

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 January 3, 2012.

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

-----X
In the Matter of

Carl C., and
Chantal C.,

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

M-4891
Docket Nos. N-20015/08
N-20016/08

- - - - -
Administration for Children's Services,
Petitioner-Respondent,

Carlos C. And Linda M.,
Respondents-Respondents.

- - - - -
Tamara Steckler, Esq., The Legal
Aid Society, Juvenile Rights Division,
Attorney for the Children-Appellants.

-----X
An appeal having been taken on behalf of the subject children by The Legal Aid Society from the order of the Family Court, Bronx County, entered on or about May 11, 2011,

Now, upon reading and filing of the correspondence from The Legal Aid Society, dated October 25, 2011, and due deliberation having been had thereon,

It is ordered that the appeal is deemed withdrawn in accordance with the aforesaid correspondence.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 January 3, 2012.

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

-----x
Stanislaw Bajor,
Plaintiff-Respondent,

-against-

75 East End Owners, Inc., et al.,	
Defendants-Appellants-Respondents,	M-4979
	Index No. 104873/08
Renotal Construction Inc.,	
Defendant-Respondent-Appellant,	
Church Management Corp.,	
Defendant.	

- - - - -
[And a third-party action]

-----x
An appeal and cross appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about December 15, 2010,

And defendant-respondent-appellant Renotal Construction Inc. having moved for a stay of trial pending hearing and determination of the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motion, and the correspondence dated November 8, 2011 from Morgan Melhuish Abrutyn, Attorneys at Law (Douglas S. Langholz, of counsel), counsel for defendant-respondent-appellant, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn in accordance with the aforesaid correspondence.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 January 3, 2012.

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

-----X

Glitnir Banki HF., etc., et al.,
Plaintiffs-Appellants,

-against-

M-5087
M-5169X
Index No. 601217/10

Jón Ásgeir Jóhannesson, et al.,
Defendants-Respondents.

-----X

Plaintiffs-appellants having moved for leave to withdraw the notices of appeal from the orders of the Supreme Court, New York County, entered on or about January 5, 2011 (mot. seq. no. 007) and February 14, 2011 (mot. seq. nos. 005-012), respectively (M-5087),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" November 10, 2011 (M-5169X), and the correspondence dated November 14, 2011 from Steptoe & Johnson LLP (Evan Glassman, of counsel), counsel for plaintiffs-appellants, and due deliberation having been had thereon,

It is ordered that the motion to withdraw the notices of appeal (M-5087) and the appeals are all withdrawn in accordance with the aforesaid stipulation and 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 January 3, 2012.

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

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

Respondent,

-against-

M-4932
Ind. No. 4427/09

Omar Abreu,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about March 16, 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.

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 January 3, 2012.

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

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

Respondent,

-against-

M-5060
Ind. No. 4198/11

Calbin Amaya,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about October 12, 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.

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 January 3, 2012.

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

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

Respondent,

-against-

M-5061
Case No. 6330C/10

Dominga Catala,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about April 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, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 3, 2012.

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,

-against-

M-5063
Ind. No. 469/09

Corey Fabo, also known as Corey Febo,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about September 15, 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.

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.

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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 January 3, 2012.

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

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

Respondent,

-against-

M-5064
Ind. No. 5134N/10

Pedro Espitaleta,

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 September 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.

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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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 January 3, 2012.

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

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

Respondent,

-against-

M-5065
Case No. 62661C/10

Gonslee Gordon,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about July 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, 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 January 3, 2012.

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,

-against-

M-5066
Ind. No. 5532/10

Michael Linton,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about October 6, 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.

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 January 3, 2012.

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

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

Respondent,

-against-

M-5069

Case No. 76038C/09

Christopher Morales,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about October 5, 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.

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 January 3, 2012.

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

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

Respondent,

-against-

M-5070

Ind. No. 2962/09

Anthony Patino,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about October 6, 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.

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 January 3, 2012.

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

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

Respondent,

-against-

M-5071
Ind. No. 4441/10

Paul Pacheco,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about October 21, 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.

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 January 3, 2012.

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,

-against-

M-5072
Ind. No. 4263/08

Joseph Seguna,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about March 24, 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.

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 January 3, 2012.

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

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

Respondent,

-against-

M-5073
Ind. Nos. 1432/11
2939/11

Geral Ray,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about October 5, 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.

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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.

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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 January 3, 2012.

