

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 5, 2012.

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

-----X  
Antonio Rodriguez,

Plaintiff-Appellant,

-against-

M-5436X  
Index No. 402583/10

The City of New York, et al.,

Defendants-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about February 3, 2011,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" November 30, 2011, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 5, 2012.

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

-----X  
Croscill, Inc.,

Plaintiff-Appellant,

-against-

M-5434X  
Index No. 601859/09

Croscill Acquisition, LLC,

Defendant-Respondent.

-----X

An appeal having been taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about August 8, 2011 (mot. seq. nos. 004 and 005),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" November 30, 2011, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 5, 2012.

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

-----X  
AIU Insurance Company,

Plaintiff-Appellant,

-against-

M-5438X  
Index No. 602924/07

Certain Underwriters at Lloyd's London,  
et al.,

Defendants-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about February 4, 2011 (mot. seq. no. 004),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" November 30, 2011, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 5, 2012.

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

-----X  
Ramona Sanchez and Hector Almonte,

Plaintiffs-Appellants,

-against-

M-5019  
Index No. 302076/07

Chuanping Liu,

Defendant-Respondent.

-----X  
(And another action)

Defendant-respondent having moved for dismissal of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about February 5, 2010, for failure to timely perfect,

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

It is ordered that the motion is granted and the appeal is dismissed.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 5, 2012.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Angela M. Mazzarelli  
Richard T. Andrias  
John W. Sweeny, Jr., Justices.

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

Marlene Bailey,  
Petitioner,

For a Judgment Pursuant to Article 78  
of the CPLR,

**M-4976**  
**M-5392**  
Index No. 402819/10

-against-

New York City Housing Authority,  
Respondent.

-----X

An Article 78 proceeding to review a determination of respondent, having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about January 27, 2011,

And respondent having moved to dismiss aforesaid proceeding (M-4976),

And petitioner having cross-moved to enlarge the time in which to perfect the aforesaid proceeding (M-5392),

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

It is ordered that respondent's motion is granted unless the proceeding is perfected for the May 2012 Term (M-4976). The cross motion is granted, accordingly, to the extent indicated (M-5392).

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 5, 2012.

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

Presiding Justice,  
  
  
  
Justices.

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

-against-

M-5248  
Ind. No. 3623/10

Edward Pemberton,  
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 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 5, 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-5232  
Ind. No. 5205/09

Roberto DeJesus,  
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 7, 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 5, 2012.

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

Presiding Justice,  
  
  
  
Justices.

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

-against-

M-5233  
Ind. No. 523/11

Darrin Edwards,  
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 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.

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 5, 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-5234  
Ind. No. 888/10

Michael Gray,  
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 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 5, 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-5238  
Ind. No. 1273/11

Charles Lewis,  
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 20, 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 5, 2012.

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

Presiding Justice,  
  
  
  
Justices.

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

-against-

M-5239  
Ind. No. 575/11  
Case No. 3389C/11

Walston Lucien,  
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 22, 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 5, 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-5244  
Ind. Nos. 3794/10  
917/10

Nelson Lopez,  
Defendant-Appellant.

-----X

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

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 5, 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-5246  
Ind. Nos. 4140N/10  
174N/10

Junior Mercedes,  
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 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.

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 5, 2012.

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

Presiding Justice,  
  
  
  
Justices.

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

-against-

M-5248  
Ind. No. 3623/10

Edward Pemberton,  
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 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 5, 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-5251

Ind. No. 6341/10

Lakisha Peppers,

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.

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 5, 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-5252  
Ind. No. 2261/09

John Raye,  
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 30, 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 5, 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,

**SEALED**

M-5253

-against-

Ind. No. 5588/09

Donald R.,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about December 1, 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, 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 the purpose of prosecuting 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 5, 2012.

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

Presiding Justice,  
  
  
  
Justices.

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

-against-

M-5256  
Ind. No. 4105/10

Elisiel Rivera,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person,  
the appeal from a judgment of the Supreme Court, New York County,  
rendered on or about March 10, 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 5, 2012.

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

Presiding Justice,  
  
  
  
Justices.

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

-against-

M-5257  
Ind. Nos. 2920/10  
6197/09

Jose Rodriguez, also known as John Doe,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person,  
the appeal from a judgment of the Supreme Court, New York County,  
rendered on or about December 9, 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, 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 5, 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-5258  
Ind. No. 5766/10

Phillip L. Stevens, also known as  
Phillip Stevens,

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, 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 5, 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-5259  
Ind. No. 3101/01

Mack Toney,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of **resentence** of the Supreme Court, New York County, rendered on or about May 28, 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 with this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of **resentence**. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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 5, 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-5260  
Case No. 64579C/07

Norma Whatts,  
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 June 30, 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 5, 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-5245**  
Ind. No. 5129N/07

Mario Moreno,  
Defendant-Appellant.

