

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 24, 2016.

PRESENT - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X
Nazerath Dorsey,
Plaintiff-Appellant,

-against-

M-1240
Index No. 301716/13

Tuck-It Away at 133rd Street, Inc.,
et al.,
Defendants-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about May 8, 2015,

And defendants-respondents having moved for an order dismissing the appeal,

Now, upon reading and filing the stipulation of the parties hereto, dated March 16, 2016, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 24, 2016.

PRESENT - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X
Patricia Humphrey,
Plaintiff-Respondent,

-against-

M-1280
Index No. 301452/13

The Institute of Applied Human Dynamics
Inc., and Lourdes Martinez,
Defendants-Appellants.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about October 6, 2014,

And defendants-appellants having moved for an enlargement of time to perfect the appeal,

Now, upon reading and filing the stipulation of the parties hereto, dated March 17, 2016, and due deliberation having been had thereon,

It is ordered that the motion is withdrawn in accordance with the aforesaid stipulation.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 24, 2016.

PRESENT - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X
Margery Rubin as Trustee of the
Rubin Family Irrevocable Realty Trust,
et al.,
Plaintiffs-Respondents-Appellants,

-against-

M-1928X
Index No. 154131/15

Duncan, Fish & Vogal, L.L.P.,
Richard E. Fish,
Defendants-Appellants-Respondents.
-----X

An appeal and cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about October 19, 2015,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 7, 2016, and due deliberation having been had thereon,

It is ordered that the appeal and cross appeal are withdrawn in accordance with the aforesaid stipulation.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 24, 2016.

Present: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

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

- - - - -
Gregory D., Docket Nos. V-33771/14-14B
Petitioner-Respondent, V-33772/14-14B
V-33773/14-14B
-against-

Athena Q.,
Respondent-Appellant.

- - - - -
Donneth Gayle, Esq.,
Lawyers for Children,
Attorney for the Children.
-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from two orders of the Family Court, New York County, entered on or about February 25, 2016, 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, Steven N. Feinman, Esq., One North Broadway, Suite 412, White Plains, NY 10601, Telephone No. (914) 949-8214, 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;¹ **within 30 days (FCS 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 the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** (See M-1397, decided simultaneously herewith.)

ENTER:



CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 24, 2016.

Present: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

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

Gregory D., Docket Nos. V-3371/14-14B
Petitioner-Respondent, V-3372/14-14B
V-3373/14-14B
-against-

Athena Q.,
Respondent-Appellant.

Donneth Gayle, Esq.,
Lawyers for Children,
Attorney for the Children.

-----X

Petitioner-respondent having moved for leave to respond, as a poor person, to the appeal from orders of the Family Court, New York County, both entered on or about February 25, 2016, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Andrew J. Baer, Esq., 299 Broadway, Suite #1415, New York, NY 10007, Telephone No. (212) 233-0318, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this Court. (See M-1396, 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 24, 2016.

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

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

-against-

M-1778
Ind. No. 2373/14

Keith Goodman,
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 16, 2015, 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 8 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) one transcript 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.

Zachary Johnson, Esq., Galluzzo & Johnson LLP, 48 Wall Street, 11th Floor, New York, New York 10005, Telephone No. 212-918-4662, 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 24, 2016.

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

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

-against-

M-1796
Ind. No. 2373/14

Alejandro 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 November 23, 2015, 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 8 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) one transcript 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.

Zachary Johnson, Esq., Galluzzo & Johnson LLP, 48 Wall Street, 11th Floor, New York, New York 10005, Telephone No. 212-918-4662, 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 24, 2016.

Present: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X

In the Matter of a Family Offense
Proceeding Pursuant to Article 8
of the Family Court Act.

- - - - -

M-1857

Monique Elizabeth J.,
Petitioner-Respondent,

Docket No. O-22501/14

-against-

Orlando D.,
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, Bronx County, entered on or about September 25, 2015, 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, Steven N. Feinman, Esq., One North Broadway, Suite 412, White Plains, NY 10601, Telephone No. (914) 949-8214, 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 May 24, 2016.

Present - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzairelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-1944

Ind. No. 321/12

Eric Wilson,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Goldberg, J.), entered on or about September 18, 2015, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect 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 granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files ten copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The Clerk of the Supreme Court shall expeditiously have made and filed with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Goldberg as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Richard M. Greenberg, Esq., without

charge, the transcripts to be returned to this Court when appellant's brief is filed.