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,

-against-

M-5074
Ind. No. 2792/09

Erick Simms,

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 September 9, 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.

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 January 3, 2012.

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,

-against-

M-5075
Ind. No. 3796/11

Zachery Williams,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about October 12, 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.

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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

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

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

Respondent,

-against-

M-5076

Ind. No. 1832/08

Michael Wells,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about August 11, 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.

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 January 3, 2012.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzairelli
David B. Saxe
John W. Sweeny, Jr.
Karla Moskowitz, Justices.

-----X

Althea Gibbs, as mother and natural guardian of Monique Gibbs, an infant, and Althea Gibbs, individually, and Sabrina Stewart,

Plaintiffs-Respondents,

M-5624

M-5656

-against-

Index No. 350121/09

Andre O. Reid and Charleen Temple Express, Inc.,
Defendants-Appellants,

-and-

Jermaine A. Davis and Stacey A. Bonner,
Defendants-Appellants.

-----X

An appeal having been taken by defendants-appellants Jermaine A. Davis and Stacey A. Bonner from the order of the Supreme Court, Bronx County, entered on or about March 24, 2011,

And an appeal having been taken by defendants-appellants Andre O. Reid and Charleen Temple Express, Inc. from the same order of said Supreme Court entered on or about March 24, 2011, and said appeal having been perfected upon a joint record,

And defendants Andre O. Reid and Charleen Temple Express, Inc. having moved to stay trial pending hearing and disposition of the aforesaid appeals (M-5624),

And defendants, Jermaine A. Davis and Stacey A. Bonner, having cross-moved for the aforesaid relief (M-5656),

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

Ordered that the motion and cross motion are granted to the extent of staying trial pending hearing and determination of the aforesaid appeals. (See M-5304, decided simultaneously herewith.)

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 3, 2012.

Present: Hon. David B. Saxe, Justice Presiding,
James M. Catterson
Karla Moskowitz
Rolando T. Acosta
Dianne T. Renwick, Justices.

-----X

Althea Gibbs, as mother and natural guardian of Monique Gibbs, an infant, and Althea Gibbs, individually, and Sabrina Stewart,

Plaintiffs-Respondents,

M-5304

Index No. 350121/09

-against-

Andre O. Reid and Charleen Temple Express, Inc.,
Defendants-Appellants,

-and-

Jermaine A. Davis and Stacey A. Bonner,
Defendants-Appellants.

-----X

An appeal having been taken by defendants-appellants, Jermaine A. Davis and Stacey A. Bonner, from the order of the Supreme Court, Bronx County, entered on or about March 24, 2011,

And an appeal having been taken by defendants-appellants, Andre O. Reid and Charleen Temple Express, Inc., from the same order of said Supreme Court entered on or about March 24, 2011, and said appeal having been perfected upon a joint record,

And defendants, Jermaine A. Davis and Stacey A. Bonner, having moved for an order adjourning the perfected appeal taken by defendants, Andre O. Reid and Charleen Temple Express, Inc., and directing plaintiffs to withdraw their brief, and permitting defendants, Jermaine A. Davis and Stacey A. Bonner, to file an appellants' brief,

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

Ordered that the motion is granted to the extent of adjourning the perfected appeal to the April 2012 Term; granting defendants, Jermaine A. Davis and Stacey A. Bonner, leave to file a main brief by January 30, 2012 for said Term; granting plaintiffs leave to file a supplemental respondents' brief if so advised; and, sua sponte, consolidating the perfected appeal with movants' appeal upon the filed joint record. (See M-5625/M-5656, decided simultaneously herewith.)

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 3, 2012.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
 David Friedman
 Karla Moskowitz
 Rolando T. Acosta
 Rosalyn H. Richter, Justices.

-----x

Lavern Sanders, et al.,
Plaintiffs-Appellants,

-against-

M-4838

M-5213

M-5155

Grenadier Realty, Inc.,
Defendant-Respondent,

Index No. 309099/09

Stevenson Commons, Inc.,
Defendant-Respondent.