-----X

Defendant having moved for an extension of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about April 26, 2011, 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 5, 2012.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Richard T. Andrias  
Leland G. DeGrasse  
Rosalyn H. Richter  
Sheila Abdus-Salaam, Justices.

-----X

Glenford Morris,

Plaintiff-Appellant,

-against-

**M-5389**

Index No. 23980/02

Pavarini Construction, et al.,

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, Bronx County, entered on or about March 2, 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 5, 2012.

Present: Hon. Peter Tom, Justice Presiding,  
David B. Saxe  
John W. Sweeny, Jr.  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

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

- - - - -  
Solangee Z.,  
Petitioner-Respondent,  
-against-

**M-4583**

Docket Nos. V15527/06  
V15528/06

Kahir E.,  
Respondent-Appellant.

-----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 December 1, 2010, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Randall Carmel, Esq., 53 Jackson Avenue, Syosset, New York 11791, Telephone No. (516) 921-8800, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal,

the cost thereof to be charged against the City of New York from funds available 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 January 5, 2012.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Karla Moskowitz  
Rosalyn H. Richter  
Sheila Abdus-Salaam  
Nelson S. Román, Justices.

-----X

Randy Schindler,

Plaintiff-Appellant,

-against-

M-4784

Index No. 115967/10

Lester Schwab Katz & Dwyer, LLP,

Defendants-Respondents.

-----X

Defendants-respondents having moved to dismiss the appeal taken from the order of the Supreme Court, New York County, entered on or about June 8, 2011 and an appeal taken from a judgment of the same Court and Justice entered on or about July 26, 2011, respectively, and 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 to dismiss the appeals is granted unless the appeals are perfected for the June 2012 Term. The motion is otherwise denied without prejudice to raising the argument regarding the alternative relief on the appeal.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 5, 2012.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
David B. Saxe  
Helen E. Freedman  
Sallie Manzanet-Daniels, Justices.

-----X

In re Jacqueline Perez,

Petitioner-Appellant,

-against-

M-4973

Index No. 110920/09

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

Respondent-Respondent.

-----X

Respondent having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on August 25, 2011 (Appeal No. 3889),

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 January 5, 2012.

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

-----X  
G.M. Data Corp., doing business as

GMDC Business Consultants,  
Plaintiff-Respondent,

-against-

**M-5317**

Index No. 601004/08

Potato Farms, LLC, doing business as  
Amish Market, doing business as  
Zeytuna, et al.,  
Defendants-Appellants,

Atlas Park Zeytinia, LLC, doing business  
as Amish Fine Foods,  
Defendant.

-----X

Appeals having been taken from an order of the Supreme Court, New York County, entered on or about October 18, 2010 (mot. seq. no. 009) and an amended order and judgment (one paper) entered on or about October 20, 2011, respectively,

And defendants-appellants having moved for an enlargement of time in which to perfect the appeal taken from the order entered on October 18, 2010 (mot. seq. no. 009), and for a preference on the hearing of said appeals, and for other relief,

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

It is ordered that, sua sponte, the appeals are consolidated and the motion is granted to the extent of enlarging the time in which to perfect the consolidated appeals to the May 2012 Term. Defendants-appellants are permitted to prosecute the consolidated appeals upon 9



copies of one record and of one set of appellants' points covering said consolidated appeals. If perfected for the aforesaid May 2012 Term, the Clerk is directed to calendar said appeals for hearing during the first two weeks of 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 5, 2012.

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

-----x  
Josefina Cruz,

Plaintiff-Appellant,

-against-

M-5041  
Index No. 117004/08

New York City Department of Education,

Defendant-Respondent.  
-----x

Defendant-respondent having moved having moved for dismissal of the appeal from orders of the of the Supreme Court, New York County, entered on or about January 7, 2010 and November 19, 2010 (mot. seq. no. 004), respectively, 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 granted only to the extent of maintaining the appeal on the Court's calendar for the March 2012 Term, without prejudice to defendant raising arguments directly on appeal.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 5, 2012.

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

-----X  
Gita Rott,

Plaintiff-Appellant-Respondent,

-against-

M-4519  
Index No. 110168/05

Negev, LLC, et al.,

Defendants-Respondents-Appellants.

