

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 2, 2018.

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

-----X

Susan Ulin and Richard Ulin,
Plaintiffs-Respondents,

-against-

M-5824
Index No. 158826/14

550 Madison Fifth LLC, et al.,
Defendants-Respondents,

-and-

ABM Janitorial Services, Inc.,
Defendant-Appellant.

-----X

Defendant-appellant having moved for a stay of trial pending hearing and determination of the appeal taken from the an order of the Supreme Court, New York County, entered on or about October 13, 2017,

Now, upon reading and filing the papers with respect to the motion including the order of the Supreme Court, New York County, entered on or about November 22, 2017, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn in accordance with the aforesaid order.

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 December 2, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Peter Tom, Justices.

-----X
Laneniece Vanterpool,
Plaintiff-Respondent,

-against-

M-6090X
Index No. 305176/14

Anthony Ezugwu and Eucharia Ezugwu,
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about September 22, 2017,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, dated November 15, 2017, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

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 January 2, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Peter Tom, Justices.

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

-against-

William Washington,
Defendant-Appellant.

M-6091
Ind. Nos. 5033/15
2594/16

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about August 11, 2016,

Now, upon reading and filing the stipulation of the parties hereto, dated November 15, 2017, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTERED:



CLERK

CORRECTED ORDER - January 3, 2018

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 2, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Peter Tom
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick, Justices.

-----X
Michael P.,
Petitioner,

-against-

Charita H. P.,
Respondent.
-----X

CONFIDENTIAL

M-5789

Docket No. F-17831-15/15A

An appeal having been taken from an order of the Family Court, **Bronx** County, entered on or about April 13, 2017,

Now, upon reading and filing the stipulation of the parties hereto, dated November 1, 2017, and due deliberation having been had thereon,

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

ENTERED:


(Y) CLERK V

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 2, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Rosalyn H. Richter
Angela M. Mazzarelli
Richard T. Andrias
Ellen Gesmer, Justices.

-----X
Anthony Penza,
Plaintiff-Appellant,

-against-

M-5886
Index No. 109597/11

Olaf Quoohs, et al.,
Defendants-Respondents.

- - - - -
[And Another Action]

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect an appeal from the order of the Supreme Court, New York County, entered on or about October 7, 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 April 2018 Term.

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 January 2, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Rosalyn H. Richter
Angela M. Mazzarelli
Richard T. Andrias
Ellen Gesmer, Justices.

-----X
D.B., an Infant, by his Mother
and Natural Guardian, Arlene Brown,
Plaintiff-Respondent,

-against-

M-5888
Index No. 350479/10

Montefiore Medical Center and
The Jack D. Weiler Hospital of the
Albert Einstein College of Medicine,
Defendants-Appellants.
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about January 10, 2017,

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

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the May 2018 Term.

ENTERED:


CLERK

CORRECTED ORDER - January 3, 2018

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 2, 2018.

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

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

Respondent,

-against-

M-5532
Ind. No. 3393/15

Edward Richardson,

Defendant-Appellant.
-----X

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

CORRECTED ORDER - January 3, 2018

(M-5532)

-2-

January 2, 2018

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:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 2, 2018.

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

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

Respondent,
-against-

M-5535
Ind. No. 3280/15

Antonio Rodriguez,

Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about July 10, 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.

Christina Swarns, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. 212-402-4112, 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:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 2, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Peter Tom, Justices.

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

Respondent,

-against-

M-5951

Ind. No. 3123/16

Nayib Ruiz,

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 October 11, 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. 212-402-4112, 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:


CLERK

CORRECTED ORDER - February 28, 2018

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 2, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Peter Tom
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick, Justices.

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

Respondent,

-against-

M-5984
Ind. No. 1435/17

Alfredo Perez,

Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about August 17, 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.

CORRECTED ORDER - February 28, 2018

(M-5984)

-2-

January 2, 2018

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:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 2, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Peter Tom, Justices.

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

Respondent,
-against-

M-5985
Ind. No. 2909/16

Jonathan Espinal-Diaz,

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 October 20, 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:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 2, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
ianne T. Renwick
Peter Tom, Justices.