-----x

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about December 23, 2010 (M-4838),

And defendant-respondent Stevenson Commons, Inc. having cross-moved for dismissal of the aforesaid appeal for failure to timely perfect and for failure to timely serve a notice of appeal (M-5155),

And defendant-respondent Granadier Realty, Inc. having separately cross-moved for dismissal of the appeal, and for other relief (M-1235),

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 enlarging the time to perfect the appeal to the May 2012 Term, and the notice of appeal dated October 20, 2011 annexed as Exhibit 1 to the moving papers is deemed timely (CPLR 5520[a]). The cross motions M-5213/M-5155 are granted accordingly to the

extent of dismissing the appeal unless it is perfected for said May 2012 Term. Upon failure to so perfect, an order dismissing the appeal may be entered ex parte, provided respondent(s) serve a copy of this order upon appellant within 10 days after the date of entry hereof. The cross motions (M-5213/M-5155) are 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 January 3, 2012.

Present - Hon. Luis A. Gonzalez,	Presiding Justice,
David Friedman	
Karla Moskowitz	
Rolando T. Acosta	
Rosalyn H. Richter,	Justices.

-----x
Ann Chisom,

Plaintiff-Appellant,

-against-

M-5086
Index No. 307442/09

Columbia Mutual Life Insurance Co.,

Defendant-Respondent.

-----x

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about January 20, 2011,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the May 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 January 3, 2012.

Present - Hon. Peter Tom,
Richard T. Andrias
James M. Catterson
Sheila Abdus-Salaam
Nelson S. Román,

Justice Presiding,

Justices.

-----x
In the Matter of Guardianship of the
Person and Custody of

Naisha Johanna V. O., and
Anahys V.,

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

- - - - -
Seaman's Society for Children and
Families,
Petitioner-Respondent,

M-5083
Docket No.
B-5245-46/07

John V., also known as Johnny V., Jr.,
Respondent-Appellant.

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

-----x
Appeals having been taken to this Court from orders of the Family Court, Bronx County, entered on or about January 5, 2011, and said appeals having been perfected,

And John R. Eyerman, Esq., court attorney for petitioner-respondent, having moved for dismissal of the appeals for failure to prosecute,

Now, upon reading and filing the papers with respect to the motion, and the correspondence from John R. Eyerman, Esq. dated November 7, 2011, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn in accordance 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 January 3, 2012.

Present - Hon. Peter Tom,	Justice Presiding,
David Friedman	
Helen E. Freedman	
Rosalyn H. Richter	
Sallie Manzanet-Daniels,	Justices.

-----X

Sun Gold, Corp.,	
Plaintiff-Appellant,	M-5267
	M-5362
-against-	M-5365
	Index No. 401609/08
Moon Stillman, also known as An	
Moon Stillman, also known as Mi An	
Stillman, also known as Mi Hee An,	
also known as Mi Hee Stillman,	
et al.,	
Defendants-Respondents.	

-----X

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about July 1, 2010 (mot. seq. no. 006),

And plaintiff-appellant having moved for an order permitting plaintiff to correct the record on appeal and appellant's brief, and for related relief (M-5267),

And defendants-respondents Mark B. Stillman (M-5362) and R.A. 345 West 43 Enterprises, Inc. (M-5365) having separately cross-moved for dismissal of the aforesaid appeal,

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 (M-5267) is deemed a motion for an enlargement of time to perfect the aforesaid appeal and, as such, is granted to the extent of enlarging the time to perfect the appeal to the May 2012 Term, and otherwise denied. The cross motions (M-5362/M-5365) are granted unless the appeal is perfected for said May 2012 Term. Upon failure to so perfect, an order dismissing the appeal may be entered ex parte, provided respondent(s) serve a copy of this order upon appellant within 10 days after 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 January 3, 2012.

Present - Hon. Angela M. Mazzairelli, Justice Presiding,
Richard T. Andrias
Dianne T. Renwick
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----x
Sioni & Partners LLC,
Plaintiff-Respondent,

-against-

Vaak Properties LLC,
Defendant-Appellant,

M-5215
Index No. 625414/10

-and-

Kaiko Chan, Esq., as Escrow Agent,
Defendant.

-----x

An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, entered on or about August 5, 2011, and said appeal having been perfected and heard,

And an order of this Court having been entered on October 6, 2011 (M-3788), inter alia, continuing the interim relief granted by an order of a Justice of this Court dated August 17, 2011,

And plaintiff-respondent having moved for vacatur of the aforesaid relief continued by the order of this Court entered October 6, 2011 (M-3788),

Now, upon reading and filing the papers with respect to the motion, and the correspondence dated November 18, 2011 from Steven Landy & Associates, PLLC, counsel for plaintiff-respondent, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn in accordance 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 January 3, 2012.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
James M. Catterson
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
Edwin Delgado,

Plaintiff-Appellant,

-against-

M-4987
Index No. 403528/10

240 East 46th Street Condominium,
c/o Andrea Burns Management,

Defendant-Respondent.