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 24, 2016.

PRESENT: Hon. Peter Tom, Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Barbara R. Kapnick
Troy K. Webber, Justices.

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

-against-

M-1492
Ind. No. 2491N/14

Waskar Hernandez,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about December 1, 2015, for leave to prosecute the appeal as a poor person, on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted 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 8 reproduced copies of such brief, together with the original record, with this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, of the plea and sentence or trial. 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 Feldman, Esq., 626 EAB Plaza, RXR Tower, 6th Floor, Uniondale, New York 11556, Telephone No. 516-522-2828, 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 24, 2016.

PRESENT: Hon. Peter Tom, Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Barbara R. Kapnick
Troy K. Webber, Justices.

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

-against-

M-1493
Ind. No. 5314/14

Robert Percodani,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about September 30, 2015, for leave to prosecute the appeal as a poor person, on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted 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 8 reproduced copies of such brief, together with the original record, with this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, of the plea and sentence or trial. 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.

Arza Feldman, Esq., 626 EAB Plaza, RXR Tower, 6th Floor, Uniondale, New York 11556, Telephone No. 516-522-2828, 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 24, 2016.

PRESENT: Hon. Peter Tom, Justice Presiding,
David B. Saxe
Rosalyn H. Richter
Judith J. Gische
Troy K. Webber, Justices.

-----X

Goidel & Siegel, LLP, individually
and on behalf of all other present
and former tenants of 122 East 42nd
Street, LLC,

Plaintiff-Respondent,

M-2120

M-2147

-against-

Index No. 101979/11

122 East 42nd Street, LLC,
Defendant-Appellant.

-----X

122 East 42nd Street, LLC,
Plaintiff-Appellant,

-against-

Index No. 153390/12

Jonathan Goidel and Andrew Siegel,
Defendants-Respondents.

-----X

An appeal and cross appeal having been taken from an order of the Supreme Court, New York County, entered on or about October 14, 2015, and defendant 122 East 42nd Street, LLC having perfected its appeal,

And plaintiffs Goidel & Siegel having moved to withdraw its cross-appeal from the aforesaid order entered on October 14, 2015 (M-2120),

And defendant/plaintiff-appellant, 122 East 42nd Street, LLC, having cross moved to compel plaintiff to pay certain costs for the preparation of the record, to dismiss, with prejudice, plaintiff's cross appeal, and for related relief (M-2147),

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 cross-appeal from the order entered on October 14, 2015 is deemed withdrawn (M-2120). The cross motion is denied in its entirety (M-2147). Sua sponte the title "Joint Record on Appeal" is deemed stricken and the record titled "Defendant's Record on Appeal" is deemed filed.

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 24, 2016.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
Richard T. Andrias
Karla Moskowitz
Marcy L. Kahn, Justices.

-----X
Roy Den Hollander,
Plaintiff-Appellant,

-against-

M-1990
Index No. 152656/14

Tory Shepherd, et al.,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about January 12, 2016, and said appeal having been perfected,

And plaintiff-appellant having moved to dismiss, or in the alternative, to strike defendants-respondents' reply memorandum submitted in support of defendants-respondent's motion to dismiss the appeal, and for certain costs,

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 May 24, 2016.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Karla Moskowitz
Judith J. Gische
Troy K. Webber, Justices.

-----x
John Evatz,

Plaintiff-Appellant,

-against-

Chanel, Inc.,

Defendant-Respondent.
-----x

M-1283
M-1543
Index No. 101284/11

Defendant-respondent having moved for dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about November 25, 2015,

And plaintiff-appellant having cross-moved for leave to have the appeal deemed timely filed [M-1543],

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

It is ordered that the motion to dismiss the appeal is denied [M-1283]. The cross motion is granted to the extent of deeming the notice of appeal, dated December 30, 2015, to be timely filed and served (CPLR 5520[a])[M-1543].

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 24, 2016.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Dianne T. Renwick
David B. Saxe
Judith J. Gische
Marcy L. Kahn, Justices.

-----X

The People of the State of New York
ex rel. Timothy Daugherty,
Petitioner,

-against-

Warden Lemon, Warden of Rikers Island,
Respondent(s).