-----X

The People of the State of New York,
Respondent,

M-5680
DC #1
Ind. No. 2684N/11

-against-

Robert Adrian,
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about August 1, 2014,

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

And a calendar call having been held by the Clerk of the Court on October 26, 2017, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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

Ordered that appellant's time in which to perfect the appeal is enlarged to the April 2018 Term and counsel is directed to so perfect.

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 January 2, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Peter Tom, Justices.

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

-against-

CONFIDENTIAL
M-5681
DC #2
Ind. No. 5206/12

Jackie Barcliff,
Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about April 16, 2015,

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

And a calendar call having been held by the Clerk of the Court on October 26, 2017, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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

Ordered that appellant's time in which to perfect the appeal is enlarged to the April 2018 Term and counsel is directed to so perfect.

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 January 2, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Peter Tom, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-5682
DC #3
Ind. No. 5102/11

Jonathan Batticks,
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about June 12, 2013,

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

And a calendar call having been held by the Clerk of the Court on October 26, 2017, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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

Ordered that appellant's time in which to perfect the appeal is enlarged to the April 2018 Term and counsel is directed to so perfect.

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 January 2, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Peter Tom, Justices.

-----X

The People of the State of New York,
Respondent,

M-5683
DC #5
Ind. No. 3350N/13

-against-

Tajammal Sharief Brown,
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about January 29, 2015,

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

And a calendar call having been held by the Clerk of the Court on October 26, 2017, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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

Ordered that appellant's time in which to perfect the appeal is enlarged to the April 2018 Term and counsel is directed to so perfect.

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 January 2, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Peter Tom, Justices.

-----X

The People of the State of New York,
Respondent,

M-5685

DC #8

-against-

Ind. No. 1205/12

Emmanuel Cherry,
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about May 21, 2013,

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

And a calendar call having been held by the Clerk of the Court on October 26, 2017, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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

Ordered that appellant's time in which to perfect the appeal is enlarged to the April 2018 Term and counsel is directed to so perfect.

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 January 2, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Peter Tom, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

Jeffrey Crovador,
Defendant-Appellant.

-----X

M-5829
DC #11
Ind. No. 2518/12
Case No. 20597C/12

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about May 14, 2014,

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

And a calendar call having been held by the Clerk of the Court on October 26, 2017, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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

Ordered that appellant's time in which to perfect the appeal is enlarged to the April 2018 Term and counsel is directed to so perfect.

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 January 2, 2018.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-5920
DC #18
Ind. No. 840/10

Odanis Gregory,
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about April 5, 2013,

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

And a calendar call having been held by the Clerk of the Court on October 26, 2017, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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

Ordered that appellant's time in which to perfect the appeal is enlarged to the April 2018 Term and counsel is directed to so perfect.

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 January 2, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Peter Tom, Justices.

-----X

The People of the State of New York,
Respondent,

M-5921
DC #19
Ind. No. 4556/12

-against-

Christopher J. Glover,
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about June 10, 2013,

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

And a calendar call having been held by the Clerk of the Court on October 26, 2017, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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

Ordered that appellant's time in which to perfect the appeal is enlarged to the April 2018 Term and counsel is directed to so perfect.

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 January 2, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Peter Tom, Justices.

-----X

The People of the State of New York,
Respondent,

M-5923

DC #21

-against-

Ind. No. 3532/12

Demari Greene, also known as
Demari Green,
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about September 17, 2013,

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

And a calendar call having been held by the Clerk of the Court on October 26, 2017, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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

Ordered that appellant's time in which to perfect the appeal is enlarged to the April 2018 Term and counsel is directed to so perfect.

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 January 2, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Peter Tom, Justices.

-----X
The People of the State of New York,
Respondent, M-5925
DC #23
-against- Ind. No. 293/06

John Hamlett,
Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about January 22, 2008,

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

And a calendar call having been held by the Clerk of the Court on October 26, 2017, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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

Ordered that appellant's time in which to perfect the appeal is enlarged to the April 2018 Term and counsel is directed to so perfect.

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 January 2, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Peter Tom, Justices.

-----X

The People of the State of New York,
Respondent,

M-5926
DC #24
Ind. No. 4648/10

-against-

Douglas B. Hampton, also known as
Douglas Hampton,
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about April 24, 2013,

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

And a calendar call having been held by the Clerk of the Court on October 26, 2017, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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

Ordered that appellant's time in which to perfect the appeal is enlarged to the April 2018 Term and counsel is directed to so perfect.

