

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 August 23, 2018.

Present - Hon. Judith J. Gische, Justice Presiding,
Troy K. Webber
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-3369

Ind. Nos. 5022/14
465/15

Julian La Porte,
Defendant-Appellant.

-----X

An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, rendered on or about November 16, 2015, and said appeal having been perfected,

And defendant-appellant having moved for leave to file a pro se supplemental brief, for a copy of the trial transcripts and for an enlargement of time in which to file said 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, which is currently calendared for the November 2018 Term, and to serve a copy of his supplemental brief on the New York County District Attorney's Office for the January 2019 Term, to which Term the appeal is adjourned. The Clerk of the Court is directed to forward to the Warden at the State correctional facility wherein defendant is incarcerated a transcript of the minutes relating to defendant's appeal, said transcript to be made available to appellant and returned by

appellant to this Court when submitting the pro se supplemental brief hereto. The appeal will not be heard unless and until all material furnished to appellant has been returned.

ENTERED:

A handwritten signature in black ink, appearing to read "Eric Schuck", written in a cursive style.

DEPUTY 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 August 23, 2018.

Present - Hon. Judith J. Gische, Justice Presiding,
Troy K. Webber
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

-----x
In the Matter of

Saraiyah A., Maiyah U., Ariayah U.,
And Ahriel U.,
Petitioners-Appellants,

-against-

Ahzahriah U., Angelicah U., and Baby
Girl A.,
Respondents-Respondents,

CONFIDENTIAL
M-3411
Docket No.
V-43167-9/15

Children Under 18 Years of
Age, and Siblings of Petitioners,
Seeking Visitation under Article 6
of the Family Court Act.

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

-----x

An appeal having been taken to this Court by petitioners from the order of the Family Court, New York County, entered on or about March 28, 2018,

And counsel for petitioners-children, Justine M. Luongo, Esq., The Legal Aid Society, having moved to be relieved as appellate counsel and to substitute other counsel to prosecute the appeal, and for an enlargement of time to perfect same,

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 relieving Justine M. Luongo, Esq., as counsel for petitioners and assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Helene Bernstein, Esq., 44 Court Street, Suite 905, Brooklyn, New York 11201, Telephone No. 718-875-8705, as counsel for purposes of prosecuting the appeal. The time to perfect the appeal is enlarged to the January 2019 Term.

ENTERED:



DEPUTY 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 August 23, 2018.

Present - Hon. Judith J. Gische, Justice Presiding,
Troy K. Webber
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

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

Respondent,

-against-

Jazelle Hernandez,

M-3447
Ind. Nos. 1378/15
1869/15

Defendant-Appellant.
-----X

An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, rendered on or about November 30, 2015, and said appeal having been perfected,

And respondent having moved for an order dismissing the aforesaid appeal,

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

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

ENTERED:



DEPUTY 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 August 23, 2018.

Present - Hon. Judith J. Gische, Justice Presiding,
Troy K. Webber
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

-----x
IN RE: Part 60 RMBS Putback M-3448
Litigation Index No. 777000/15

- - - - -
IN RE: Part 60 Monoline Insurer Index No. 779000/15
Litigation

- - - - -
This Document Applies to All
Cases
-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about October 13, 2017, and said appeal having been perfected,

And plaintiffs having moved for leave to file a supplemental record on appeal in connection with the aforesaid appeal,

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

It is ordered that the motion is granted, and the proposed supplemental record on appeal submitted with the moving papers is deemed filed.

ENTERED:



DEPUTY 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 August 23, 2018.

Present - Hon. Judith J. Gische, Justice Presiding,
Troy K. Webber
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

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

Diamond Maldonado,
Petitioner-Appellant,

-against-

M-3613
Index No. 250739/15

Crotona Place West Housing Development,
et al.,
Respondents-Respondents.
-----X

An appeal having been taken to this Court by the above-named petitioner from the order and judgment (one paper) of the Supreme Court, Bronx County, entered on or about May 4, 2017, and said appeal having been perfected,

And non-party Professor Paris R. Baldacci, Esq., Clinical Professor Emeritus at Cardozo Law School, having moved for leave to file a brief, and to appear amicus curiae in connection with the aforesaid appeal,

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

It is ordered that the motion is granted and Professor Baldacci, Esq. is granted leave to file 8 copies of his brief amicus curiae, in the form annexed to his moving papers, with the Clerk of this Court forthwith. Further, movant is granted leave to participate in oral argument on petitioner's behalf.

ENTERED:



DEPUTY 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 August 23, 2018.

Present: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Troy K. Webber
Marcy L. Kahn, Justices.

-----X
Manuele Verdi, etc.,
Plaintiff-Respondent,

-against-

Jeffrey Dinowitz, etc.,
Defendant-Appellant.
-----X

M-2930

M-2932

Index No. 158747/16

Defendant-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court, entered on May 1, 2018 (Appeal No. 6411) [M-2930],

And Carl E. Heastie, Speaker of the New York State Assembly, having moved for leave to appear as an amicus and to make a submission on defendant's behalf [M-2932],

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

It is ordered that defendant-appellant's motion for leave to appeal to the Court of Appeals is denied [M-2930]. Carl E. Heastie's motion is granted to the extent of deeming the amicus curiae brief submitted with the moving papers as filed, the arguments therein having been considered by this Court.

ENTERED:



DEPUTY 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 August 23, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
Moon 170 Mercer, Inc.,
Plaintiff-Respondent,

-against-

M-2490
Index No. 155605/12

Zachary Vella,
Defendant-Appellant.
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 18, 2017 which denied defendant-appellant's motion to vacate the judgment of the same Court entered on or about January 23, 2017,

And defendant-appellant having moved for a stay of the judgment pending determination of the appeal,

Now, upon reading and filing the stipulation of the parties hereto, dated May 23, 2018, and due deliberation having been had thereon,

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

ENTERED:



DEPUTY 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 August 23, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Rosalyn H. Richter, Justices.

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

Respondent,

-against-

David J. Palmer,

Defendant-Appellant.
-----X

CONFIDENTIAL

M-3158

Ind. No. 627/08

An appeal having been taken from the judgment of the Supreme Court, Bronx County, rendered on or about December 17, 2013,

Now, upon reading and filing the stipulation of the parties hereto, dated June 13, 2018, and due deliberation having been had thereon,

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

ENTERED:



DEPUTY 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 August 23, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
In the Matter of

Patrick A. St. M.-H.,

A Child Under 18 Years of Age Alleged
to be Abused/Neglected Under
Article 10 of the Family Court Act.

CONFIDENTIAL

M-2323

Docket No. NN-18157/17

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

Patrick St. M.,
Respondent-Appellant.

- - - - -
Bruce A. Young, Esq.
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, New York County, entered on or about April 9, 2018, 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 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 therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** (See M-2509, dated August 23, 2018, released simultaneously herewith).

ENTERED:



DEPUTY 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 August 23, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
In the Matter of

Patrick A. St. M.-H.,

A Child Under 18 Years of Age Alleged
to be Abused/Neglected Under
Article 10 of the Family Court Act.

CONFIDENTIAL

M-2509

Docket No. NN-18157/17

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

Patrick St. M.,
Respondent-Appellant.