-----X

Defendant-respondent having moved to dismiss the appeal taken from the order of the Supreme Court, New York County, entered on or about May 12, 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 to dismiss the appeal is granted unless the appeal is perfected for the May 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 January 3, 2012.

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

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

Respondent,
-against-

SEALED
M-4544
Ind. Nos. 4635/09
743/10

Todd P.,

Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, Bronx County, rendered on or about April 21, 2010, 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(a), 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. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 3, 2012.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
James M. Catterson
Dianne T. Renwick
Helen E. Freedman, Justices.

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

- - - - -
Jose F., M-5265
Petitioner-Appellant, Docket No. V17326/10

-against-

Celinda H.,
Respondent-Respondent.

-----X

Respondent-respondent having moved for leave to respond, as a poor person, to the appeal from the order of the Family Court, New York County, entered on or about August 17, 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, Andrew Baer, Esq., 299 Broadway, Suite 1415, New York, NY 10007, Telephone No. (212) 233-0318, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this 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 January 3, 2012.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
James M. Catterson
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
John I. Ode,

Plaintiff-Appellant,

-against-

M-4324
Index No. 302486/08

Sydney A. Flowers,

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, Bronx 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 May 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 January 3, 2012.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
James M. Catterson
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
Robert Pitt Realty, LLC et al.,
Plaintiffs-Respondents,

-against-

M-5029
Index No. 24648/05

Essex Insurance Company, Markel Group,
Defendants-Appellants,

-and-

19-27 Orchard Street, et al.,
Defendants-Respondents.

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

Defendants-appellants having moved for an enlargement
of time in which to perfect the appeal from the order of the
Supreme Court, Bronx County, entered on or about January 3,
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
May 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 January 3, 2012.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
James M. Catterson
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
John Stefatos, et al.,

Plaintiffs-Appellants,

-against-

John Frezza, et al.,

M-5081
Index No. 600311/10

Defendants-Respondents.

-----X

Plaintiffs-appellants having moved for an enlargement of
time in which to perfect the appeal from the order of the Supreme
Court, New York County, entered on or about January 5, 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 May 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 January 3, 2012.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
James M. Catterson
Dianne T. Renwick
Helen E. Freedman, Justices.

-----x
In the Matter of the Application of

Joseph Ardizzone, et al.,
Petitioners-Appellants,

-against-

M-5345
Index No. 103406/09

Michael Bloomberg, etc., et al.,
Defendants-Respondents.

-----x

Petitioners-appellants 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 August 30, 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 May 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 January 3, 2012.

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

-----X
Optimal Spaces, Inc.,

Plaintiff-Respondent,

-against-

M-4590
Index No. 109783/09

Haroutium Derderian,

Defendant-Appellant.
-----X

Defendant-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 December 8, 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 May 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 January 3, 2012.

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 Arbitration between
The Hollow Metal Trust Fund and the
Hollow Metal Pension Fund,
Petitioner-Respondent,

-against-

M-4660
Index No. 110712/10

Saw Mill Auto Sales, Inc.,
Respondent-Appellant.
-----X

Respondent-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 19, 2010, and to file the record on 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
enlarging the time in which to perfect the appeal to the May
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 January 3, 2012.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
James M. Catterson
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
Union Carbide Corporation,
Plaintiff-Respondent,

-against-

M-4982

Index No. 600804/04

Affiliated FM Insurance Company, et al.,
Defendants,

Continental Casualty Company and Columbia
Casualty Company,
Defendant-Appellant,

Argonaut Insurance Company,
Defendant-Appellant.

