

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 May 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-1685
Index No. 4955/08

Edward DeLaCruz,
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about September 14, 2010,

Now, upon reading and filing the stipulation of the parties hereto, dated March 30, 2012, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 May 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

Joseph M.,	M-2180
	DC #10
A Person Alleged to be a Juvenile	Docket No. D-14675/07
Delinquent,	

Respondent-Appellant.
-----X

An appeal having been taken by respondent from the order of the Family Court, New York County, entered on or about January 23, 2008,

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

And a calendar call having been held by the Clerk of the Court on May 19, 2011, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having informed this Court that respondent does not wish to pursue the appeal,

Now, upon the Court's own motion,

It is ordered that the appeal is deemed withdrawn.

ENTER:


CLERK

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

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

Presiding Justice,

Justices.

-----X
In the Matter of

Antionious Daniel R.,

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

- - - - -
Salvation Army Social Services of
Greater New York, et al.,
Petitioners-Respondents,

M-2188
DC #17
Docket No. B-13332/07

Crystal R.,
Respondent-Appellant.

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

-----X

An appeal having been taken by respondent-appellant from the order of the Family Court, New York County, entered on or about January 29, 2010,

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

And a calendar call having been held by the Clerk of the Court on May 19, 2011, pursuant to Rule 600.12(c) of said Rules of Practice, and the parties having submitted a stipulation dated May 13, 2011, for leave to withdraw the notice of appeal,

Now, upon the Court's own motion,

It is ordered that the appeal is deemed withdrawn.

ENTER:



CLERK

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

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

-----X
In the Matter of a Proceeding for
Paternity Under Article 5 of the
Family Court Act.

- - - - -
Anthony Q. J.,
Petitioner-Appellant,

-against-

M-2177
D.C. #8
Docket No. P-9561/08

Raquel W.,
Respondent-Respondent.

-----X
An appeal having been taken by appellant from the order of the Family Court, New York County, entered on or about July 28, 2009,

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

And a calendar call having been held by the Clerk of the Court on May 19, 2011, pursuant to Rule 600.12(c) of said Rules of Practice, and there being no response thereto,

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

Ordered that the aforesaid appeal is dismissed.

ENTER:


CLERK

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

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

-----X

Jane Roe,
Plaintiff-Appellant,

-against-

New York Presbyterian Hospital,
et al.,
Defendants-Respondents.

M-2190
D.C. #12
Index No. 115798/05

-----X

Plaintiff having taken an appeal from an order of the
Supreme Court, New York County, entered on or about October 25,
2007,

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

And a calender call having been held by the Clerk of the
Court on May 19, 2011, pursuant to Rule 600.12(c) of said Rules
of Practice, and there being no response thereto,

Now, upon the Court's own motion,

It is ordered that the aforesaid appeal is dismissed.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 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

Justin T., and
Malik T., also known as
Malik E. T.,

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

M-2192
DC #20

Administration for Children's Services,
Services,

Docket Nos. NN16193/08
NN16194/08

Petitioner-Respondent,

Gail B.,
Respondent-Respondent,

Louis T.,
Non-Respondent-Appellant.

Steven Banks, Esq.,
Attorney for the Children.

-----X

An appeal having been taken by appellant from the order of the Family Court, Bronx County, entered on or about September 22, 2008,

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

And a calendar call having been held by the Clerk of the Court on May 19, 2011, pursuant to Rule 600.12(c) of said Rules of Practice, and there being no response thereto,

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

Ordered that the aforesaid appeal is dismissed.

ENTER:


CLERK

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

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

-----X
Richard A. Williamson, Esq., etc.,
Plaintiff-Respondent,

-against- M-2195
D.C. #14
University of Minnesota, Index No. 604305/04
Defendant-Appellant.

-----X

Defendant-appellant having taken an appeal from an order of
the Supreme Court, New York County, entered on or about May 6,
2010,

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

And a calender call having been held by the Clerk of the
Court on May 19, 2011, pursuant to Rule 600.12(c) of said Rules
of Practice, and there being no response thereto,

Now, upon the Court's own motion,

It is ordered that the aforesaid appeal is dismissed.

ENTER:


CLERK

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

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

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

- - - - -
Ransis P., Sr.,
Petitioner-Respondent,

-against-

M-2186
DC #16
Docket No. V-26404/06

Maria P.,
Respondent-Appellant.