-----X

An appeal and cross appeal having been taken from the judgment of the Supreme Court, New York County, entered on or about December 29, 2010,

And plaintiff having moved for an enlargement of time in which to perfect his 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 enlarging the time in which to perfect the appeal and cross appeal to the May 2012 Term, with leave to perfect said appeals on the original record and an appendix. The motion is otherwise denied. The parties' attention is directed to 22 NYCRR §600.11 (d).

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 5, 2012.

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

-----X

The People of the State of New York,

Respondent,

-against-

M-4289

Ind. No. 4458/08

Auguste Rockerfeller, also known as  
Rockefeller Auguste,

Defendant-Appellant.

-----X

An order of this Court having been entered on June 28, 2011 (M-1978), denying defendant's motion for an extension of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County ( Bruce Allen, J.), rendered on October 5, 2009, to prosecute said appeal as a poor person, and for related relief,

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 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 January 5, 2012.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Angela M. Mazzarelli  
David Friedman  
Rolando T. Acosta, Justices.

-----X

The People of the State of New York,  
Respondent,

M-4841

-against-

Ind. No. 10392/94

Ronald Jackson,  
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on October 21, 1999 (Appeal No. 2091), unanimously affirming a judgment of the Supreme Court, New York County (James Yates, J.), rendered on October 16, 1995,

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 or, in the alternative, for a writ of habeas corpus to be issued from this Court, 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 January 5, 2012.

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

-----X

Keith White,

Plaintiff-Appellant,

-against-

M-4899

Index No. 307008/05

Gabriela White,

Defendant-Respondent.

-----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 December 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 denied and, sua sponte, the appeal is dismissed.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 5, 2012.

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

-----X  
Ana Ramirez,

Plaintiff-Appellant,

-against-

M-4981  
Index No. 113935/09

164 West 146 Street, LLC, et al.,

Defendants-Respondents.

-----X

Defendant-respondent Cornicello & Tendler having moved for dismissal of the appeal taken from the order of the Supreme Court, New York County, entered on or about August 27, 2010, for failure to timely perfect,

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

It is ordered that the motion is granted and the appeal is dismissed.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 5, 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 Paternity Proceeding  
Under Article 5 of the Family Court Act.  
-----

Cecil R.,  
Petitioner-Appellant,

**M-5182**  
Docket No. P26475/08

-against-

Rachel A.,  
Respondent-Respondent.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about July 26, 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, Michael S. Bromberg, Esq., 44 Hampton St., Sag Harbor, NY 11963, Telephone No. (631) 725-0641, as counsel for purposes of prosecuting the appeal;  
(2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the



City of New York from funds available 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 January 5, 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 Proceeding for  
Custody/Visitation Under Article 6  
of the Family Court Act.

-----  
Cecil S., Docket No. V13753/10  
Petitioner-Respondent,

-against-

Careen D.,  
Respondent,

Dionne S.,  
Respondent-Appellant.

-----X

Petitioner-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 June 2, 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, Leslie S. Lowenstein, Esq., 567 Sunset Drive, Woodmere, NY 11598, Telephone No. (516) 994-6831, 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 5, 2012.

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

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

-against-

**M-4370**

Ind. No. 1313/09

Juan Lopez,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about October 22, 2010, as amended, October 28, 2010, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth the amount and sources of funds to post the \$7,500 bail in the Supreme Court, the disposition thereof, and an explanation as to why similar funds are not available to prosecute the appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme  
Court held in and for the First Judicial Department in  
the County of New York on January 5, 2012.

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 Proceeding for  
Support Under Article 4 of the  
Family Court Act.

- - - - -  
Deandra B., M-4599  
Petitioner, Docket No. F4668/01

-against-

Commissioner of Social Services of  
the City of New York, on behalf of

Murdoc H.,  
Respondent(s).

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

-----X

Petitioner having moved for leave to prosecute, as a poor  
person, the appeal purportedly taken from an order of the Family  
Court, New York County, entered on or about January 3, 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 denied, with leave to renew upon  
submission of a notice of appeal that includes proof of service by  
mail upon counsel for respondent Commissioner of Social Services of  
the City of New York, said notice of appeal must also identify the  
order from which the appeal is taken, specifying the date of the order  
and the result reached by the Family Court.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 5, 2012.

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

-----X  
Robert Nowinski,

Plaintiff-Respondent,

-against-

**M-5179**  
Index No. 301804/08

Cinthia Menutole Nowinski,

Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about July 7, 2011 (mot. seq. no. 005),

And plaintiff-respondent having moved for an order dismissing 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 plaintiff's motion to dismiss defendant's appeal is denied and, sua sponte, defendant's notice of appeal is deemed a valid notice of appeal from the final judgment of divorce entered on or about August 24, 2011. (CPLR 5520[c])

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 5, 2012.