- - - - -
Bruce A. Young, Esq.
Attorney for the Child.

-----X

R. Ellen Sigal, Esq., court attorney for the subject child, having moved on the child's behalf for leave to respond, as a poor person, to the appeal from the order of the Family Court, New York County, entered on or about April 9, 2018, 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 §1120 of the Family Court Act, Bruce A. Young, Esq., 100 Church Street, Suite 800, New York, New York 10007, Telephone No. 646-775-8994, 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 respondent-appellant and 8 copies thereof are filed with this Court. (See M-2323, dated August 23, 2018, released simultaneously herewith).

ENTERED:



DEPUTY 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 August 23, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
In the Matter of a Support Proceeding
Under Article 4 of the Family Court
Act.

- - - - -
Michael R.,
Petitioner-Respondent,

-against-

CONFIDENTIAL
M-2325

Docket Nos. F-46613-14/15A
F-46613-14/15B
F-46613-14/14A

Amanda R.,
Respondent-Appellant.
- - - - -

Dawne A. Mitchell, Esq.,
The Legal Aid Society,
Juvenile Rights Division,
Attorney for the Children.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from five orders of the Family Court, New York County, entered on or about December 5, 2017, December 7, 2017 (two orders), February 12, 2018 and March 20, 2018, 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, Bruce A. Young, Esq., 100 Church Street, Suite 800, New York, NY 10007, Telephone No. (646) 775-8994, 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 therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:



DEPUTY 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 August 23, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
In the Matter of a Support Proceeding
Pursuant to Article 4 of the Family
Court Act.

- - - - -
Sharon B.-D.,
Petitioner-Respondent,

CONFIDENTIAL
M-2473
Docket No. F-3974-05/17W

-against-

Christopher C.,
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, New York County, entered on or about April 17, 2018, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Carol L. Kahn, Esq., 225 Broadway, Suite 1510, New York, NY 10007, Telephone No. (212) 227-0206, as counsel for purposes of prosecuting the appeal; (2) directing the 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 therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:



DEPUTY 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 August 23, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

CONFIDENTIAL
M-2493

- - - - -
Ivan R.,
Petitioner-Respondent,

Docket Nos. V-8417-17
V-8418-17

-against-

Jabrienna R.,
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, Bronx County, entered on or about April 18, 2018, 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, Geoffrey P. Berman, Esq., 2005 Palmer Avenue, #176, Larchmont, NY 10538, Telephone No. (914) 419-8407, 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 therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** (See M-3028, dated August 23, 2018, released simultaneously herewith.)

ENTERED:



DEPUTY 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 August 23, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

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

CONFIDENTIAL
M-3028

Ivan R.,
Petitioner-Respondent,

Docket Nos. V-8417-17
V-8418-17

-against-

Jabrienna R.,
Respondent-Appellant.

-----X

Petitioner-respondent having moved for leave to respond, as a poor person, to the appeal taken from the order of the Family Court, Bronx County, entered on or about April 18, 2018, 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 §1120 of the Family Court Act, Lewis S. Calderon, Esq., 155-03 Jamaica Avenue, Jamaica, NY 11432, Telephone No. (718) 883-1560, 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

(M-3028)

-2-

August 23, 2018

that one copy of such brief be served upon the attorney for respondent-appellant and 8 copies thereof are filed with this Court. (See M-2493, dated August 23, 2018, released simultaneously herewith.)

ENTERED:

A handwritten signature in black ink, appearing to read "Eric Schuck", written in a cursive style.

DEPUTY 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 August 23, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
In the Matter

Giovanni Henry B.,

A Child Under 18 Years of Age Alleged
to be Abused/Neglected Under
Article 10 of the Family Court Act.

CONFIDENTIAL

M-2494

Docket No. NA-6076/14

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

Henry B.,
Respondent-Appellant,

Orissa B.,
Respondent-Respondent.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, Bronx County, entered on or about April 10, 2018, 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 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 therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** (See M-2742, dated August 23, 2018, released simultaneously herewith).

ENTERED:



DEPUTY 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 August 23, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
In the Matter

Giovanni Henry B.,

A Child Under 18 Years of Age Alleged
to be Abused/Neglected Under
Article 10 of the Family Court Act.

CONFIDENTIAL

M-2742

Docket No. NA-6076/14

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

Henry B.,
Respondent-Appellant,

Orissa B.,
Respondent-Respondent.

-----X

Respondent-respondent having moved for leave to respond, as a poor person, to the appeal taken from the order of the Family Court, Bronx County, entered on or about April 10, 2018, 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 §1120 of the Family Court Act, Steven P. Forbes, Esq., 155-03 Jamaica Avenue, Jamaica, NY 11432, Telephone No. 718-791-8444, 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 respondent-appellant and 8 copies thereof are filed with this Court. (See M-2494, dated August 23, 2018, released simultaneously herewith).

ENTERED:



DEPUTY 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 August 23, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

In the Matter of

Ronald Kendell G., III
and Rondell Kendu G.,

CONFIDENTIAL
M-2495

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

Docket Nos. B-23598/16
B-23599/16

St. Dominic's Family Services
and the Commissioner of Social
Services of the City of New York,
Petitioners-Respondents,

Janet G.,
Respondent-Appellant.

Frances Ferraro, Esq.,
Attorney for the Children.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, Bronx County, entered on or about April 13, 2018, 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, Geoffrey P. Berman, Esq., 2005

Palmer Avenue, #176, Larchmont, NY 10538, Telephone No. (914) 419-8407, 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 (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:



DEPUTY 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 August 23, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

- - - - -
Christopher L.,
Petitioner-Appellant,

CONFIDENTIAL
M-2555
Docket No. P-48723/15

-against-

Jennifer N. and Edwin A.,
Respondents-Respondents.
- - - - -

Kenneth M. Tuccillo, Esq.,
Attorney for the Child,
Valentina A.

-----X

Vanessa J. Spears, Esq., court attorney for the subject child, having moved on the child's behalf for leave to respond, as a poor person, to the appeal taken from the order of the Family Court, New York County, entered on or about April 2, 2018, 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 §1120 of the Family Court Act, Kenneth M. Tuccillo, Esq., 591 Warburton Ave., #576, Hastings on Hudson, NEW YORK 10701, Telephone No. (914) 439-4843, 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.

ENTERED:



DEPUTY 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 August 23, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

Skylynn Marie P.,

CONFIDENTIAL
M-2690

Docket No. B-46496/16

A Dependent Child Under 18 Years of Age Pursuant to §384-b of the Social Services Law of the State of New York and/or Article 6 of the Family Court Act.

- - - - -
New Alternatives for Children, Inc.
Petitioner-Respondent,

Michelle F.,
Respondent-Appellant,

Edwin P.,
Respondent-Appellant.

- - - - -
Dawne A. Mitchell, Esq.,
The Legal Aid Society,
Juvenile Rights Division,
Attorney for the Child.

-----X

Respondent-appellant Edwin P. having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, New York County, entered on or about March 8, 2018, 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, NEW YORK 10007, Telephone No. (212) 233-0318, 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 of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** (See M-2327, dated August 23, 2018, released simultaneously herewith.)