-----X

An appeal having been taken to this Court from the order of the Family Court, New York County, entered on or about March 23, 2009,

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

And a calendar call having been held by the Clerk of the Court on May 19, 2011, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant, Douglas H. Reiniger, Esq., having moved to be relieved as assigned counsel and for dismissal of the appeal,

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

Ordered that counsel is relieved 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 May 3, 2012.

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

-----X
In the Matter of

Jeremy R.,
Katelyn R., and
Ransis P.,

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

- - - - -

Administration for Children's
Services,
Petitioner-Respondent,

M-2189

DC #18

Docket Nos. NN25893/06

NN25894/06

NN25895/06

Maria P.,
Respondent-Appellant.

- - - - -

Thomas Caruso, Esq.,
Attorney for the Children
Katelyn R. and Ransis P.,

Ronald Fisher, Esq.,
Attorney for the Child
Jeremy R.

-----X

An appeal having been taken to this Court from the order of the Family Court, Bronx County, entered on or about July 8, 2008,

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

And a calendar call having been held by the Clerk of the Court on May 19, 2011, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant, Douglas H. Reiniger, Esq., having moved to be relieved as assigned counsel and for dismissal of the appeal,

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

Ordered that counsel is relieved and the appeal is dismissed.

ENTER:

A handwritten signature in black ink, appearing to read "Susan R. Jones", written over a horizontal line.

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 May 3, 2012.

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

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

- - - - -
Lamont K. W.,
Petitioner-Respondent,

-against-

Latoya R.,
Respondent-Appellant.

M-2194
DC #21
Docket Nos. V27982-04/09D
V27982-04/09E

-----X

An appeal having been taken to this Court from the order of the Family Court, Bronx County, entered on or about September 23, 2009,

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

And a calendar call having been held by the Clerk of the Court on May 19, 2011, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant, Douglas H. Reiniger, Esq., having moved to be relieved as assigned counsel and for dismissal of the appeal,

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

Ordered that counsel is relieved 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 May 3, 2012.

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

-----X

403 East 76 St. Corp.,
Plaintiff-Respondent-Appellant,

-against-

Eyeprops Realty, LLC, et al.,
Defendants,

M-2158
D.C. #1
Index No. 104089/07

The Travelers Companies, Inc,
formerly known as The St. Paul
Travelers Companies, Inc.,
Defendant-Appellant-Respondent.

(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 June 2, 2008,

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

And a calender call having been held by the Clerk of the
Court on May 19, 2011, pursuant to Rule 600.12(c) of said Rules
of Practice, and there being no response thereto,

Now, upon the Court's own motion,

It is ordered that the aforesaid appeal and cross appeal are
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 May 3, 2012.

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

-----X
In the Matter of the Application of
Lamont Young, Sr.,
Petitioner,

For a Judgment Pursuant to Article 78
of the CPLR,

-against-

Office of Housing Operation/
Division of Tenant Resources, et al.,
Respondents.

M-2196
D.C. #15
Index No. 406452/07

-----X

An Article 78 proceeding having been transferred to this
Court, pursuant to CPLR 7804(g), by order of the Supreme Court,
New York County, entered on March 26, 2008 (mot. seq. no. 001),

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

And a calender call having been held by the Clerk of the
Court on May 19, 2011, pursuant to Rule 600.12(c) of said Rules
of Practice, and there being no response thereto,

Now, upon the Court's own motion,

It is ordered that the aforesaid proceeding 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 May 3, 2012.

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

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

Nelly Tatis,
Petitioner,

For a Judgment Pursuant to Article 78
of the CPLR,

-against-

City of New York,
Respondent.

