices.

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

-against-

M-3779  
Ind. No. 2060/11

Martin Varela,  
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, New York County, rendered on or about May 16, 2011, for leave to prosecute the appeal as a poor person 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 granted to the extent of deeming the notice of appeal timely filed, and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Tel. 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 November 17, 2011.

Present: Hon. Helen E. Freedman, Justice Presiding,  
Rosalyn H. Richter  
Sheila Abdus-Salaam  
Sallie Manzanet-Daniels  
Nelson S. Román, Justices.

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

M-3528  
-against- Ind. No. 1113/09

Musa Azhar,  
Defendant-Appellant.

-----X  
An order of this Court having been entered on June 2, 2011 (M-1658) 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 December 8, 2009,

And assigned counsel, Robert S. Dean, Esq., having moved for an order to be relieved as counsel for defendant and to substitute other counsel to prosecute defendant's 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 striking the designation of assigned counsel Robert S. Dean, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, 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 such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

ENTER:

  
CLERK

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

BEFORE: Hon. James M. Catterson  
Justice of the Appellate Division

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

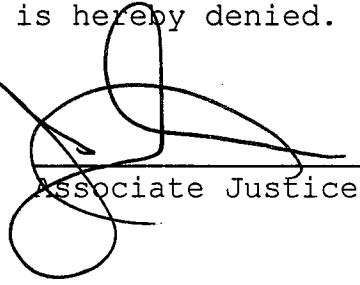
M-3996  
Ind. No. 6027/2003

-against-  
Jose Arenas,

Defendant.

-----X  
CERTIFICATE  
DENYING LEAVE

I, James M. Catterson, 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, dated July 27, 2011, is hereby denied.

  
Associate Justice

Dated: October 26, 2011  
New York, New York

ENTERED: NOV 17 2011

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

BEFORE: Hon. KARLA MOSKOWITZ  
Justice of the Appellate Division

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

M-4351  
Ind. No. 3674/2006

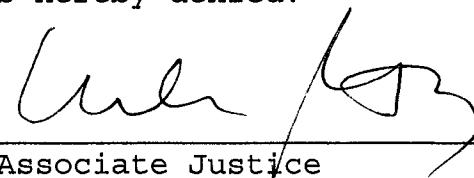
-against-

CERTIFICATE  
DENYING LEAVE

Jose Acosta

Defendant.

-----X  
I, Karla Moskowitz, a Justice of the Appellate Division,  
First Judicial Department, do hereby certify that, upon  
application deemed 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 that 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 May 11, 2011, is hereby denied.

  
Associate Justice

Dated: October 24, 2011  
New York, New York

ENTERED: NOV 17 2011

**PM ORDERS**

**ENTERED ON**

**NOVEMBER 17, 2011**

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 November 17, 2011.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
David Friedman  
James M. Catterson  
Helen E. Freedman, Justices.

-----X  
Martin Bregman,  
Petitioner-Appellant,

-against-

M-4649  
Index No. 109445/11

Conrock Holdings,  
Respondent-Respondent.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about September 19, 2011 (mot. seq. no. 002),

And petitioner-appellant having moved for a stay of the aforesaid order pending hearing and determination of the appeal taken therefrom,

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

It is ordered that the motion is denied and the interim relief granted by an order of a Justice of this Court dated October 17, 2011 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 November 17, 2011.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
James M. Catterson  
Karla Moskowitz  
Dianne T. Renwick  
Sheila Abdus-Salaam, Justices.

-----X  
Wild West Ventures, LLC,  
Plaintiff-Appellant,

-against-

**M-4309**

Index No. 651921/10

703 Washington Corp., et al.,  
Defendants-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about September 13, 2011 (mot. seq. no. 002),

And plaintiff having moved for an order staying enforcement of the aforesaid order pending hearing and determination of the appeal,

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

Ordered that the motion is granted on condition that, within 21 days of the date of entry of this order, plaintiff posts an undertaking in the amount of \$65,761.51, and on further condition that plaintiff perfects the appeal on or before January 30, 2012 for the April 2012 Term. Upon failure to fulfill either condition defendants-respondents may move on notice to vacate the aforesaid stay.