M-1204
Ind. No. 503/15
Docket Nos.
2015NY006752
2015NY006546

-----X

The above-named petitioner having moved for, inter alia, a writ of habeas corpus to be issued from this Court,

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 be and the same hereby is granted only to the extent of transferring the proceeding to and be heard before a Justice of the Supreme Court of the State of New York, New York County, 60 Center Street, New York, NY 10017, forthwith, and

It is further ordered that service by mail of a copy of this writ of habeas corpus, petition and supporting papers, by the Clerk of this Court, contemporaneous with the entry hereof, upon the Warden at Rikers Island Correctional Facility, GMDC, 15-15 Hazen Street, East Elmhurst, NY 11370; the Attorney General of the State of New York, 120 Broadway, New York, New York 10271; and the District Attorney of New York County, One Hogan Place, New York, NY 10013, be deemed due and sufficient notice.

The motion is otherwise denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 24, 2016.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Dianne T. Renwick
David B. Saxe
Judith J. Gische
Marcy L. Kahn, Justices.

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

Respondent,

-against-

M-1629
Ind. No. 1133/12

Erwin Ruiz,

Defendant-Appellant.

-----X

Defendant having renewed the motion for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about September 10, 2015, 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 8 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) one transcript 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 May 24, 2016.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Dianne T. Renwick
David B. Saxe
Judith J. Gische
Marcy L. Kahn, Justices.

-----x
Alfonso Guzman,

Plaintiff-Appellant,

-against-

The Seiden Group,

Defendant-Respondent.
-----x

M-1644
Index No. 309993/11

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about June 9, 2015,

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 October 2016 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 24, 2016.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Dianne T. Renwick
David B. Saxe
Judith J. Gische
Marcy L. Kahn, Justices.

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

-against-

M-1939
Ind. No. 3415/15

Jonathan Rodriguez,
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 January 21, 2016, 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 8 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) one transcript 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 Feldman, Esq., 626 EAB Plaza, RXR Tower, 6th Floor, Uniondale, New York 11556, Telephone No. 516-522-2828, 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 24, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Diane T. Renwick
David B. Saxe
Judith J. Gische
Marcy L. Kahn, Justices.

-----X

Emiko Carlin,

Plaintiff-Appellant,

M-1890

-against-

Index No. 308611/15

Christopher Pearce,

Defendant-Respondent.

-----X

Plaintiff-appellant mother having moved, pursuant to CPLR 5704, to modify the ex-parte order of the Supreme Court, New York County, dated April 5, 2016, to grant her certain specified parenting time with the subject child,

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 May 24, 2016.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
Judith J. Gische
Marcy L. Kahn, Justices.

-----x

The People of the State of New York,

Respondent,

-against-

M-1730
Ind. No. 2108/13

Felipe Cortes Pacheco,

Defendant-Appellant.

-----x

Assigned counsel for defendant-appellant having moved to be
relieved as counsel in connection with the appeal from the
judgment of the Supreme Court, Bronx County, entered on or about
June 14, 2014 or, in the alternative, for dismissal 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 to the extent of
deeming the appeal withdrawn, and the motion is otherwise denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme
Court held in and for the First Judicial Department
in the County of New York on May 24, 2016.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Sallie Manzanet-Daniels
Ellen Gesmer, Justices.

-----X
Matthew Johnson,
Plaintiff-Respondent,

-against-

M-1930
Index No. 21095/13

Law Office of Kenneth B. Schwartz,
et al.,
Defendants,

Builders Mutual Ins. Co., et al.,
Defendants-Appellants.

-----X

Defendant-appellant Builders Mutual Ins. Co. having moved
for an enlargement of time to perfect its appeal from the order
of the Supreme Court, Bronx County, entered on or about June 10,
2015,

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 2016
Term, with leave to include a supplemental record if necessary.
The Clerk is directed to calendar the appeal to be heard with the
other related appeals in this matter on for said September 2016
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 24, 2016.

Present: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
David B. Saxe
Rosalyn H. Richter
Marcy L. Kahn, Justices.

-----X
In the Matter of a Family Offense
Proceeding Under Article 8 of the
Family Court Act.

- - - - -
Jolanda K.,
Petitioner-Respondent,

-against-

M-1111
Docket No. O-28221/13
File No. 166287

Damian B.,
Respondent-Appellant.

- - - - -
Seymour W. James, Jr., Esq.,
The Legal Aid Society,
Juvenile Rights Division,
Attorney for the Child.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about November 5, 2015, 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, Tennille M. Tatum-Evans, Esq., 260 Convent Avenue, Suite #34, New York, NY 10031 Telephone No. (347) 645-6660, 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;¹ **within 30 days (FCS 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 the 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

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 24, 2016.