M-2193
D.C. #13
Index No. 400804/08

-----X

An Article 78 proceeding having been transferred to this
Court, pursuant to CPLR 7804(g), by order of the Supreme Court,
New York County, entered on January 2, 2009,

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

And a calender call having been held by the Clerk of the
Court on May 19, 2011, pursuant to Rule 600.12(c) of said Rules
of Practice, and there being no response thereto,

Now, upon the Court's own motion,

It is ordered that the aforesaid proceeding 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 May 3, 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-1399
Ind. No. 2448/11

Shatasia Brown,
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 February 8, 2012, 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 May 3, 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-1400
Ind. No. 2422/11

Richard Cespedes,
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 February 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, 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 May 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-1402

Ind. No. 3610/10

Marlon Cole,

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 February 29, 2012, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

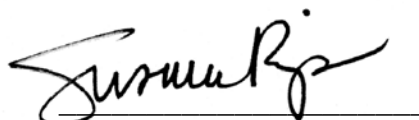
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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 May 3, 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-1404
Ind. No. 5327/11

Candice Hall,
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 February 29, 2012, 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 May 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-1405

Ind. No. 5738/10

Tyrone Hunter,

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 February 27, 2012, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

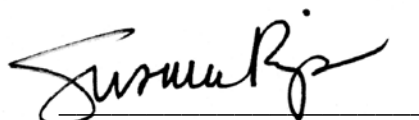
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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 May 3, 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-1406
Ind. No. 5458/11

Martin Kelly,
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 February 29, 2012, 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 May 3, 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-1408
Ind. No. 4148/11

Emilio Lebron,
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 February 22, 2012, 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 May 3, 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-

Alexander K. Lewis,
Defendant-Appellant.

M-1409
Ind. Nos. 4147/11
425/12

-----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 February 28, 2012, 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 May 3, 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-1410
Ind. No. 2329/11

Michael 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 February 28, 2012, 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 May 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-1411

Ind. No. 1376/08

Michael Molinero,

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 January 31, 2012, 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


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 May 3, 2012.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
David B. Saxe
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick, Justices.

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

Adetokumbo C. Ogunrinde,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78 M-1463
of the Civil Practice Law and Rules, Index No. 117886/09

-against-

New York State Division of Housing
and Renewal,
Respondent-Respondent.

-----X

An order of this Court having been entered January 31, 2012 (M-5407) granting petitioner-appellant leave to prosecute, as a poor person, the appeal from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about December 28, 2011, leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and an enlargement of time in which to perfect said appeal to the June 2012 Term,

And petitioner-appellant having moved for an enlargement of time in which to perfect the appeal and for the same relief granted by the aforesaid order of this Court entered January 31, 2012 (M-5407),

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 September 2012 Term, and otherwise denied, as unnecessary.

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 May 3, 2012.

Present: Hon. Peter Tom,
Richard T. Andrias
Leland G. DeGrasse
Rosalyn H. Richter
Nelson S. Román,

Justice Presiding,

Justices.

-----X

In the Matter of

Alexis Kaliyah H.,
Anthony Kenneth H.,
Ashley R.,
Jayquan Tyrik R.,
and Treyvaughn Andrew H.,

M-1536

Docket Nos. B25005/07
B25006/07
B25007/07
B25008/07
B25009/07

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

Catholic Guardian Society & Home
Bureau,
Petitioner-Respondent,

Latarsha R.,
Respondent-Appellant.

Richard L. Herzfeld, Esq.,
Attorney for the Children,
Alexis Kaliyah H., Anthony
Kenneth H., Ashley R., and
Treyvaughn Andrew H.,

John J. Marafino, Esq.,
Attorney for the Child,
Jayquan Tyrik R.

-----X

Kevin Gomez, Esq., Family Court attorney for subject child,
Jayquan Tyrik R., having moved on said child's behalf 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 21, 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, John J. Marafino, Esq., 9 West Prospect Ave., Suite 409, Mount Vernon, NY 10550, Telephone No. (914) 663-1500, as counsel for purposes of responding to the appeal on behalf of subject child, Jayquan Tyrik R.; (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 October 9, 2012.

Present: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Leland G. DeGrasse
Rosalyn H. Richter
Nelson S. Román, Justices.

-----X
In the Matter of

Alexis Kaliyah H.,
Anthony Kenneth H.,
Ashley R.,
Jayquan Tyrik R.,
and Treyvaughn Andrew H.,

M-1536A

Docket Nos. B25005/07
B25006/07
B25007/07
B25008/07
B25009/07

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

- - - - -
Catholic Guardian Society & Home
Bureau,
Petitioner-Respondent,

Latarsha R.,
Respondent-Appellant.

- - - - -
Richard L. Herzfeld, Esq.,
Attorney for the Children,
Alexis Kaliyah H., Anthony
Kenneth H., Ashley R., and
Treyvaughn Andrew H.,

- - - - -
Randall Carmel, Esq.,
Attorney for the Child,
Jayquan Tyrik R.