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 November 17, 2011.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
James M. Catterson  
Karla Moskowitz  
Dianne T. Renwick  
Sheila Abdus-Salaam, Justices

-----X  
In the Matter of a Custody/Visitation  
Proceeding Under Article 4 of the  
Family Court Act.

Pedro S.,  
Petitioner-Appellant,  
-----  
-against-

Anna Liza B.,  
Respondent-Respondent.  
-----X

**M-4212**

Docket Nos. V43275/10  
V6875/11  
V6876/11  
V18526/10

Petitioner-appellant having moved for leave to appeal to this Court from the temporary order of custody of the Family Court, New York County, entered on or about September 9, 2011, for an order staying the aforesaid order and all proceedings therein pending hearing and determination of the appeal, and for other 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, to the extent it seeks leave to appeal from the aforesaid temporary order of custody entered on or about September 9, 2011, is granted, and the referee is directed to expeditiously commence and complete the custody and visitation hearing pending before Family Court currently scheduled for November 22, 2011, 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 November 17, 2011.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Richard T. Andrias  
David B. Saxe  
John W. Sweeny, Jr., Justices.

-----X  
In the Matter of  
James, T., Lashea M. and Jullian M.,

Children Under the Age of Eighteen  
Alleged to be Neglected,

Administration for Children's Services  
Petitioner-Appellant,

-against-

M-4467

M-4915

Jennifer M., Docket Nos. NN-26266-8/10  
Respondent-Respondent

-and-

James T., Sr.,  
Respondent

-----X

An appeal having been taken from the order of the Family Court, Bronx County, entered on or about December 16, 2010, and said appeal having been heard on September 20, 2011,

And an order by a Justice of this Court having been entered on December 17, 2010 granting a stay of the aforesaid order pending hearing and determination of the appeal taken therefrom,

And petitioner-appellant having moved by separate motions to modify the aforesaid stay (M-4467) and to withdraw the aforesaid appeal (M-4915),

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

It is ordered that the motion to withdraw the aforesaid appeal is granted (M-4915). So much of the motion seeking modification of the aforesaid stay is denied as moot and the interim relief granted by an order of a Justice of this Court entered December 17, 2010, is hereby vacated (M-4467).

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 November 17, 2011.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,  
Dianne T. Renwick  
Leland G. DeGrasse  
Sheila Abdus-Salaam  
Nelson S. Román, Justices.

-----X  
Fundamental Long Term Care Holdings,  
LLC, et al.,  
Plaintiffs-Defendants-Appellants, **CONFIDENTIAL**  
-against- M-4997  
Index No. 650332/11

Cammeby's Funding, LLC, et al.,  
Defendants-Plaintiffs-Respondents.

-----X  
An appeal having been taken from orders of the Supreme Court, New York County, entered on or about August 29, 2011 and October 6, 2011, respectively,

And the above captioned parties having moved jointly for an order designating as confidential certain material filed with this Court in connection with the aforesaid 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 designating as confidential the so called "Confidential Information" as defined in Exhibit A to the affirmation of Allen G. Reiter, Esq., dated November 1, 2011.

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 November 17, 2011.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Karla Moskowitz  
Rolando T. Acosta  
Sheila Abdus-Salaam, Justices.

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

Will Reese, Jr.,  
Petitioner-Appellant,

For a Judgment Pursuant to Article 78  
of the CPLR.

-against-

M-4597  
Index No. 401809/10

John B. Rhea, as Chairman of the  
New York City Housing Authority, and  
the New York City Housing Authority,  
Respondents-Respondents.

-----X

An appeal having been taken from the order and judgment (one paper) of the Supreme Court, Bronx County, entered on or about May 11, 2011,

And petitioner-appellant having moved for a stay of proceedings in the matter captioned *NYCHA Patterson v Reese*, Index No. 803162/10 currently pending in the Civil Court of the City of New York, New York County, pending hearing and determination of the aforesaid appeal, for leave to prosecute the appeal as a poor person 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 stay is granted on condition that the appeal is perfected on or before January 30, 2012 for the April 2012 Term.

November 17, 2011

It is further 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 attorney for respondent and file 8 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 Clerk of the Supreme Court, New York County, is directed to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, with a copy to appellant's counsel, the cost thereof to be charged against the City of New York from funds available therefor. The motion is otherwise denied.

ENTER:



CLERK