ENTERED:



DEPUTY 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 August 23, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

Skylynn Marie P.,

CONFIDENTIAL
M-2327

Docket No. B-46496/16

A Dependent Child Under 18 Years of
Age Pursuant to §384-b of the Social
Services Law of the State of New York
and/or Article 6 of the Family Court
Act.

- - - - -
New Alternatives for Children, Inc.,
Petitioner-Respondent,

Michelle F.,
Respondent-Appellant,

Edwin P.,
Respondent-Appellant.

- - - - -
Dawne A. Mitchell, Esq.,
The Legal Aid Society,
Juvenile Rights Division,
Attorney for the Child.

-----X
Respondent-appellant Michelle F. having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, New York County, entered on or about March 8, 2018, 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, Bruce A. Young, Esq., 100 Church

Street, Suite 800, New York, NY 10007, Telephone No. (646) 775-8994, 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 therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** (See M-2690, dated August 23, 2018, released simultaneously herewith.)

ENTERED:



DEPUTY 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 August 23, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

- - - - -

Daniel B.,
Petitioner-Respondent,

CONFIDENTIAL
M-2967
Docket Nos. V-34115-15/17D
V-14045-17

-against-

Oksana B.,
Respondent-Appellant.

- - - - -

Elliot Podherzer, Esq.,
Attorney for the Child.

-----X

Petitioner-respondent, having moved for leave to respond, as a poor person, to the appeal taken from the order of the Family Court, New York County, entered on or about April 30, 2018, 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 §1120 of the Family Court Act, Jo Ann Douglas, Esq., 170 Second Avenue, New York, NY 10003, Telephone No. (212) 673-2895, 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 respondent-appellant and 8 copies thereof are filed with this Court.

ENTERED:

A handwritten signature in black ink, appearing to read "Eric Schuck". The signature is written in a cursive style with a large initial "E".

DEPUTY 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 August 23, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

- - - - -
Margaret Michele Waldman S.,
Petitioner-Appellant,

CONFIDENTIAL
M-2972
Docket No. V-4110/18

-against-

Richard Allen M.,
Respondent-Respondent.
- - - - -

Dawne A. Mitchell, Esq.,
The Legal Aid Society,
Juvenile Rights Division,
Attorney for the Child.

-----X

Petitioner-Appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, New York County, entered on or about May 9, 2018, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Leslie S. Lowenstein, Esq., 567 Sunset Drive, Woodmere, NY 11589, Telephone No. (516) 374-1962, 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 therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:



DEPUTY 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 August 23, 2018.

Present: - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

In the Matter of

Myracle Navaeh P.,

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

CONFIDENTIAL
M-2978

Docket No. NN-44890/16

Administration for Children's Services,
Petitioner-Respondent,

Tyree L. B.,
Respondent-Appellant.

Dawne A. Mitchell, 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 taken from two orders of the Family Court, New York County, entered on or about May 22, 2018 and February 20, 2018, 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, Anne Reiniger, Esq., 801 Second

Avenue, 10th Floor, New York, NY 10017, Telephone No. (646) 627-8875, 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 therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:



DEPUTY 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 August 23, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

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

CONFIDENTIAL

M-2979

Docket Nos. V-29626-13/16E
V-20414-13/16E
V-20414-13/15D
V-29626-13/15D
V-29626-13/14A
V-20414-13/16F
V-20414-13/14A

Hector Manuel P.,
Petitioner-Respondent,

-against-

Jennifer C.,
Respondent-Appellant.

-----X

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

Jennifer C.,
Petitioner-Appellant,

Docket Nos. V-20414-13/18G
V-29626-13/18F

-against-

Hector Manuel P.,
Respondent-Respondent.

-----X

Petitioner-respondent having moved for leave to respond, as a poor person, to the appeal from two orders of the Family Court, New York County, both entered on or about March 1, 2018, 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 §1120 of the Family Court Act, Lewis S. Calderon, Esq., 155-03 Jamaica Avenue, Jamaica, NY 11432, Telephone No. (718) 883-1560, 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 and 8 copies thereof are filed with this Court.

ENTERED:



DEPUTY 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 August 23, 2018.

Present - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Troy K. Webber
Marcy L. Kahn
Jeffrey K. Oing, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-2478
Ind. No. 2401/15

Ivan Perez,
Defendant-Appellant.

-----X

An order of this Court having been entered on April 24, 2018 (M-1302) granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about February 8, 2017, and assigning Robert S. Dean, Esq., the Center for Appellate Litigation, as counsel to prosecute the appeal,

And an order of this Court having been entered on June 5, 2018 (M-2203), inter alia, deeming the notice of appeal from the judgment of resentence rendered on or about April 12, 2017 as timely filed, and amending the order of this Court entered on April 24, 2018 (M-1302) to include said judgment of resentence,

And defendant-appellant, through assigned counsel, having moved for an order relieving assigned counsel and to substitute other counsel to prosecute the aforesaid appeals,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Robert S. Dean, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Steven N. Feinman, Esq., One North Broadway, Suite 412, White Plains, NY 10601, Telephone No. 914-949-8214, as counsel to prosecute both

appeals. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeals is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

ENTERED:

A handwritten signature in black ink, appearing to read "Eric Schuck". The signature is written in a cursive style with a horizontal line underneath it.

DEPUTY 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 August 23, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

Johanna del Carmen T.,
Petitioner-Respondent,

CONFIDENTIAL
M-3062

Docket Nos. V-37087-16/16A
V-37087-16/18C

-against-

Gregorio A. L.,
Respondent-Appellant.

Hani M. Moskowitz, Esq.,
Attorney for the Child.

-----X
Elliot Podhorzer, Esq., court attorney for the subject child, having moved on the child's behalf for leave to respond, as a poor person, to the appeal taken from two orders of the Family Court, New York County, entered on or about April 26, 2018 and May 2, 2018, 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 §1120 of the Family Court Act, Hani M. Moskowitz, Esq., 225 Broadway, Suite #715, New York, NY 10007, Telephone No. (212) 227-8208, 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 respondent-appellant and 8 copies thereof are filed with this Court. (See M-2701, dated August 23, 2018, released simultaneously herewith.)

ENTERED:



DEPUTY 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 August 23, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

Johanna del Carmen T.,
Petitioner-Respondent,

CONFIDENTIAL
M-2701

Docket Nos. V-37087-16/16A
V-37087-16/18C

-against-

Gregorio A. L.,
Respondent-Appellant.

Hani M. Moskowitz, Esq.,
Attorney for the Child.

-----X
Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from two orders of the Family Court, New York County, entered on or about April 26, 2018 and May 2, 2018, 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, Marion C. Perry, Esq., 8232 18th Avenue, Brooklyn, New York 11214, Telephone No. (347) 674-8716,

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 therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** (See M-3062, dated August 23, 2018, released simultaneously herewith.)

ENTERED:



DEPUTY 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 August 23, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

Lateff Strother,
Defendant-Appellant.

-----X

CONFIDENTIAL

M-2859

Ind. No. 4203/10

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, New York County (Mandelbaum, J.), entered on or about May 21, 2018, 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 8 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 file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Mandelbaum as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Robert S. Dean, 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.