-----X

An appeal having been taken from the order of the Family Court, Bronx County, entered on or about April 21, 2011, and said appeal having been perfected,

And an order of this Court having been entered on May 3, 2012 (M-1536) assigning John J. Marafino, Esq., as counsel for purposes of responding to the aforesaid appeal on behalf of subject child, Jayquan Tyrik R.,

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

Ordered that the designation of John J. Marafino, Esq., is stricken as counsel for purposes of responding to the aforesaid appeal, and, pursuant to Section 722 of the County Law, Randall Carmel, Esq., 53 Jackson Avenue, Syosset, NY 11791, Telephone No. (516) 921-8800, is substituted as such counsel. Movant is permitted 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 respondent-appellant and 8 copies thereof are filed with this Court. Sua sponte, the appeal is adjourned to the December 2012 Term. The order of this Court entered on May 3, 2012 (M-1536) is hereby recalled and vacated.

ENTER:


CLERK

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

Present: Hon. Peter Tom, Justice Presiding,
David Friedman
James M. Catterson
Rolando T. Acosta
Helen E. Freedman, Justices.

-----X
Anthony Tuccillo, Jr. and Maria Tuccillo,
Plaintiffs-Appellants/Plaintiffs-
Appellants-Respondents,

-against-

M-1348

Index No. 105551/06

Bovis Lend Lease, Inc., et al.,
Defendants-Respondents,

ADT Security Services, Inc.,
Defendant-Respondent/Defendant-
Respondent-Appellant.

-----X
ADT Security Services, Inc.,
Third-Party Plaintiff-Respondent-
Appellant,

Third-Party

Index No. 590058/08

-against-

Petrocelli Electric Co.,
Third-Party Defendant-Respondent.

-----X

Appeals having been taken by plaintiffs, Anthony Tuccillo, Jr. and Maria Tuccillo, from orders of the Supreme Court, New York County, entered on or about February 25, 2011 (mot. seq. no. 004) and October 25, 2011 (mot. seq. no. 006) respectively,

And an order of this Court having been entered on January 12, 2012 (M-5422), consolidating said appeals and enlarging the time in which to perfect same to the May 2012 Term, and said appeals having been perfected,

And a cross appeal having been taken by defendant/third-party plaintiff, ADT Security Services, Inc., from the order of said Supreme Court, entered on or about October 25, 2011 (mot. seq. no. 006),

And defendant/third-party plaintiff, ADT Security Services, Inc., having moved for an adjournment of plaintiffs' consolidated appeals and their cross appeal, and to supplement the record filed by the plaintiffs with the "ADT"'s cross notice of 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 adjourning the consolidated appeals and cross appeal to the October 2012 Term with the respective parties to comply with the briefing schedule set forth in the interim order of a Justice of this Court dated March 20, 2012; leave to file a supplemental record on appeal consisting of "ADT'S" cross notice of appeal is granted and the motion is otherwise denied. Sua sponte, the parties are directed to amend the cover pages of the record and briefs already filed in this Court to reflect the cross appeal, with costs thereof to be shared equally between the parties.

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 May 3, 2012.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
Jennifer Cangro,
Plaintiff-Appellant,

-against-

M-1464
M-1561
Index No. 117524/09

Park South Towers Associates and
Rose and Rose,
Defendants-Respondents.

-----X

Defendant-respondent Park South Towers Associates having moved for dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about June 8, 2012 (M-1463), or for alternative relief, said appeal having been perfected,

And defendant-respondent Rose and Rose having moved separately for the same relief (M-1561),

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

It is ordered that the motions to dismiss the appeal are denied without prejudice to defendants addressing the issue on appeal. So much of the motion seeking adjournment of the appeal is granted to the extent of striking the appeal from the Court's calendar, with leave to re-perfect same upon an appendix which complies with CPLR 5528 and 22 NYCRR 600.10[c] without further fee, for this Court's October 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 May 3, 2012.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
Karla Moskowitz
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----X

Stevi Brooks Nichols,
Plaintiff-Appellant,

-against-

M-1326

M-1638

Index No. 112297/08

W. Roberts Curtis, Esq., et al.,
Defendants-Respondents.

-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about July 16, 2010, July 19, 2010 and December 9, 2010, and from an order and judgment of the same Court entered on or about February 18, 2011, respectively,