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

-----X  
In the Matter of the Application of  
Luis Jiminez,  
Petitioner,

M-5107  
Index No. 400351/11

For a Judgment Pursuant to Article 78  
of the CPLR,

-against-

H.P.D. Section 8,  
Respondent.

-----X  
An Article 78 proceeding to review a determination of respondent having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about June 8, 2011,

And an order of this Court having been entered September 8, 2011 (M-3369), granting petitioner leave to prosecute the aforesaid proceeding as a poor person and a stay of eviction pending hearing and determination of said proceeding (M-3369),

And petitioner having moved for an enlargement of time in which to perfect the aforesaid proceeding and to continue the stay afforded him by the order of this Court entered on September 8, 2011 (M-3369),

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 aforesaid proceeding to the May 2012 Term. So much of the motion which seeks to continue the stay of eviction afforded petitioner by the order of this Court entered September 8, 2011 (M-3369) is granted on condition petitioner perfects the proceeding for said 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 5, 2012.

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

-----X  
Wings Manufacturing Corporation,

Plaintiff-Appellant,

-against-

M-4839  
Index No. 602633/08

Great American Insurance Company  
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 November 13, 2009  
(mot. seq. no. 002),

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

It is ordered that the motion is granted to the extent of  
enlarging the time 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 5, 2012.

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

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

Respondent,

-against-

**M-4989**  
Ind. No. 1842/98

Kamal Gajadhar,

Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County (Daniel Conviser, J.), entered on or about June 14, 2011 under the Sex Offender Registration Act,

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 5, 2012.

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

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

Appellant,

-against-

**M-4638**  
Ind. No. 6738/02

Sean Austin,

Defendant-Respondent.

-----X

The People having moved for an enlargement of time in which to perfect the appeal taken from the judgment of **resentence** of the Supreme Court, New York County, rendered on or about March 23, 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 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 5, 2012.

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

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

Appellant,

-against-

**M-4638A**  
Ind. No. 4795/03

Sherill Dudley, also known as  
Terry Grant,

Defendant-Respondent.

-----X

The People having moved for an enlargement of time in which to perfect the appeal taken from the judgment of **resentence** of the Supreme Court, New York County, rendered on or about April 28, 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 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 5, 2012.

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

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

Appellant,

-against-

**M-4638B**  
Ind. No. 4477/01

William Footman,

Defendant-Respondent.

-----X

The People having moved for an enlargement of time in which to perfect the appeal taken from the judgment of **resentence** of the Supreme Court, New York County, rendered on or about September 17, 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 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 5, 2012.

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

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

Appellant,

-against-

**M-4638C**  
Ind. No. 7490/99

Arden Haughton, also known as  
Arden Houghton,

Defendant-Respondent.

-----X  
The People having moved for an enlargement of time in which to perfect the appeal taken from the judgment of **resentence** of the Supreme Court, New York County, rendered 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 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 5, 2012.

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

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

Appellant,

-against-

**M-4638D**  
Ind. No. 6800/03

Mike Joseph,

Defendant-Respondent.

-----X

The People having moved for an enlargement of time in which to perfect the appeal taken from the judgment of **resentence** of the Supreme Court, New York County, rendered on or about April 27, 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 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 5, 2012.

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

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

Appellant,

-against-

Jerry Williams,

**M-4638E**  
Ind. Nos. 9280/99  
5364/04

Defendant-Respondent.

-----X

The People having moved for an enlargement of time in which to perfect the appeal taken from the judgment of **resentence** of the Supreme Court, New York County, rendered on or about March 17, 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 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 5, 2012.

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

-----X  
Lula Ivevaj and Vuskan Ivezaj,  
Plaintiffs,

-and-

Anna Kohen, Simeone Kohen and  
Floare Stana,  
Plaintiffs-Appellants,

M-4426  
Index No. 6845/06

-against-

140 BW LLC, et al.,  
Defendants-Respondents.

-----X  
(And other actions)  
-----X

Plaintiffs-appellants 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 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 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 5, 2012.

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

-----X  
Adrian Bailey,  
Plaintiff-Respondent,

-against-

Disney Worldwide Shared Services M-4269  
and George Tyspin, Index No. 113072/08  
Defendants-Appellants-Respondents,

Showman Fabricators, Inc.,  
Defendant-Respondent-Appellant,

Niscon, Inc., et al.,  
Defendant.