PRESENT - Hon: David Friedman, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Judith J. Gische
Troy K. Webber, Justices.

-----X
LifeLock, Inc.,
Plaintiff-Appellant,

-against-

M-2043
Index No. 651577/15

Certain Underwriters at Lloyd's, London,
Syndicate Nos. 2623 and 623,
Defendant-Respondent.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about November 25, 2015,

And defendant-respondent having moved this Court to take Case No. SACV08-00165 AG(MLG) ("The Experian Answer") judicial notice of plaintiff-appellant's August 25, 2008 Answer and Affirmative Defenses in Experian information Solutions, Inc. v LifeLock, Inc.,

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 taking judicial notice of the Experian Answer.

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 24, 2016.

PRESENT: Hon. David Friedman, Justice Presiding,
Richard T. Andrias
David B. Saxe
Barbara R. Kapnick, Justices.

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

-against- M-644
Ind. Nos. 5448/12
Derrick Hughes, 1733/12
Defendant-Appellant.

-----X

Orders of this Court having been entered on December 29, 2012 (M-5066), August 7, 2014 (M-3224) and April 30, 2015 (M-3224B), granting defendant leave to prosecute, as a poor person, the appeals from judgments of the Supreme Court, New York County, rendered on or about September 19, 2012 and February 14, 2014, and a judgment of **resentence** rendered on or about February 14, 2014, respectively and assigning Seymour W. James, Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Seymour W. James, Esq., as counsel to prosecute defendant's appeals, and substituting, pursuant to Section 722 of the County Law, Marianne Karas, Esq., 980 Broadway, Suite 324, Thornwood, New York, 10594, Tel. No. 914-434-5935, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

ENTER:


CLERK

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 24, 2016.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
 Rolando T. Acosta
 Sallie Manzanet-Daniels
 Judith J. Gische
 Ellen Gesmer, Justices.

-----X

The People of the State of New York,
 Respondent,

-against-

M-1668

Ind. Nos. 3977/13
 1575/14

Louis Richards,
 Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about August 24, 2015, 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 8 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th 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 24, 2016.

PRESENT - Hon. John W. Sweeny, Jr., Justice Presiding,
Rolando T. Acosta
Sallie Manzanet-Daniels
Judith J. Gische
Ellen Gesmer, Justices.

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

-against-

M-1674
Ind. No. 5298/14

Jorge Alberto Sanchez Garcia,
Defendant-Appellant.
-----X

Defendant having moved for an enlargement of time in which to
file a notice of appeal from the judgment of the Supreme Court,
New York County, rendered on or about August 5, 2015, for leave to
prosecute the appeal as a poor person upon the original record and
upon a reproduced appellant's brief, and for assignment of counsel,

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

It is ordered that the motion is granted to the extent of deeming
the moving papers a timely filed notice of appeal, and permitting the
appeal to be heard on the original record, except that a certified
copy of the indictment(s) shall be substituted in place of the
original indictment(s), and upon a reproduced appellant's brief, on
condition that appellant serves one copy of such brief upon the
District Attorney of said county and files 8 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) one transcript of the stenographic minutes of any
proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the
plea or trial and sentence. The Clerk shall furnish a copy of such
transcripts to appellant's counsel, without charge, the transcripts to
be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation,
120 Wall Street, 28th Floor, New York, New York 10005,
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 24, 2016.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
 Rolando T. Acosta
 Sallie Manzanet-Daniels
 Judith J. Gische
 Ellen Gesmer, Justices.

-----x
Bill Bace,

Plaintiff-Appellant,

-against-

Tai May Realty, Inc.,

Defendant-Respondent.
-----x

M-1695
Index No. 400803/08

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about December 5, 2014, 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 to perfect the appeal to on or before July 11, 2016 for the September 2016 Term, with no further enlargements to be granted. The motion is otherwise denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 24, 2016.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Rolando T. Acosta
Sallie Manzanet-Daniels
Judith J. Gische
Ellen Gesmer, Justices.

-----x
In the Matter of

Kayla S.,

A Child 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, Docket No. NA-13969/14
Petitioner-Respondent, File No. 173343

Eddie S.,
Respondent-Appellant.

- - - - -
Seymour W. James, Jr., Esq., The Legal
Aid Society, Juvenile Rights Division,
Attorney for the Child.