And an order of this Court having been entered on February 21, 2012 (M-21/M-274), enlarging plaintiff's time in which to perfect the aforesaid appeals to the June 2012 Term with no further enlargements to be granted (M-21), and granting defendants' cross motion to dismiss plaintiff's appeals unless said appeals are perfected for said June 2012 Term (M-1638),

And plaintiff having taken two subsequent appeals from orders of the Supreme Court, New York County, entered on or about January 10, 2012 and March 6, 2012, respectively,

And plaintiff having moved for, inter alia, renewal and/or reconsideration of the order of this Court entered on February 21, 2012 (M-21/M-274) with respect to this Court's directive that it will not entertain any further enlargements to perfect plaintiff's four appeals, and for consolidation of all six of plaintiff's appeals and for an enlargement of time in which to perfect same (M-1326),

And defendants-respondents having cross-moved to dismiss plaintiff's original four appeals (M-1638),

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 plaintiff's motion is granted to the extent of consolidating the aforesaid six appeals upon condition that said appeals are perfected for the October 2012 Term (M-1326). Defendants' cross motion to dismiss plaintiff's first four appeals is granted unless plaintiff perfects all six appeals for said October 2012 Term (M-1638). Upon failure to so perfect, an order dismissing all appeals may be entered ex parte, provided defendants serve a copy of this order upon the plaintiff 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 May 3, 2012.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
Karla Moskowitz
Dianne T. Renwick
Helen E. Freedman, Justices.

-----x
Peter Colletti,
Plaintiff-Appellant,

-against-

M-1527
Index No. 105996/08

William Schiff, M.D.,
Defendant-Respondent.

-----x

An appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about August 29, 2011,

And defendant-respondent having moved for leave to strike the appellant's brief and appendix, or 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 the motion is granted to the extent of adjourning the appeal to the September 2012 Term and directing plaintiff to file the proposed amended appellant's brief attached as Exhibit B to the Affirmation in Opposition of Leonard Zack, Esq. forthwith 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 May 3, 2012.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Sheila Abdus-Salaam
Sallie Manzanet-Daniels, Justices.

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

Ruth Rains,
Petitioner-Appellant,

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

M-1095
Index No. 106860/11

-against-

Rafael E. Cestero, Commissioner
of the New York City Department of
Housing Preservation and Development,
Respondent-Respondent.

-----X

Petitioner-appellant having moved to stay the proceeding captioned *Matter of Woodstock Terrace Mutual Housing Corp. v Ruth Rains and Naomi Haskins*, Civil Court of the City of New York, Bronx County Index No. L&T 127/12 pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about December 13, 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 staying the aforementioned Civil Court, Bronx County proceeding, pending hearing and determination of the appeal, on condition the appeal is perfected for the October 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 May 3, 2012.

PRESENT - Hon: Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Sheila Abdus-Salaam
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of

Alana M.,

A Dependent Child Under the Age of 18 M-1311
Years of Age. Docket No. A-8869/11

St. Dominic's Home,
Intervenor-Appellant.

-----X

An appeal having been taken from order of the Family Court, Bronx County, entered on or about December 22, 2011,

And intervenor-appellant having moved for permission to proceed with the appeal, and for related relief,

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

It is ordered that the motion is denied (See M-1748 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 May 3, 2012.

PRESENT - Hon: Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Sheila Abdus-Salaam
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of

Alana M.,

A Dependent Child Under the Age of 18 M-1748
Years of Age. Docket No. A-8869/11

St. Dominic's Home,
Intervenor-Appellant.

-----X

An appeal having been taken from order of the Family Court, Bronx County, entered on or about December 22, 2011,

And subject child Alana M. having moved for leave to respond to said appeal as a poor person, and assigning appellate counsel, and related relief,

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

It is ordered that the motion is denied as academic
(See M-1311 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 May 3, 2012.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
Maria Torres,

Plaintiff-Appellant,

-against-

M-1310
Index No. 304476/10

J.C. Penny Corporation, 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 February 28, 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 October 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 May 3, 2012.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

Respondent,

-against-

M-1468

Ind. No. 179/05

Adolph Gutt, also known as Adolph B.
Gutt, also known as Rafael J. Lugo,

Defendant-Appellant.