-----X

Appeals having been taken by defendants, Continental Casualty Company and Columbia Casualty Company, from orders of the Supreme Court, New York County, entered on or about September 16, 2010 (mot. seq. no. 048), January 4, 2011 (mot. seq. nos. 048 and 049) and June 16, 2011, respectively,

And appeals having been taken by defendant Argonaut Insurance Company from the same orders of said Supreme Court,

And the respective defendants-appellants having jointly moved for an order enlarging the time in which to perfect their appeals from the orders entered on or about January 4, 2011 and June 16, 2011, consolidating said appeals, and dismissing the appeal taken by respective defendants from the order entered on September 16, 2010, 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) deeming the appeals taken by the respective defendants-appellants from the order entered September 16, 2010 subsumed in their respective appeals from the order entered January 4, 2011; (2) consolidating and enlarging the time to perfect, the appeals taken by defendants Continental Casualty Company and Columbia Casualty Company, from aforesaid orders entered on or about, January 4, 2011 and June 16, 2011, the extent of permitting said defendants to perfect the aforesaid appeals on a single record and set of briefs on or before February 21, 2012 for the May 2012 Term; (3) consolidating and enlarging the time to perfect, the appeals taken by defendant Argonaut Insurance Company, from aforesaid orders entered on or about, January 4, 2011 and June 16, 2011, to the same extent, and (4) directing the Clerk to calendar the respective consolidated appeals for hearing together during the aforesaid May 2012 Term, and otherwise denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 3, 2012.

Present - Hon. Richard T. Andrias, Justice Presiding,
John W. Sweeny, Jr.
James M. Catterson
Dianne T. Renwick
Sallie Manzanet-Daniels, Justices.

-----x

Sumitomo Mitsui Banking Corporation,
Plaintiff-Appellant-Respondent,

-against-

M-5104

Index No. 600898/10

Credit Suisse, et al.,
Defendants-Respondents-Appellants.

-----x

An appeal and cross appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about October 15, 2010,

And plaintiff Sumitomo Mitsui Banking Corporation having moved for this Court to take judicial notice of a complaint filed on October 24, 2011 entitled *Capmark Financial Group Inc., et al. v Goldman Sachs Credit Partners L.P., et al.* (No. 11 Civ. 7511 [S.D.N.Y.]),

Now, upon reading and filing the papers with respect to the motion, and the correspondence dated November 18, 2011 from Miller & Wrubel PC (Claire L. Huene, Esq.) and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn in accordance 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 January 3, 2012.

Present - Hon. David B. Saxe,	Justice Presiding,
John W. Sweeny, Jr.	
Rolando T. Acosta	
Leland G. DeGrasse	
Sheila Abdus-Salaam,	Justices.

-----X
In the Matter of the Application of
Tyrone Wray,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78
of the CPLR,

M-4868
M-4911
Index No. 403180/09

-against-

New York City Housing Authority,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the purported appeal from the order of the Supreme Court, New York County, entered on or about July 16, 2010, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief (M-4868),

And respondent-respondent having moved for an order prohibiting petitioner from filing any additional motions in this proceeding without prior approval of this Court (M-4911),

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

It is ordered that the motion (M-4868) is denied. The cross motion (M-4911) is denied, without prejudice to further proceedings in Supreme 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 January 3, 2012.

Present - Hon. David B. Saxe,	Justice Presiding,
James M. Catterson	
Karla Moskowitz	
Rolando T. Acosta	
Dianne T. Renwick,	Justices.

-----x

Barbara Sehnert and Marvin Sehnert,
Plaintiffs-Appellants,

-against-

The New York City Transit Authority,
et al.,
Defendants-Respondents,

M-5298
Index No. 117950/06

Broadway Tenth Property LLC, et al.,
Defendants-Appellants,

34th Street Parking Corp.,
Defendant-Respondent.

-----x

Separate appeals having been taken to this Court from the order of the Supreme Court, New York County, entered on or about January 24, 2011 (mot. seq. no. 003), by the above-named appellants, and defendants-appellants Broadway Tenth Property LLC, et al. having perfected their appeal,

And plaintiffs-appellants Barbara and Marvin Sehnert having moved for an order deeming their appeal to be a cross appeal to the perfected appeal taken by Broadway Tenth Property LLC, et al., directing the parties to submit brief in accordance with the briefing schedule attached hereto or, in the alternative, for an enlargement of time to perfect their 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 enlarging the Sehnert appellants' time to perfect their appeal to on or before January 30, 2012 for the April 2012 Term. Sua sponte, the perfected appeal is adjourned to said April 2012 Term. Respondents the New York City Transit Authority, et al.

and 34th Street Parking Corp. are each permitted to submit a single respondent's brief in opposition to both appeals, if so advised, on or before February 29, 2012 for said April 2012 Term. The Clerk is directed to calendar the appeals for hearing together on the same day for said 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 January 3, 2012.