ENTERED:

A handwritten signature in black ink, appearing to read "Eric Schuck". The signature is written in a cursive style with a large initial "E".

DEPUTY 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 August 23, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-3054
Ind. No. 4358/16

Darius Wade,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about December 15, 2017, 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, 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.

ENTERED:

A handwritten signature in black ink, appearing to read "Eric Schuck", written in a cursive style. The signature is positioned above a horizontal line.

DEPUTY 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 August 23, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,

Respondent,

M-2360

Ind. No. 2233/13

-against-

Kai Watkins,

Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on January 4, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about April 4, 2017,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and the notice of appeal filed on defendant's behalf,

It is ordered that the appeal is permitted 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, 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.

ENTERED:

A handwritten signature in black ink, appearing to read "Eric Schuck", written in a cursive style.

DEPUTY 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 August 23, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Rosalyn H. Richter, Justices.

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

-against-

CONFIDENTIAL

M-3121

Ind. No. 330/77

Scott Holloway,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, Bronx County (Bruce, J.), entered on or about June 1, 2018, 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 8 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 file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Bruce as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Justine M. Luongo, Esq., The Legal Aid Society, without

charge, the transcripts to be returned to this Court when the 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.

ENTERED:

A handwritten signature in black ink, appearing to read "Eric Schuck", written in a cursive style.

DEPUTY 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 August 23, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,
Respondent,

CONFIDENTIAL

M-3122

-against-

Docket No. 3117/13

Raphael Dunkley,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, Bronx County (Carter, J.), entered on or about May 11, 2018, 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 8 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 file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Carter as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's

counsel, Justine M. Luongo, Esq., The Legal Aid Society, 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.

ENTERED:

A handwritten signature in black ink, appearing to read "Eric Schuck", written in a cursive style.

DEPUTY 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 August 23, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
John W. Sweeny, Jr.
Troy K. Webber
Marcy L. Kahn
Jeffrey K. Oing, Justices.

-----x
In the Matter of the Application of
Harvey Marcelin,
Petitioner,

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

-against-

M-2670
Ind. No. 7061/85
Index No. 2025/16

Anthony J. Annucci, etc., et al.,
Respondents-Respondents.

-----x
Petitioner, pro se, having moved, pursuant to CPLR 5704(a), for certain relief denied by a Justice of the Supreme Court, New York County, in an order entered on or about March 12, 2018,

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.

ENTERED:



DEPUTY 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 August 23, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,
Sallie Manzanet-Daniels
Peter Tom
Angela M. Mazzarelli
Peter H. Moulton, Justices.

-----X
Christopher Henry, also known as Chris Henry,

Plaintiff-Appellant,

-against-

Marisa Soto,

Defendant-Respondent.
-----X

CONFIDENTIAL

M-2393

Index No. 302635/09

Plaintiff-appellant having moved to stay a "certain portion" of the order and judgment of divorce (one paper) of the Supreme Court, New York County, entered on or about April 26, 2018,

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.

ENTERED:



DEPUTY 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 August 23, 2018.

Present: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Judith J. Gische
Angela M. Mazzarelli
Ellen Gesmer, Justices.

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

-against-

M-5237

Ind. No. 4505/07

Thomas Bond, also known as Thomas Barnes,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, rendered on or about July 13, 2010; and poor person relief and assignment of counsel having been granted on January 18, 2011 (M-5982),

And defendant having moved for an order amending the order of assignment, entered on January 18, 2011 (M-5982), to include a judgment of **resentence**, entered on or about April 1, 2016,

Now, upon reading and filing the stipulation between the parties, dated April 24, 2018, and due deliberation having been had thereon,

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

ENTERED:



DEPUTY 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 August 23, 2018.

Present - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Troy K. Webber
Marcy L. Kahn
Jeffrey K. Oing, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-2478
Ind. No. 2401/15

Ivan Perez,
Defendant-Appellant.

-----X

An order of this Court having been entered on April 24, 2018 (M-1302) granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about February 8, 2017, and assigning Robert S. Dean, Esq., the Center for Appellate Litigation, as counsel to prosecute the appeal,

And an order of this Court having been entered on June 5, 2018 (M-2203), inter alia, deeming the notice of appeal from the judgment of resentence rendered on or about April 12, 2017 as timely filed, and amending the order of this Court entered on April 24, 2018 (M-1302) to include said judgment of resentence,

And defendant-appellant, through assigned counsel, having moved for an order relieving assigned counsel and to substitute other counsel to prosecute the aforesaid appeals,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Robert S. Dean, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Steven N. Feinman, Esq., One North Broadway, Suite 412, White Plains, NY 10601, Telephone No. 914-949-8214, as counsel to prosecute both

appeals. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeals is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

ENTERED:

A handwritten signature in black ink, appearing to read "Eric Schuck", written in a cursive style. The signature is positioned above a horizontal line.

DEPUTY 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 August 23, 2018.

Present - Hon. David Friedman, Justice Presiding,
Barbara R. Kapnick
Marcy L. Kahn
Ellen Gesmer
Cynthia S. Kern, Justices.

-----x
James W. Thomas, II,

Plaintiff-Respondent,

-against-

M-3547

Index No. 650779/16

Karen's Body Beautiful LLC, et al.,

Defendants-Appellants.
-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about December 22, 2017, and said appeal having been perfected,

And plaintiff-respondent having moved 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 denied.

ENTERED:



DEPUTY 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 August 23, 2018.

Present - Hon. David Friedman, Justice Presiding,
Barbara R. Kapnick
Marcy L. Kahn
Ellen Gesmer
Cynthia S. Kern, Justices.

-----x

Dr. Tsen-Tsen Jin, et al.,
Plaintiffs-Respondents,

-against-

Margaret Lee, et al.,
Defendants,

M-3594
Index No. 651637/15

-and-

AG/Woo Center Street Owner, LLC,
Defendants-Appellants.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about September 9, 2016, and said appeal having been perfected,

And plaintiff-respondent Golden Wheel Condominium having moved for dismissal of the aforesaid appeal as untimely or, in the alternative, to adjourn the appeal to allow plaintiff time to submit a respondent's brief,

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

It is ordered that the motion is granted to the extent of adjourning the appeal to the December 2018 Term. Plaintiff is directed to file a respondent's brief on or before October 31, 2018 for said Term. The motion is otherwise denied.

ENTERED:



DEPUTY 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 August 23, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Richard T. Andrias, Justices.

-----X
Nora Arthur,
Plaintiff-Appellant,

-against-

M-2191
Index No. 158085/15

1809-15 7th Avenue Housing Development
Fund Corporation,
Defendant-Respondent.

-----X

Defendant-respondent having moved to dismiss the appeal taken from an order of the Supreme Court, New York County, entered on or about February 9, 2018,

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 dismissing the appeal unless perfected for the December 2018 Term.

ENTERED:



DEPUTY 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 August 23, 2018.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Richard T. Andrias, Justices.

-----X
In the Matter of a Support Proceeding
Under Article 4 of the Family Court
Act.