-----X

An order of this Court having been entered on January 12, 2012 (M-5439), inter alia, granting defendant leave to file a pro se supplemental brief in connection with the appeal from a judgment of the Supreme Court, New York County, rendered on or about June 2, 2009, and said appeal having been perfected,

And defendant having moved for an extension of time in which to file the pro se supplemental 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 directing defendant to serve and file 8 copies of his pro se supplemental brief on or before August 6, 2012 for the October 2012 Term, to which Term the appeal is adjourned. The appeal will not be heard unless and until all material furnished to appellant has been returned.

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 May 3, 2012.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
James M. Catterson
Dianne T. Renwick
Nelson S. Román, Justices.

-----X
In the Matter of as Family Offense
Proceeding Under Article 8 of the
Family Court Act,

Susan S.,
Petitioner-Appellant,

-against-

M-1314
M-1531
Docket No. O-2422/11

Jacqueline S.,
Respondent-Respondent.

-----X
In the Matter of as Family Offense
Proceeding Under Article 8 of the
Family Court Act,

Jacqueline S.,
Petitioner-Respondent,

-against-

Docket No. O-2637/10

Susan S.,
Respondent-Appellant.

-----X

Appeals having been taken by petitioner/respondent-appellant Susan S. from orders of the Family Court, New York County, each entered on or about July 14, 2011 in the above captioned actions, and said appeals having been perfected, upon one original record and one set of appellant's points,

And petitioner/respondent-appellant Susan S. having moved for consolidation of the aforesaid appeals and for related relief (M-1314),

And respondent/petitioner-respondent Jacqueline S. having moved for leave to respond, as a poor person, to the aforesaid appeals (M-1531),

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

Ordered that the motion by petitioner/respondent-appellant Susan S. (M-1314) is denied as unnecessary, and it is further

Ordered that the motion by respondent/petitioner-respondent Jacqueline S. (M-1531) is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Richard L. Herzfeld, Esq., 104 West 40th Street, New York, NY 10018, Tel. No. (212) 818-9019, as counsel for purposes of responding to the appeals. Sua sponte the appeals are adjourned to the September 2012 Term.

ENTER:

A handwritten signature in black ink, appearing to read "Susan R. J.", written over a horizontal line.

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 May 3, 2012.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
James M. Catterson
Nelson S. Román, Justices.

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

-against-

M-1462
Ind. No. 3427/06

Robert J. Symonds,
Defendant-Appellant.

-----x

And appeal having been taken to this Court from the judgment of the Supreme Court, Bronx County, rendered on or about November 17, 2009,

And an order of this Court having been entered on February 11, 2010 (M-150), granting defendant leave to prosecute the appeal as a poor person, and assigning Steven Banks, Esq., for purposes of prosecuting the appeal,

And an order of this Court having been entered on September 22, 2011 (M-3751), denying defendant-appellant's motion for substitution of assigned counsel, and directing assigned counsel to perfect the appeal for the January 2012 Term,

And defendant-appellant having moved for an order to relieve assigned counsel, for the substitution of retained counsel to prosecute the appeal and for an enlargement of time to perfect the appeal,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the September 2012 Term and otherwise denied, with leave to renew if so advised, upon submission of papers demonstrating that private counsel has been retained. Defendant-appellant is directed to serve and file the motion to renew on or before June 1, 2012.

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 May 3, 2012.

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

-----x
In the Matter of

Ira S.,
Plaintiff-Respondent-Appellant,

-against-

M-1302
Index No. 311503/07

Janice S.,
Defendant-Appellant-Respondent.

- - - - -
Dawn Marcella Cardi, Esq., Dawn M.
Cardi & Associates,
Attorney for the Children-
Appellant.

-----x
An appeal and cross appeal having been taken to this Court from the order of the of the Supreme Court, New York County, entered on or about April 29, 2010; and an appeal having been taken from the order of said Court entered on or about May 24, 2010, respectively,

And defendant-appellant-respondent having moved for an enlargement of time to perfect the direct appeal, 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 to the extent of enlarging the time to perfect the appeals and cross appeal to the December 2012 Term, with leave to seek a further enlargement, if necessary, 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 May 3, 2012.