Present - Hon. David B. Saxe, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of the Application of
The City of New York, etc., et al.,
Petitioners,

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

M-5369
Index No. 403276/10

-against-

The Commissioner of Labor, et al.,
Respondents.

-----X

An Article 78 proceeding to review a determination of respondents having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about February 23, 2011,

And petitioners having moved for an enlargement of time to perfect the proceeding,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the proceeding to the May 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 January 3, 2012.

Present - Hon. David B. Saxe, Justice Presiding,
James M. Catterson
Karla Moskowitz
Rolando T. Acosta
Dianne T. Renwick, Justices.

-----x

Graig Henriques,
Plaintiff-Respondent,

-against-

M-5275
Index No. 113110/05

Patricia W. Linville,
Defendant-Appellant.

-----x

Appeals having been taken to this Court by defendant from orders of the Supreme Court, New York County, entered on or about January 19, 2011 (mot. seq. no. 003) and July 12, 2011 (mot. seq. no. 004), respectively,

And defendant-appellant having moved for an enlargement of time to perfect the appeal from the order entered January 19, 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, sua sponte, consolidating the aforesaid appeals, and permitting defendant-appellant to prosecute the consolidated appeals upon 9 copies of one record and one set of appellant's points covering the consolidated appeals and enlarging the time in which to perfect said consolidated appeals to on or before February 21, 2012 the May 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 January 3, 2012.

Present : Hon. David B. Saxe, Justice Presiding,
James M. Catterson
Karla Moskowitz
Rolando T. Acosta
Dianne T. Renwick, Justices.

-----X
Julie Karen Nacos,

Plaintiff-Appellant,

-against-

M-5197
Index No. 306730/10

John Christopher Nacos,

Defendant-Respondent.

-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about February 10, 2011 and June 20, 2011, respectively,

And plaintiff-appellant having moved for consolidation of the aforesaid appeals and for an enlargement of time in which to perfect said appeals,

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

It is ordered that the motion is granted to the extent of permitting appellant to prosecute the consolidated appeals upon 9 copies of one record and of one set of appellant's points covering the consolidated appeals. The time in which to perfect the consolidated appeals is enlarged 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 January 3, 2012.

Present: Hon. David B. Saxe, Justice Presiding,
James M. Catterson
Karla Moskowitz
Rolando T. Acosta
Dianne T. Renwick, Justices.

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

-against-

M-5299

Ind. No. 6287/09

Bruce Ascher,
Defendant-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about February 18, 2011,

And defendant-appellant having moved for an enlargement of time in which to perfect the aforesaid appeal, and for an order continuing the stay of execution of sentence issued by the order of a Justice of this Court on March 18, 2011, and continued by an order of a Justice of this Court entered on July 11, 2011 (M-1348), pending hearing and determination of the appeal,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties dated November 15, 2011, and due deliberation having been had thereon, it is

Ordered that the motion, to the extent it seeks a continuance of the stay of execution, is granted on condition the appeal is perfected on or before March 19, 2012 for the June 2012 Term of this Court. So much of the motion which seeks an enlargement of time in which to perfect the appeal is granted as indicated.

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 January 3, 2012.

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-3773
Ind. No. 1886N/09

Mario Santos, also known as Felipe
Rodriguez, also known as Mariolis
Santos,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about July 20, 2010, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of deeming the notice of appeal as timely filed and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

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 January 3, 2012.

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

-----x

In the Matter of the Application of
Fedie R. Redd,
Petitioner-Appellant,

For a Judgment Under Article 75 of
the CPLR,

M-5319
Index No. 402474/10

-against-

Edward A. Battisti - Arbitrator,
New York State Division of Parole,
Respondents-Respondents.

-----x

Petitioner-appellant having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, New York County, entered on or about February 8, 2011,

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

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

ENTER:


CLERK

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

BEFORE: Hon. Peter Tom
Justice of the Appellate Division

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

Respondent,

M-4798
Ind. No. 2533/02

-against-

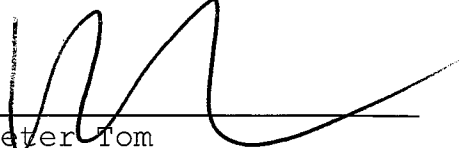
CERTIFICATE
DENYING LEAVE

Rohan Brown,

Defendant.

-----X

I, Peter Tom, 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, Bronx County, entered on or about September 23, 2011 is hereby denied.