- - - - - **CONFIDENTIAL**
Jurgita C., M-2463
Petitioner-Respondent, Docket No. F-5122-12/14D

-against-

Manuel O.,
Respondent-Appellant.
-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, New York County, entered on or about March 27, 2018, 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, Larry S. Bachner, P.C., C/O Bachner & Associates, P.C., 39 Broadway, Suite 1610, New York, NY 10006, Telephone No. (917) 674-9516, 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 therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:



DEPUTY 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 August 23, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Richard T. Andrias, Justices.

-----X
CPC Funding SPE 1 LLC,
Plaintiff-Appellant,

-against-

M-2627
Index No. 32682/16E

3782 Third Ave. Realty Corp.,
et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about August 3, 2017,

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 2018 Term.

ENTERED:



DEPUTY 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 August 23, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Richard T. Andrias, Justices.

-----x
Angela Williams,
Plaintiff,

-against-

M-2640
Index No. 100932/17

Nationstar Mortgage, LLC.,
Defendant.
-----x

A purported appeal having been taken by plaintiff from an order of the Supreme Court, New York County, entered on or about March 8, 2017,

And defendant having moved to dismiss plaintiff's purported 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 on the grounds that defendant has not attached a copy of the notice of appeal or other documentation indicating that an appeal was taken by plaintiff.

ENTERED:



DEPUTY 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 August 23, 2018.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Richard T. Andrias, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-2754

Ind. No. 4251/16

Kevin Pollard,

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 March 8, 2018,

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.

ENTERED:



DEPUTY 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 August 23, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Richard T. Andrias, Justices.

-----X
Francis Coleman and Siobhan Coleman,
Plaintiffs-Appellants,

-against-

M-2796
Index No.156959/13

URS Corporation, et al.,
Defendants-Respondents.

-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeals taken from an order of the Supreme Court, New York County, entered on or about July 20, 2017, and from a judgment of the same Court and Justice, entered on or about October 5, 2017,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeals, which are, sua sponte, consolidated, to the December 2018 Term. Appellants are permitted to prosecute the appeals upon ten copies of one record and one copy of appellants' points covering the aforesaid appeals.

ENTERED:



DEPUTY 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 August 23, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Richard T. Andrias, Justices.

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

-and-

M-2821
Ind. No. 1304/09

David Snipes,
Defendant-Appellant,

-----X

Consolidated appeals and a cross appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about March 28, 2016, and from a judgment of **resentence** of said Court, rendered on or about April 19, 2016, and an appeal having been taken to this Court by defendant-appellant from the judgment of conviction, same Court, rendered March 23, 2010, and from a second judgment of **resentence** entered on or about December 17, 2017,

And respondent People having withdrawn the cross appeal from the order of the Supreme Court, New York County, entered on or about March 28, 2016, and from a judgment of **resentence** of said Court, rendered on or about April 19, 2016, by order of this Court, entered on July 26, 2018 (M-2704),

And defendant-appellant having moved for an enlargement of time to perfect its consolidated appeals,

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

(M-2821)

-2-

August 23, 2018

It is ordered that the motion is granted to the extent of enlarging the time to perfect the consolidated appeals to the December 2018 Term.

ENTERED:

A handwritten signature in black ink, appearing to read "Eric Schuck", written in a cursive style.

DEPUTY 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 August 23, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Richard T. Andrias, Justices.

-----x
Nelson Sanchez,
Plaintiff,

-against-

New York City Transit Authority,
Defendant.

M-2837
Index No. 304528/11

-----x

Plaintiff having moved, pursuant to CPLR 5704(a), for relief denied by a Justice of the Supreme Court, New York County, in an order entered on or about April 6, 2018,

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

It is ordered that the motion is denied and the interim relief granted by a Justice of this Court on June 4, 2018 is vacated.

ENTERED:



DEPUTY 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 August 23, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Richard T. Andrias, Justices.

-----X
New York City School Construction
Authority,
Plaintiff-Respondent,

-against-

M-2851
Index No. 42079/14E

Adam's European Contracting, Inc.
Defendant-Appellant.

-----X
Adam's European Contracting, Inc.,
Third-Party Plaintiff-Appellant,

-against-

Phoenix Services Corp., Universal
Testing & Inspection Services Inc.,
Susan Doban, and Susan Doban
Architect, PC,
Third-Party Defendants-Respondents.

-----X

Defendant/third-party plaintiff-appellant, Adam's European Contracting, Inc., having moved for an enlargement of time to perfect the appeal taken from an order the Supreme Court, Bronx County, entered on or about June 20, 2017,

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 2018 Term.

ENTERED:



DEPUTY 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 August 23, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Richard T. Andrias, Justices.

-----X
Ashley Han, as Administratrix of
the Estate of Ki Suck Han, Se Rim
Han, Individually, and Ashley Han,
Individually,
Plaintiffs-Respondents-Appellants,

M-2858
Index No. 152872/13

-against-

New York City Transit Authority.
Defendant-Appellant-Respondent.

-----X

An appeal and cross appeal having been taken from an order of the Supreme Court, New York County, entered on or about July 27, 2017,

And defendant-appellant having moved for an enlargement of time to perfect its appeal taken from the aforesaid order,

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 and cross appeal to the December 2018 Term.

ENTERED:



DEPUTY 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 August 23, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Richard T. Andrias, Justices.

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

-against-

M-2947
Ind. No. 4005/11

Daniel J. Everett,
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about May 14, 2012,

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 2018 Term.

ENTERED:



DEPUTY 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 August 23, 2018.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Richard T. Andrias, Justices.

-----X
In the Matter of

Ariel P.,

CONFIDENTIAL
M-2949

A Person Alleged to be a Juvenile
Delinquent,

Docket No. D-27985/15

Respondent-Appellant.
-----X

Respondent-appellant, in connection with his appeal taken from an order of the Family Court, Bronx County, entered on or about August 31, 2017, having moved for an enlargement of time in which 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 in which to perfect the appeal to the December 2018 Term.

ENTERED:



DEPUTY 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 August 23, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Richard T. Andrias, Justices.

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

-against-

M-3001
Ind. No. 773/14

Joel Sanders,
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about October 10, 2017,

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 2018 Term.

ENTERED:



DEPUTY 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 August 23, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Richard T. Andrias, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-3019

Ind. No. 4097/14

Robert Moco,

Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about October 16, 2015,

And defendant-appellant having moved for the appointment of a private investigator,

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

It is ordered that the motion is denied without prejudice to defendant making such application in the Supreme Court, New York County.

ENTERED:



DEPUTY 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 August 23, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Richard T. Andrias, Justices.

-----X
Maria A. Calderón,
Plaintiff-Appellant,

-against-

Kanga Roo Realty LLC, et al., M-3074
Defendants-Respondents. Index No. 100348/17

-----X

Plaintiff-appellant, pro se, having moved for leave to prosecute, as a poor person, the appeal from an order of the Supreme Court, New York County, entered on or about April 4, 2018, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that said motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the attorney for respondent and file 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record.

ENTERED:


DEPUTY 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 August 23, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Richard T. Andrias, Justices.

-----X

In Re: Part 60 RMBS Putback Litigation Index No. 777000/15

-----X

M-3091

In Re: Part 60 Monoline Insurer Index No. 779000/15
Litigation

-----X

This Document Applies to All Cases

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about October 13, 2017, and said appeal having been perfected,

And defendants-appellants having moved to stay borrower solicitation discovery pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is denied.