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

-----X

In the Matter of Jessica Dorfman,
also known as Jessica Jones,
Plaintiff-Appellant,

-against-

M-1201
Index No. 600929/04

American Education Services, et al.,
Defendants-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about January 7, 2011,

And an order of this Court having been entered on January 12, 2012 granting plaintiff-appellant an enlargement of time in which to perfect the aforesaid appeal and a stay of a certain referee hearing pending hearing and determination of the aforesaid appeal (M-5118/M-5329),

And plaintiff-appellant having moved for a further enlargement of time in which to perfect 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-appellant's motion is granted to the extent of enlarging the time in which to perfect the appeal to the October 2012 Term, with no further enlargements to be granted. The stay of the referee hearing previously granted by the order of this Court entered on January 12, 2012 (M-5118/M-5329) is continued accordingly. Upon failure to so perfect, an order vacating the stay may be entered ex parte, provided that defendants-respondents serve a copy of this order upon plaintiff-appellant within 10 days after the date of entry hereof.

ENTER:


CLERK

PM ORDERS
ENTERED ON
MAY 3, 2012

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 May 3, 2012.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
James M. Catterson
Karla Moskowitz
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----x

Grant Brown, as Administrator of the
Estate of Rebecca Sargent Brown,
deceased, and Grant Brown, Individually
Plaintiff-Respondent,

-against-

M-1585

M-1604

Index No. 101487/06

John McKnight, M.D.,
Defendant-Appellant,

Midtown Medical Care Center and
Esther Sumitra-Albert, M.D.,
Defendants.

-----x

An appeal having been taken to this Court by defendant-appellant John McKnight, M.D. from the order of the Supreme Court, New York County, entered on or about June 2, 2011 (mot. seq. no. 011), and said appeal having been perfected,

And defendant-appellant John McKnight, M.D. having moved to file a supplemental record on appeal to include plaintiff's Reply Affirmation and the Affirmation in Opposition of co-defendant Esther Sumitra-Albert, M.D. (M-1585),

And plaintiff-respondent Grant Brown having cross moved for dismissal of the appeal taken by aforesaid defendant-appellant from the order entered on or about June 2, 2011 (mot. seq. no. 011) for defendant's filing of an improper record on appeal (M-1604),

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

It is ordered that the motion to file a supplemental record on appeal is granted and defendant-appellant is directed to file 9 copies of a supplemental record on appeal consisting of the documents appearing as Exhibit C to the affirmation of Steven A. Levy, Esq. submitted in support of the motion, forthwith (M-1585), and it is further,

Ordered that the cross-motion (M-1604) to dismiss the appeal 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 May 3, 2012.

PRESENT: Hon. David B. Saxe, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Helen E. Freedman
Nelson S. Román, Justices.

-----x
Michael Goldmuntz, doing business as
MGR Diamonds,
Plaintiff-Respondent,

-against-

M-1730
Index No. 109033/09

Michelle Schneider, doing business as
MCS Style,
Defendant-Appellant,
-----x

An appeal having been taken to this Court by defendant-appellant from an order of the Supreme Court, New York County, entered on or about September 21, 2010 and a judgment of the same Court entered on or about April 27, 2011, and said appeal having been perfected,

And plaintiff-respondent having moved to file a supplemental record on appeal containing certain transcripts and exhibits introduced into evidence and adjourning the aforesaid appeal to the September 2012 Term,

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

It is ordered that the motion is granted and plaintiff-respondent is directed to file 9 copies of a supplemental record on appeal consisting of the material appearing at Exhibits B and C to the affirmation of Gregory Mason, Esq. submitted in support of the motion, on or before July 9, 2012 for the September 2012 Term, to which Term the appeal is adjourned.

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 May 3, 2012.

PRESENT: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Dianne T. Renwick
Leland G. DeGrasse
Sheila Abdus-Salaam, Justices.

-----X
Luis Pindo,
Plaintiff-Respondent,

-against-

M-1764
Index No. 109102/09

Elicias Lenis,
Defendant-Appellant,

-and-

Carlos Ramales and H&F Corporation,
Defendants.

-----X

Defendant-appellant having moved for a stay of trial pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about January 12, 2012 (mot. seq. no. 002), and said appeal having been perfected,

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

It is ordered that the motion is granted.

ENTER:


CLERK