-----X  
(And other actions)  
-----X

An appeal and cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about September 29, 2010,

And defendants-appellants-respondents having moved for an enlargement of time in which to perfect their appeal,

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 defendants-appellants-respondents' motion is granted to the extent of enlarging the time in which to perfect the appeal and cross 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 January 5, 2012.

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

-----X  
Arlyne Goldstein et al.,

Plaintiffs,

-against-

**M-4344**

Index No. 652240/11

CDx Laboratories, Inc.,

Defendant.

-----X

Defendant having moved, pursuant to CPLR 5704(a), for affirmative relief denied by a Justice of the Supreme Court, New York County, on or about September 22, 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 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 5, 2012.

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

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

Pedro A.,  
Petitioner-Respondent,

**M-5370**  
Docket No. V24039/09

-against-

Susan M.,  
Respondent-Appellant,  
-----X

Petitioner-respondent father having moved for leave to respond, as a poor person, to the appeal from the order of the Family Court, Bronx County, entered on or about April 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, Randall Carmel, Esq., 53 Jackson Avenue, Syosset, NY 11791, Telephone No. (516) 921-8800, 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 5, 2012.

Present: Hon. David B. Saxe, Justice Presiding,  
David Friedman  
Dianne T. Renwick  
Leland G. DeGrasse  
Helen E. Freedman, Justices.

-----X  
Lisa Mogull,

Plaintiff-Respondent,

-against-

**M-4779**

Index No. 308728/08

John Haywood,

Defendant-Appellant.

-----X

Defendant-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 August 25, 2011, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, for the assignment of counsel, and for related relief,

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

It is ordered that the motion is 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 5, 2012.

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

-----x  
Raymin Cabrera and Milady Ortega,  
Plaintiffs-Respondents,

-against-

M-5164  
Index No. 7680/07

New York City Department of Education  
and the City of New York,  
Defendants-Appellants,

Temco Service Industries, Inc.,  
Defendant.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, Bronx County, entered on or about October 6, 2011, and said appeal having been perfected,

And defendants-appellants having moved for a stay of jury selection and trial pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is granted.

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 5, 2012.

PRESENT: Hon. David B. Saxe, Justice Presiding,  
James M. Catterson  
Rolando T. Acosta  
Dianne T. Renwick  
Leland G. DeGrasse, Justices.

-----X  
Bernard H. Glatzer,  
Plaintiff-Appellant,

-against-

M-5112  
Index No. 21663/04

Bear, Stearns & Co., Inc., Weisser  
Johnson & Co., L.P. and Frank Weisser,  
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, Bronx County, entered on or about May 1, 2008,

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 5, 2012.

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

-----X

Jay S. Blumenkopf,

Plaintiff-Appellant,

-against-

Proskauer Rose, LLP,

Defendant-Respondent.

-----X

**SEALED**

**M-5410**

Index No. 109489/08

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  
January 20, 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

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-4815  
Ind. No. 5491-94

-against-

CERTIFICATE  
DENYING LEAVE

Yesenia Ulerio,

Defendant.  
-----X

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 September 15, 2011, is hereby denied.

  
Associate Justice

Dated: December 12, 2011  
New York, New York

ENTERED: January 5, 2012



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

BEFORE: Hon. Rolando T. Acosta  
Justice of the Appellate Division

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

M - 1454  
Ind. No. 4404/1997

-against-

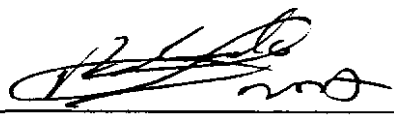
CERTIFICATE  
DENYING LEAVE

Alfredo Victoria,

Defendant.

-----X

I, Rolando T. Acosta, 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 January 7, 2011, is hereby denied. Defendant's motion for a writ of habeas corpus, poor person's relief, bail pending appeal, and an extension of time to file an appeal are also denied, as academic.

  
\_\_\_\_\_  
Hon. Rolando T. Acosta  
Associate Justice

Dated: May 15, 2011  
New York, New York

ENTERED: JAN 05 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

PM ORDERS  
ENTERED ON  
JANUARY 5, 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 5, 2012.

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

-----x  
Franklin Wilson Delgado,  
Plaintiff-Respondent,

-against-

M-5523  
Index No. 100339/09

Paper Transit Inc., et al.,  
Defendants-Appellants.  
-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about May 23, 2011, and said appeal having been perfected,

And defendants-appellants having moved, pursuant to CPLR 5519(c), for a discretionary stay of trial 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 granted.

ENTER:

  
CLERK