Hon. Peter Tom
Associate Justice

Dated: December 9, 2011
New York, New York

ENTERED

JAN 03 2012

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,

-against-

Matthew Chacko

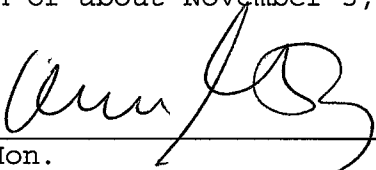
Defendant.
-----X

M-5462
Ind. No. 3696-07

CERTIFICATE
GRANTING LEAVE

I, Karla Moskowitz , a Justice of the Appellate Division, First Judicial Department, do hereby certify that in the proceedings herein questions of law or fact are involved which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is hereby granted to the above-named defendant to appeal to the Appellate Division, First Judicial Department, from the order of the Supreme Court, New York County, entered on or about November 3, 2011.¹

Dated: , 2011
New York, New York



Hon.
Associate Justice

ENTERED

JAN 03 2012

NOTICE: Within 15 days from the date hereon, an appeal must be taken, and this certificate must be filed with the notice of appeal. An appeal is taken by filing, in the Clerk's office of the criminal court in which the order sought to be appealed was rendered, a written notice in duplicate that appellant appeals to the Appellate Division, First Judicial Department (Section 460.10, subd. 4, CPL), together with proof that another copy of the notice of appeal has been served upon opposing counsel. The appeal (or consolidated appeals; see footnote) must be argued within 120 days from the date of the notice of appeal, unless the time to perfect the appeal(s) is enlarged by the court or a justice thereof.

¹In the event defendant has an existing (direct) appeal from a judgment, such appeal shall be consolidated with the appeal from the aforesaid order; and any poor person relief granted with respect to the appeal from the judgment shall be extended to cover the appeals so consolidated.

CORRECTED ORDER

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- 5296
Ind. No. 11987/91

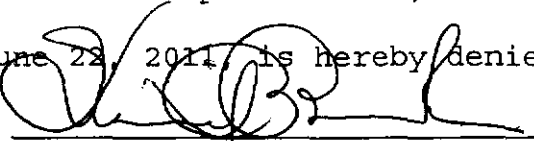
-against-

CERTIFICATE
DENYING LEAVE

Dominic Franza,
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 June 22, 2011, is hereby denied.



Hon. Dianne T. Renwick
Associate Justice

Dated:
New York, New York

ENTERED: January 26, 2012

PM ORDERS
ENTERED ON
JANUARY 3, 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 January 3, 2012.

Present - Hon. David B. Saxe,	Justice Presiding,
John W. Sweeny, Jr.	
Karla Moskowitz	
Sallie Manzanet-Daniels	
Nelson S. Román,	Justices.

-----X
Paul Solomons,

Plaintiff-Respondent,

-against-

M-5093

Index No. 110636/10

Old Brownsville Renaissance Corp.,

Defendant-Appellant.

- - - - -
Bedford-Stuyvesant Community Legal Services, Fair Housing Justice Center, Urban Justice Center, New York Lawyers for the Public Interest and the Legal Aid Society,

Amicus Curiae.

-----X

An appeal having been taken to this Court by the above-named defendant-appellant from the order of the Supreme Court, New York County, entered on or about December 13, 2010, and said appeal having been perfected,

And Bedford-Stuyvesant Community Legal Services, Fair Housing Justice Center, Urban Justice Center, New York Lawyers for the Public Interest and the Legal Aid Society having moved on plaintiff's behalf for leave to file a brief amicus curiae in connection with the aforesaid appeal,

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

It is ordered that the motion is granted to the extent of deeming the amicus curiae brief submitted with the moving papers

herein as filed for the February 2012 Term. Movants are directed to forthwith file an additional 9 copies of said brief with the Clerk of the Court. Defendant is granted leave to file a response brief to the amicus curiae brief, if so advised, on or January 13, 2012 for said 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 January 3, 2012.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzarelli
David B. Saxe
John W. Sweeny, Jr.
Karla Moskowitz, Justices.

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

Respondent,

-against-

M-5501
Ind. No. 653/06

Richard Padilla,

Defendant-Appellant.
-----x

An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, rendered on or about February 1, 2007,

And defendant-appellant having moved for leave to strike respondent's supplemental brief, or for alternative relief,

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

It is ordered that the motion is denied.

ENTER:


CLERK