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 January 2, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Peter Tom, Justices.

-----X

The People of the State of New York,
Respondent,

M-5928
DC #26
Ind. No. 4451/12

-against-

Angelo Hayes,
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about January 21, 2015,

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

And a calendar call having been held by the Clerk of the Court on October 26, 2017, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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

Ordered that appellant's time in which to perfect the appeal is enlarged to the April 2018 Term and counsel is directed to so perfect.

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 January 2, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Peter Tom, Justices.

-----X
The People of the State of New York,
Respondent, M-5930
DC #28
-against- Ind. Nos. 5978/11
2512/12
Francisco Hidalgo Lopez,
Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about October 29, 2013,

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

And a calendar call having been held by the Clerk of the Court on October 26, 2017, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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

Ordered that appellant's time in which to perfect the appeal is enlarged to the April 2018 Term and counsel is directed to so perfect.

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 January 2, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Peter Tom, Justices.

-----X

The People of the State of New York,
Respondent,

M-5931
DC #29
Ind. No. 2353/12

-against-

Tyrone A. Hollar,
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about February 10, 2014,

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

And a calendar call having been held by the Clerk of the Court on October 26, 2017, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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

Ordered that appellant's time in which to perfect the appeal is enlarged to the April 2018 Term and counsel is directed to so perfect.

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 January 2, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Peter Tom, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-5932
DC #30
Ind. No. 4446/13

Derrick D. Jack,
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about March 26, 2014,

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

And a calendar call having been held by the Clerk of the Court on October 26, 2017, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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

Ordered that appellant's time in which to perfect the appeal is enlarged to the April 2018 Term and counsel is directed to so perfect.

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 January 2, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Peter Tom, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

Leondriss Jeffreys,
Defendant-Appellant.

-----X

CONFIDENTIAL

M-5933

DC #31

Ind. No. 819/13

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about October 8, 2014,

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

And a calendar call having been held by the Clerk of the Court on October 26, 2017, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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

Ordered that appellant's time in which to perfect the appeal is enlarged to the April 2018 Term and counsel is directed to so perfect.

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 January 2, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Peter Tom, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-5940
DC #34
Ind. No. 4790N/11

Luis Nieves,
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about July 19, 2012,

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

And a calendar call having been held by the Clerk of the Court on October 26, 2017, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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

Ordered that appellant's time in which to perfect the appeal is enlarged to the April 2018 Term and counsel is directed to so perfect.

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 January 2, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Peter Tom, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

Robert Olivarez,
Defendant-Appellant.

-----X

M-5941
DC #35
Ind. No. 954/13
SCI No. 3416/13

An appeal having been taken to this Court by defendant from the judgments of the Supreme Court, New York County, rendered on or about September 18, 2013 (Ind. No. 954/13) and February 20, 2014 (SCI No. 3416/13),

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

And a calendar call having been held by the Clerk of the Court on October 26, 2017, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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

Ordered that appellant's time in which to perfect the appeal is enlarged to the April 2018 Term and counsel is directed to so perfect.

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 January 2, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Peter Tom, Justices.

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

-against-

CONFIDENTIAL
M-5947
DC #40
Ind. No. 3379/11

Andre A. Paul,
Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about March 7, 2012,

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

And a calendar call having been held by the Clerk of the Court on October 26, 2017, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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

Ordered that appellant's time in which to perfect the appeal is enlarged to the April 2018 Term and counsel is directed to so perfect.

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 January 2, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Peter Tom, Justices.

-----X

The People of the State of New York,
Respondent,

M-5957
DC #45
Ind. No. 1597/10

-against-

Jermel Redwine,
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about November 23, 2010,

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

And a calendar call having been held by the Clerk of the Court on October 26, 2017, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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

Ordered that appellant's time in which to perfect the appeal is enlarged to the April 2018 Term and counsel is directed to so perfect.

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 January 2, 2018.

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

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

-against-

M-5968
DC #52
Ind. No. 2839/11

Jose Rodriguez,
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about July 25, 2013,

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

And a calendar call having been held by the Clerk of the Court on October 26, 2017, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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

Ordered that appellant's time in which to perfect the appeal is enlarged to the April 2018 Term and counsel is directed to so perfect.