ENTERED:



DEPUTY 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 August 23, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Richard T. Andrias, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-3096
Ind. No. 4903/12

Christopher Wilson,
Defendant-Appellant.

-----X

An order of this Court having been entered on October 12, 2017 (M-2864) granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about July 31, 2015, and assigning Richard M. Weinstein, Esq., as counsel to prosecute the appeal; and defendant-appellant, pro se, having moved to relieve such counsel, and for other relief,

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

It is ordered that the motion is denied without prejudice to a motion by defendant for leave to file a pro se supplemental brief after assigned counsel has perfected the appeal.

ENTERED:



DEPUTY 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 August 23, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Richard T. Andrias, Justices.

-----X
ESRT Empire State Building, L.L.C.,
Plaintiff-Respondent,

-against-

America-CV Station Group, Inc.,
Caribelevision Station Group, LLC, and
Caribelevision Holdings, Inc.,
Defendants-Appellants.

M-3100
M-3135
Index No. 650638/17

-----X

Plaintiff-respondent having moved for dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about May 19, 2018 (M-3100),

And defendants-appellants having cross-moved for a stay of trial and a temporary restraining order of the trial on damages, pending hearing and determination of the appeal (M-3135),

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 as untimely, without prejudice to plaintiff presenting its arguments directly on appeal (M-3100). The cross motion is denied in its entirety, and the interim relief granted by a Justice of this Court, entered on June 22, 2018, is hereby vacated.

ENTERED:



DEPUTY 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 August 23, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Richard T. Andrias, Justices.

-----X
In Re: New York City Asbestos Litigation
-----X

Ann Marie Idell, as Executrix of the
Estate of Thomas McGlynn, Deceased,
Plaintiff-Respondent,

-against-

M-3107
Index No. 190219/16

Aerco International, Inc., et al.,
Defendants,

Jenkins Bros.,
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about August 15, 2017,

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 2018 Term, with leave to seek further enlargements, if necessary.

ENTERED:



DEPUTY 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 August 23, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Richard T. Andrias, Justices.

-----X
Said Hakim and Said Hakim on behalf
of Ranell Freeze Company,
Plaintiffs-Respondents,

-against-

M-3113
Index No. 603000/05

Kamran Hakim,
Defendant-Appellant,

Masud Hakim and Ranell Freeze Company,
Defendants.

-----X
Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from an order the Supreme Court, New York County, entered on or about August 21, 2017,

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 2018 Term.

ENTERED:


DEPUTY 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 August 23, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Richard T. Andrias, Justices.

-----X

Jason Schoenholtz,
Plaintiff-Appellant,

-against-

M-3139
Index No. 656355/16

RBC Capital Markets, LLC,
Defendant-Respondent.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about October 4, 2017, and to modify an existing stay of trial, issued by this Court on March 22, 2018 (M-702), accordingly,

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 March 2019 Term and continuing the stay granted in this Court's March 22, 2018 order (M-702).

ENTERED:



DEPUTY 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 August 23, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Richard T. Andrias, Justices.

-----X

In re Hong Zhang,
Petitioner-Appellant,

-against-

M-3162
Index No. 153061/17

Chinatown Apartments, Inc.,
Respondent-Respondent.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from a judgment (denominated an order) of the Supreme Court, New York County, entered on or about August 1, 2017,

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 2018 Term.

ENTERED:



DEPUTY 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 August 23, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Richard T. Andrias, Justices.

-----X
In the Matter of the Application of
Bethelite Community Church,
Great Tomorrows Elementary School,
Petitioners-Appellants,

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

-against-

M-3182
Index No.103377/04

The Department of Environmental
Protection of the City of New York,
et al.,
Respondents-Respondents.

-----X

Petitioners-appellants having moved for an enlargement of time in which to perfect the appeal taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about September 15, 2017,

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 2018 Term.

ENTERED:



DEPUTY 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 August 23, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Richard T. Andrias, Justices.

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

-against-

M-2786
Ind. No. 3518/13

Joshua Lopez,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time to perfect the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about February 9, 2016,

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 2018 Term.

ENTERED:



DEPUTY 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 August 23, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Richard T. Andrias, Justices.

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

-against-

Gregorio Garcia,
Defendant-Appellant.

M-2984
Ind. Nos. 2086/14
390/17

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about September 28, 2017,

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.

ENTERED:



DEPUTY 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 August 23, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Troy K. Webber
Cynthia S. Kern
Jeffrey K. Oing, Justices.

-----X
In the Matter of a Proceeding for
Support Under Article 4 of the Family
Court Act.

Anna P.,
Petitioner-Appellant,

-against-

Pawel P.,
Respondent-Appellant.

CONFIDENTIAL
M-2712
Docket No. F-31123/16

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, New York County, entered on or about March 27, 2018, and for leave to have the appeal heard on 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 said motion, and due deliberation having been had thereon,

It is ordered that said motion is denied.

ENTERED:



DEPUTY 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 August 23, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Troy K. Webber
Cynthia S. Kern
Jeffrey K. Oing, Justices.

-----X
Francis Carling,
Plaintiff-Appellant-Respondent,

-against-

M-2737
Index No. 651203/13

Kristan Peters,
Defendant-Respondent-Appellant.

-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about February 17, 2016, August 8, 2017 and from a judgment of the same Court and Justice, entered on or about September 8, 2017,

And plaintiff-appellant-respondent having moved for dismissal of the appeal taken by defendant-respondent-appellant from the aforesaid judgment, entered on or about September 8, 2017, as untimely taken, and for an enlargement of time to perfect his own appeals,

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

It is ordered that so much of the motion seeking dismissal of the appeal taken by defendant from the judgment entered on or about September 8, 2017 is denied. So much of plaintiff's motion seeking an enlargement of time to perfect his appeals is denied, with leave to renew, upon submission of copies of the notices of appeal and the orders and judgment appealed from.

ENTERED:



DEPUTY 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 August 23, 2018.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Peter Tom
Ellen Gesmer, Justices.

-----x

J. Bar Reinforcement Inc.,
Plaintiff-Respondent,

-against-

M-2613
Index No. 650404/16

Crest Hill Capital LLC,
Defendant-Appellant.

- - - - -

J-Bar Reinforcement Inc.,
Plaintiff-Appellant,

-against-

M-2614
Index No. 650294/17

Mantis Funding LLC,
Defendant-Appellant.

-----x

Appeals having been taken to this Court by the respective defendants from orders of the Supreme Court, New York County, entered on or about October 5, 2017 (M-2613) and October 6, 2017 (M-2614), respectively,

And the respective defendants having moved for consolidation of the aforesaid appeals,

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

It is ordered that the motion is granted to the extent of permitting appellants to prosecute the consolidated appeals upon

9 copies of one record and one set of appellants' points covering the consolidated appeals. The attention of the parties is directed to 22 NYCRR § 600.11.

ENTERED:


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 August 23, 2018.

Present: Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Peter Tom
Ellen Gesmer, Justices.