-----x
Respondent-appellant having moved for an enlargement of time to perfect the appeal from the order of the Family Court, Bronx County, entered on or about June 16, 2015,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties dated April 13, 2016, 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 2016 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 24, 2016.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
 Rolando T. Acosta
 Sallie Manzanet-Daniels
 Judith J. Gische
 Ellen Gesmer, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-1642
Ind. No. 4414/11

Christian Falero,

Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, New York County, rendered on or about January 30, 2015,

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 October 2016 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 24, 2016.

PRESENT - Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
David B. Saxe
Judith J. Gische
Marcy L. Kahn, Justices.

-----X

Zaida Ayala,
Plaintiff-Appellant,

-against-

M-982

M-1497

Borinquen Court Housing Development Fund Corporation, and Foxy Management, Ltd.,

Index No. 303709/10

Defendants-Respondents.

-----X

Defendants-respondents having moved to dismiss the appeal taken from the order of the Supreme Court, Bronx County, entered on or about August 25, 2015 (M-982),

And plaintiff-appellant having cross-moved for an enlargement of time to file a notice of appeal from the order of the Supreme Court, Bronx County, entered on or about August 25, 2015 (M-1497),

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

It is ordered that the motion to dismiss the appeal is denied (M-982). It is further ordered that the cross motion is granted to the extent of deeming the notice of appeal timely filed (M-1497).

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in in the County of New York on May 24, 2016.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,
David B. Saxe
Karla Moskowitz
Judith J. Gische
Troy K. Webber, Justices.

-----X
Oxana Matveeva,
Plaintiff-Respondent,

-against-

M-1011
Index No. 314802/13

Sergey Nikolaev,
Defendant-Appellant.
-----X

Defendant-appellant having moved for a stay of the order of the Supreme Court, New York County, entered on or about February 10, 2016, and any proceedings, pending hearing and determination of the appeal taken therefrom,

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

It is ordered that the motion is denied.

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 24, 2016.

PRESENT - Hon: John W. Sweeny, Jr., Justice Presiding,
David B. Saxe
Karla Moskowitz
Judith J. Gische
Troy K. Webber, Justices.

-----X
In the Matter of

Tiffany D.,

A Child Under 18 Years of Age
Alleged to be Abused

Commissioner of Administration for
Children's Services,
Petitioner-Appellant,

M-1270
Docket No. NA-02362/15

Patrice D.,
Respondent-Respondent,

Michelle Younger, Esq.,
Attorney for the Subject Child.

-----X

An appeal having been taken from the order of the Family Court, Bronx County, entered on or about February 25, 2016,

And petitioner-appellant having moved for an order staying the order of dismissal, pending hearing and determination of the appeal,

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

It is ordered that the motion is 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 24, 2016.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
David B. Saxe
Karla Moskowitz
Judith J. Gische
Troy K. Webber, Justices.

-----X
Joshua Watson,
Plaintiff-Respondent,

-against-

M-1364
Index No. 306472/10

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

Defendants-appellants having moved for an enlargement of
time to perfect the consolidated appeals from the orders of the
Supreme Court, Bronx County, entered on or about November 26,
2014 and December 1, 2015, respectively,

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

It is ordered that the motion is granted to the extent of
enlarging the time to perfect the consolidated appeals to the
November 2016 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 24, 2016.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
David B. Saxe
Karla Moskowitz
Judith J. Gische
Troy K. Webber, Justices.

-----X
Yvonne Gilmore,
Plaintiff-Appellant,

-against-

M-1523
Index No. 104095/11

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

-----X

Plaintiff-appellant having moved for an enlargement of
time to perfect the appeal from the order of the Supreme Court,
New York County, entered on or about December 22, 2014,

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 December 2016
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 24, 2016.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Karla Moskowitz
Rosalyn H. Richter
Judith J. Gische, Justices.

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

-against- M-714
Ind. No. 2069/11
Mark Boyd, Case No. 323836/11
Defendant-Appellant.

-----X

An order of this Court having been entered on May 13, 2014 (M-1132), granting defendant leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about December 18, 2013, and assigning Seymour W. James, Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and to substitute other counsel on defendants appeal from the judgment of **resentence** rendered on or about February 26, 2014 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 striking the designation of assigned counsel Seymour W. James, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Marianne Karas, Esq., 980 Broadway, Suite 324, Thornwood, New York, 10594, Tel. No. 914-434-5935, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

ENTER:


CLERK

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 24, 2016.