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 January 2, 2018.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-6057
DC #51
Ind. No. 635/12

Reginald K. Robinson,
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about October 22, 2013,

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

And a calendar call having been held by the Clerk of the Court on October 26, 2017, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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

Ordered that appellant's time in which to perfect the appeal is enlarged to the April 2018 Term and counsel is directed to so perfect.

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 January 2, 2018.

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

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

-against-

CONFIDENTIAL
M-6064
DC #57
Ind. No. 337/11

Anthony Williams,
Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about September 17, 2013,

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

And a calendar call having been held by the Clerk of the Court on October 26, 2017, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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

Ordered that appellant's time in which to perfect the appeal is enlarged to the April 2018 Term and counsel is directed to so perfect.

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 January 2, 2018.

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

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

-against-

CONFIDENTIAL
M-6168
DC #59
Ind. No. 2897/10

Ponce Lopez,
Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about September 17, 2014,

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

And a calendar call having been held by the Clerk of the Court on October 26, 2017, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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

Ordered that appellant's time in which to perfect the appeal is enlarged to the April 2018 Term and counsel is directed to so perfect.

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 January 2, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Rosalyn H. Richter
Angela M. Mazzarelli
Richard T. Andrias
Ellen Gesmer, Justices.

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

-against-

M-5798
Ind. No. 5207/13

Daryl Elliott,
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to file a pro se supplemental brief in connection with an appeal from a judgment of the Supreme Court, New York County, rendered on or about October 9, 2014, and to consolidate the proposed pro se supplemental brief with defendant's supplemental exhibits and supplemental pleadings,

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 six copies of the pro se supplemental brief, including the attached exhibits, as timely filed for the April 2018 Term, to which Term the appeal is adjourned.

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 January 2, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Rosalyn H. Richter
Angela M. Mazzarelli
Richard T. Andrias
Ellen Gesmer, Justices.

-----X

In the Matter of the Application of
Steven Banks, Commissioner of the NYCHRA,

Petitioner,

-against-

M-5989

Index No. 2770/17

Georgi Eremeyev,

Respondent.

-----X

Respondent, pro se, having moved, pursuant to CPLR 5704(a), for certain relief denied by a Justice of the Supreme Court, Bronx County, on or about November 6, 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 denied.

ENTERED:


CLERK

CORRECTED ORDER - January 3, 2018

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 2, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Peter Tom
David Friedman
Judith J. Gische, Justices.

-----X
Bonnie Edan, as Executrix of the
Estate of Lawrence Saul, deceased,
Plaintiff-Respondent,

-against-

M-6460
M-6482
Index No. 805223/12

Ruth C. Johnson, M.D., Monique Girard,
M.D., and Hercules Medical, P.C.,
Defendants-Appellants,

Kirk Garratt, M.D., Dennis K. Miller,
M.D., Audrey Rosinberg, M.D., and
Lenox Hill Hospital,
Defendants.

-----X
Appeals having been taken to this Court from the order of the Supreme Court, New York County, entered on or about December 30, 2016,

And Ruth C. Johnson, M.D. and Hercules Medical, P.C. (M-6460) and Monique Girard, M.D. (M-6482) having separately moved for a stay of trial pending hearing and determination of the aforesaid appeals,

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

It is ordered that the **motions are** granted.

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 January 2, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Peter Tom
Marcy L. Kahn
Cynthia S. Kern, Justices.

-----X
Anthony Patterson,
Plaintiff-Appellant,

-against-

Brent Ferclison, et al.,
Defendants-Respondents.

Action No. 1

M-5866

Index No. 20499/15E

-----X
Jacklyn Williams,
Plaintiff,

-against-

Cindy Chan, et al.,
Defendants.

Action No. 2

Index No. 24581/14E

-----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 January 17, 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 April 2018 Term.

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 January 2, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,
Marcy L. Kahn
Ellen Gesmer
Cynthia S. Kern
Peter H. Moulton, Justices.

-----X
In the Matter of the Application of
Victor Garrido,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78 M-5781
of the Civil Practice Law and Rules, Index No. 101891/16

-against-

Woody Pascal, Deputy Commissioner
of the DHCR,
Respondent-Respondent.