-----X

In the Matter of the Application of

Ardila McMillan,
Petitioner-Appellant,

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

M-2824

M-2631

Index No. 100405/16

-against-

New York City Housing Authority,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, entered on or about April 20, 2017, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, for the assignment of counsel, and for related relief (M-2824),

And respondent-respondent having cross-moved for leave to dismiss the aforesaid appeal (M-2631),

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

It is ordered that respondent's cross motion (M-2631) to dismiss is granted unless petitioner perfects said appeal on or before October 1, 2018 for the December 2018 Term. Petitioner's motion (M-2824) is granted to the extent of enlarging the time to perfect the appeal to said December 2018 Term under the aforementioned condition. That branch of petitioner-appellant's motion for poor person relief is granted to the extent that the appeal is to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the attorney for respondent and files

8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record. So much of petitioner's motion which seeks the assignment of counsel is denied.

ENTERED:

A handwritten signature in black ink, appearing to read "Eric Schuck", written in a cursive style.

DEPUTY 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 August 23, 2018.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Ellen Gesmer
Marcy L. Kahn, Justices.

-----X
George W. Gowen as Limited Ancillary
Administrator of the Estate of Oscar
Stettiner,
Plaintiff-Respondent,

-against-

Helly Nahmad Gallery, Inc., Helly
Nahmad (New York), individually,
David Nahmad and International Art
Center, S.A.,
Defendants-Appellants.

M-2515
Index No. 650646/14
File Nos. 2018-1341
2018-1342

-----X
An appeal having been taken from orders of the Supreme Court, New York County, dated May 8, 2018,

And defendants-appellants having moved to stay certain deposition discovery pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is denied.

ENTERED:


DEPUTY 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 August 23, 2018.

Present: Hon. Dianne T. Renwick, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Ellen Gesmer
Cynthia S. Kern, Justices.

-----X
The People of the State of New York
ex rel. Michael Velez,
Petitioner,

-against-

M-2669

Ind. Nos. 5513/02
166/03

Anthony Annucci, Acting Commissioner,
N.Y.S. Department of Correction,
Respondent.

-----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, Appellate Division, Third Department, 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 Elmira Correctional Facility, P.O. Box 500, Elmira, N.Y. 14901-0500; the Attorney General of the State of New York, 120 Broadway, New York, New York 10271; and the District Attorney of New York County, be deemed due and sufficient notice.

The motion is otherwise denied.

ENTERED:



DEPUTY 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 August 23, 2018.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Peter Tom
Angela M. Mazzarelli
Ellen Gesmer
Peter H. Moulton, Justices.

-----X
Wells Fargo Bank, N.A.,
Plaintiff-Respondent,

-against-

M-2959
Index No. 380685/13

Lawson Ho-Shing, also known as
Lawson H. Ho-Shing,
Defendant-Appellant,

Audrey Ho-Shing, etc., et al.,
Defendants.

-----X

Appeals having been taken from an order of the Supreme Court, New York County, entered on or about April 6, 2017, and from the judgment of foreclosure of the same Court and Justice, entered on or about May 18, 2017,

And by order of this Court (M-1614) entered April 24, 2018 the appeal from the order deemed subsumed in the appeal from judgment of foreclosure,

And said appeal having been perfected, and submitted to this Court on May 31, 2018,

And defendant-appellant having moved to adjourn the aforesaid perfected appeal,

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

(M-2959)

-2-

August 23, 2018

It is ordered that the motion is denied.

ENTERED:



DEPUTY 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 August 23, 2018.

Present - Hon. Judith J. Gische, Justice Presiding,
Barbara R. Kapnick
Ellen Gesmer
Cynthia S. Kern, Justices.

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

Respondent,

-against-

Milton Castillo,

Defendant-Appellant.

-----X

M-2447

Ind. Nos. 2768/15
3125/15

Defendant having moved to file an untimely notice of appeal and for leave to prosecute, as a poor person, the appeal from two judgments of the Supreme Court, Bronx County, rendered on or about April 12, 2017, 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.

Christina Swarns, 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. That branch of defendant-appellant's motion which seeks leave to file an untimely notice of appeal is denied as unnecessary, as timely notices of appeal are filed on defendant's behalf from the aforementioned judgments.

ENTERED:



DEPUTY 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 August 23, 2018.

Present - Hon. Judith J. Gische, Justice Presiding,
Barbara R. Kapnick
Ellen Gesmer
Cynthia S. Kern, Justices.

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

Respondent,

-against-

M-2257

Ind. Nos. 5871/14
1499/15

Milton Castillo,

Defendant-Appellant.

-----X

Defendant having moved for leave to file a late notice of appeal and to prosecute, as a poor person, the appeal from two judgments of the Supreme Court, New York County, rendered on or about March 31, 2017, 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 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.

Christina Swarns, 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.

ENTERED:

A handwritten signature in black ink, appearing to read "Eric Schuck", written in a cursive style.

DEPUTY 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 August 23, 2018.

PRESENT: Hon. Judith J. Gische, Justice Presiding,
Troy K. Webber
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

-----X
Frank Sagarese and Elizabeth
Sagarese,
Plaintiffs-Appellants,

-against-

M-2842
Index No. 156846/14

The City of New York,
Defendant-Respondent.

-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about August 7, 2017,

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 2018 Term.

ENTERED:



DEPUTY 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 August 23, 2018.

PRESENT - Hon. Judith J. Gische, Justice Presiding,
Troy K. Webber
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

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

-against-

M-2874
Ind. No. 4057/10

Richard Seaman,
Defendant-Appellant

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about June 29, 2011,

And defendant-appellant by assigned counsel, the Office of the Appellate Defender, having moved for an order relieving it as counsel, or alternatively, to have the appeal dismissed without prejudice,

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 is otherwise denied.

ENTERED:



DEPUTY 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 August 23, 2018.

Present - Hon. Judith J. Gische, Justice Presiding,
Troy K. Webber
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

-----X

The People of the State of New York
ex rel. Kyle R. Silverstein, Esq., on
behalf of Dennis Fernandez,
Petitioner-Appellant,

-against-

Cynthia Brann, Acting Commissioner,
New York City Department of Corrections,
et al.,

Respondents-Respondents.

M-2939
Ind. Nos. 355/17
546/17
B&C #8951800030
NYSID 2017BX002835

-----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 to the extent of transferring the proceeding to and be heard before a Justice of the Supreme Court of the State of New York, Bronx County, forthwith, and,

It is further ordered that defendant is granted leave to seek poor person relief before that Court, and

It is further ordered that service by mail of a copy of this writ of habeas corpus, petition and supporting papers, be made by the Clerk of this Court, contemporaneous with the entry hereof, upon the Warden at Rikers Island Complex, East Elmhurst, New York 11370; the Attorney General of the State of New York, 120 Broadway, New York, New York 10271; and the District Attorney of Bronx County, 198 East 161st Street, Bronx New York, 10451, be deemed due and sufficient notice.

(M-2939)

-2-

August 23, 2018

The motion is otherwise denied.

ENTERED:

A handwritten signature in black ink, appearing to read "Eric Schuck". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

DEPUTY 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 August 23, 2018.