Present - Hon. John W. Sweeny, Jr.,	Justice Presiding,
Rosalyn H. Richter	
Sallie Manzanet-Daniels	
Judith J. Gische,	Justices.

-----X
James Pettus and Charlene Thompson,
Petitioners-Appellants,

-against-

M-1827
Index Nos. 251413/14
250113/15

Board of Directors, Owners 800 Grand
Concourse, Charles H. Greenthal,
Agent/Mgmt.,
Respondents-Respondents.

-----X

An order of this Court having been entered on March 29, 2016 (M-817), denying petitioner-appellant's motion for leave to prosecute the appeal from an order of the Supreme Court, Bronx County, entered on or about February 2, 2016, as a poor person,

And petitioner-appellant pro se having moved for renewal of the aforesaid motion,

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

It is ordered that said motion is 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 24, 2016.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Barbara R. Kapnick
Ellen Gesmer, Justices.

-----X
Mark Robert Gordon,
Plaintiff-Appellant,

-against-

M-1356
Index No. 157456/13

Rol Realty Company, et al.,
Defendants-Respondents.
-----X

Plaintiff-appellant having moved for an enlargement of
time to perfect the consolidated appeals from the orders of the
Supreme Court, New York County, entered on or about July 31, 2014
and May 21, 2015, respectively,

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

It is ordered that the motion is granted to the extent of
enlarging the time to perfect the consolidated appeals to the
November 2016 Term, with no further enlargements to be granted.

ENTER:


CLERK

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

BEFORE: Hon. Dianne T. Renwick
Justice of the Appellate Division

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

Motion No. 1405
Ind. No. 591/2014

-against-

CERTIFICATE
GRANTING LEAVE

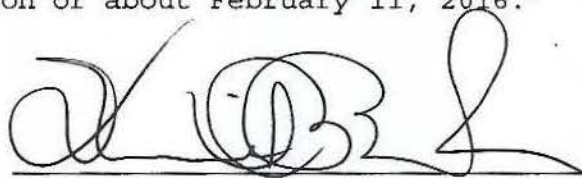
Brian Harley

Defendant-Appellant.
-----X

I, Dianne T. Renwick, a Justice of the Appellate Division, First Judicial Department, do hereby certify that in the proceedings herein questions of law or fact are involved which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is hereby granted to the above-named defendant to appeal to the Appellate Division, First Judicial Department, from the order of the Supreme Court, New York County, entered on or about February 11, 2016.¹

Dated: April 28, 2016
New York, New York

Entered: May 24, 2016



Hon.
Associate Justice

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

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

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

BEFORE: Hon. Peter Tom
Justice of the Appellate Division

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

Appellant,

M-1963A
Ind. No. 5646/13

-against-

Jeffrey Bryant,

CERTIFICATE
GRANTING LEAVE TO APPEAL
TO THE COURT OF APPEALS

Defendant-Respondent.
-----x

I, Peter Tom, a Justice of the Appellate Division, Supreme Court, First Department, do hereby certify that in the record and proceedings herein* questions of law are involved which ought to be reviewed by the Court of Appeals and pursuant to CPL 460.20, it is

ORDERED that permission hereby is granted to the above-named appellant to appeal to the Court of Appeals. The order of this Court entered on May 10, 2016 (M-1963) is hereby recalled and vacated.



Justice of the Appellate Division

Dated: May 23, 2016
New York, New York

ENTERED: MAY 24 2016

*Description of Order:

Supreme Court, New York County, entered on June 17, 2014.
App. Div., 1st Dept., Appeal No. 15497, Mod on March 1, 2016.

Notice: Within 10 days from the issuance of this certificate, a preliminary appeal statement must be filed with the Clerk of the Court of Appeals pursuant to Rule 500.9 of the Court of Appeals Rules.

P.M. ORDERS
FOR
MAY 24, 2016

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 24, 2016.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Richard T. Andrias
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----x

Nouvel 19B, LLC.,
Plaintiff-Appellant,

-against-

M-1982
Index No. 152867/16

Board of Managers of 100 Eleventh
Avenue Condominium, et al.,
Defendants-Respondents.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about April 6, 2016,

And plaintiff-appellant having moved for an order staying defendants-respondents from interfering with, restricting or denying plaintiff-appellant the right to allow non-paying guests from staying in the subject apartment, pending hearing and determination of the appeal taken therefrom,

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

It is ordered that the motion is denied.

ENTER:


CLERK