Present - Hon. Judith J. Gische, Justice Presiding,
Troy K. Webber
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

-----x

Tower Insurance Company of New York,
Plaintiff-Respondent,

-against-

M-3089
Index No. 157754/15

Artisan Silkscreen and Embroidery, Inc.,
Defendant-Appellant,

Castro Realty Corporation, and Claudio
Abelino,
Defendants.

-----x

Defendant-appellant, Artisan Silkscreen and Embroidery, Inc., having moved for an order enlarging the time in which to perfect the appeals taken from orders of the Supreme Court, New York County, entered on or about August 16, 2017 and February 22, 2018,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeals, which are hereby consolidated, to the December 2018 Term. Appellants are permitted to prosecute the appeals upon ten copies of one record and one copy of appellants' points covering the aforesaid appeals.

ENTERED:



DEPUTY 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 August 23, 2018.

Present - Hon. Judith J. Gische, Justice Presiding,
Troy K. Webber
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

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

Respondent,

-against-

M-3115

Ind. No. 1118/16

Andrew Kuforiji,

Defendant-Appellant.

-----X

Defendant-appellant having renewed his motion for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about June 1, 2017, 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

(M-3115)

-2-

August 23, 2018

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.

Christina Swarns, 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.

ENTERED:

A handwritten signature in black ink, appearing to read "Eric Schuck", written in a cursive style.

DEPUTY 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 August 23, 2018.

Present - Hon. Judith J. Gische, Justice Presiding,
Troy K. Webber
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

-----x
Joan Sheen Cunningham,

Petitioner-Respondent,

-against-

M-3133
Index No. 154933/16

Trustees of St. Patrick's Cathedral,
and the Archdiocese of New York,

Respondents-Appellants.
-----x

An appeal having been taken to this Court from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about June 12, 2018,

And respondents-appellants having moved for a stay of the order and judgment, pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is granted on condition the appeal is perfected for the January 2019 Term.

ENTERED:



DEPUTY 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 August 23, 2018.

PRESENT: Hon. Judith J. Gische, Justice Presiding,
Troy K. Webber
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

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

- - - - -
Daniel B.,
Petitioner-Respondent,

CONFIDENTIAL

M-3136
Docket Nos. V-34115-15/16C
V-45875/16

-against-

Oksana B.,
Respondent-Appellant.

- - - - -
Andrew J. Baer, Esq.,
Attorney for the Child.

-----X
Respondent-appellant-mother having moved for an enlargement of time to perfect the appeal taken from an order of the Family Court, New York County, entered on or about April 21, 2017,

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 2018 Term.

ENTERED:



DEPUTY 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 August 23, 2018

Present - Hon. Judith J. Gische, Justice Presiding,
Troy K. Webber
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

-----X

In the Matter of the Application of

Eugene Youngblood,

Petitioner-Appellant,

For a Judgment Pursuant to Article 78
of the CPLR,

-against-

M-3208
Index No.251642/15

Tina M. Stanford, Chairwoman, The
New York State Board of Parole, The
New York State Department of Corrections
and Community Supervision,

Respondents-Respondents.

-----X

Petitioner-appellant having moved for an enlargement of time in which to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about May 22, 2017,

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 the extent of enlarging the time to perfect the appeal to the December 2018 Term.

ENTERED:



DEPUTY 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 August 23, 2018.

Present - Hon. Judith J. Gische, Justice Presiding,
Troy K. Webber
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

-----X
Morissa Rivo,

Plaintiff-Appellant,

-against-

Metropolitan Life Insurance Company,

Defendant-Respondent.
-----X

M-3209
Index No. 153731/15

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about September 5, 2017,

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 2018 Term.

ENTERED:



DEPUTY 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 August 23, 2018.

Present - Hon. Judith J. Gische, Justice Presiding,
Troy K. Webber
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

-----X

Dervanna H.A. Troy-McKoy,
Petitioner-Appellant,

-against-

M-3220
Index No. 652456/16

City of New York Department of Parks
and Recreation,
Respondent-Respondent.

-----X

Petitioner, pro se, having moved for leave to prosecute, as a poor person, the appeal from an order of the Supreme Court, New York County, entered on or about June 6, 2018, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that said motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serve one copy of such brief upon the attorney for respondent and file 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record.

ENTERED:



DEPUTY 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 August 23, 2018.

PRESENT: Hon. Judith J. Gische, Justice Presiding,
Troy K. Webber
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

-----X
Orly Genger

Plaintiff-Appellant,

-against-

M-3270
Index No. 100697/08

Sagi Genger,
Defendant-Respondent.

-----X

Plaintiff-appellant having moved for a stay of certain court ordered provisions related to the appointment of an independent accountant to report on damages, pending hearing and determination of the appeal taken from orders of the Supreme Court, New York County, entered on or about April 30, 2018, and June 26, 2018,

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

It is ordered that the motion is denied and the interim relief granted by an order of a Justice of this Court, dated June 29, 2018, is hereby vacated.

ENTERED:



DEPUTY 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 August 23, 2018.

Present - Hon. Judith J. Gische, Justice Presiding,
Troy K. Webber
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

-----x
Diana Aguila,

Plaintiff-appellant,

-against-

Lincoln Hospital,

Defendant-Respondent.
-----x

M-3338
M-3108
Index No. 251218/16

An appeal having been taken to this Court from an order of the Supreme Court, Bronx County, entered on or about May 24, 2018,

And plaintiff-appellant having filed motions (M-3338 and M-3108) with this Court, seeking leave to prosecute, as a poor person, the aforesaid appeal, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief, and one motion seeking leave to appeal (M-3338),

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

It is ordered that the branch of the motions seeking poor person relief, is denied. The branch of the motion (M-3338) seeking leave to appeal is denied as unnecessary, since the order is appealable as of right.

ENTERED:



DEPUTY 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 August 23, 2018.

Present - Hon. Judith J. Gische, Justice Presiding,
Troy K. Webber
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

-----x

BQE Industries, Inc., et al.,
Plaintiffs-Respondents,

-against-

M-3341
Index No. 652959/14

Starr Indemnity & Liability
Company,
Defendant-Appellant,

-and-

Endurance American Specialty
Insurance Company,
Defendant-Respondent.

-----x

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about October 11, 2017,

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 2018 Term.

ENTERED:


DEPUTY 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 August 23, 2018.

Present - Hon. Judith J. Gische, Justice Presiding,
Troy K. Webber
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

-----x

David E. Retter,

Plaintiff-Appellant,

-against-

M-3363

Index No. 652106/10

Neil Zyskind, et al.,

Defendants-Respondents.

-----x

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about May 2, 2017,

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 2018 Term.

ENTERED:



DEPUTY CLERK

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

BEFORE: Hon. Troy K. Webber
Justice of the Appellate Division

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

CONFIDENTIAL
M-3302
Dkt. No. 2014NY072425

-against-

CERTIFICATE
DENYING LEAVE

Stephen Martinez,
Defendant.

-----X

I, Troy K. Webber, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to CPLR, sections 5703 (a), 5513 (b), and 5516, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Appellate Term, First Department entered on or about May 22, 2018 is hereby denied.

Dated: July 27, 2018
New York, New York



Hon. Troy K. Webber
Associate Justice

ENTERED: **AUG 23 2018**