-----X

Petitioner-appellant, pro se, having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, entered on or about October 6, 2017, 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:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 2, 2018.

Present - Hon. David Friedman, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Marcy L. Kahn
Peter H. Moulton, Justices.

-----X
In the Matter of the Application of
Richard Sunday Ifill,

Petitioner,

-against-

M-4369
Ind. No. 143/14

Warden Saunders, New York City
Department of Corrections, et al.,

Respondent(s).

-----X

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

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

It is ordered that the petition for Habeas Corpus relief is dismissed, and the request for poor person relief and other relief is denied, as academic.

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 January 2, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Angela M. Mazzarelli, Justices.

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

-against-

M-5844
Index No. 155605/12

Zachary Vella,
Defendant-Appellant.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about February 7, 2017, and said appeal having been perfected,

And plaintiff-respondent having moved for leave to file a supplemental record on appeal containing a copy of defendant-appellant's February 10, 2017 "Notice of Motion to Reargue, to Vacate the Judgment, and to Supplement the Record" along with the supporting affirmation of David Wolf dated January 10, 2017, and a copy of this Court's decision dated May 30, 2017 (Exhibit 1 to the Schwartzman Affirmation), and to extend the time to file a respondent's brief to 20 days after the determination of this motion,

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

It is ordered that the motion is granted only to the extent of granting plaintiff-respondent leave to file a supplemental record on appeal containing the materials set forth as Exhibit 1 to the Schwartzman Affirmation, along with a copy of this order, and without prejudice to arguments in the reply brief. The supplemental record is to be filed within 7 days of this order,

and the appeal is to be maintained on this Court's calendar for the March 2018 Term.

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 January 2, 2018.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Judith J. Gische
Marcy L. Kahn
Anil C. Singh, Justices.

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

Respondent,

-against-

M-6076

Ind. No. 4555/07

Clarence Dean,

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 April 17, 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. 212-402-4112, 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:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 2, 2018.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Judith J. Gische
Marcy L. Kahn
Anil C. Singh, Justices.

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

Respondent,
-against-

M-6077
Ind. No. 3980/16

Antoine Thompson,

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 August 24, 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:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 2, 2018.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Judith J. Gische
Marcy L. Kahn
Anil C. Singh, Justices.

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

Respondent,
-against-

M-6078
Ind. No. 2587/17

James Moorer,

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 September 14, 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:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 2, 2018.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Marcy L. Kahn
Peter H. Moulton, Justices.

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

-against-

M-5510
Ind. No. 1736/15

Elliott Carter,
Defendant-Appellant.

-----X

An order of this Court having been entered on April 18, 2017 (M-1572), granting defendant leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about September 6, 2016, and assigning Seymour W. James, Jr., Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Seymour W. James, Jr., Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10006, Telephone No. 212-577-2523, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

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 January 2, 2018.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Peter Tom
Barbara R. Kapnick
Cynthia S. Kern
Peter H. Moulton, Justices.

-----X
In the Matter of the Application of
Darren Gittens,
Petitioner-Appellant,

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

M-6020
Index No. 100890/13

-against-

State University of New York, et al.,
Respondents-Respondents.
-----X

Petitioner-appellant having moved for a preference in hearing the appeal taken from the order of the Supreme Court, New York County, entered on or about January 23, 2017, and to be placed on the January 2018 Calendar,

Now, upon reading and filing the papers with respect to the motion including the correspondence from Constance R. Brown, Esq. dated November 29, 2017, and due deliberation having been had thereon,

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

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 January 2, 2018.

PRESENT: Hon. Sallie Manzanet-Daniels, Justice Presiding,
Angela M. Mazzarelli
Richard T. Andrias
Ellen Gesmer
Jeffrey K. Oing, Justices.

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

Envy Café, Inc., doing business as
Traphouse,
Petitioner-Appellant,

M-5997

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

Index No. 101619/17

-against-

NYS Liquor Authority,
Respondent-Respondent.

-----X
An Article 78 proceeding to review a determination of Respondent having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about November 15, 2017,

And petitioner having moved to stay the administrative order pending hearing and determination of the appeal taken therefrom,

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

It is ordered that the motion is denied.

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 January 2, 2018.

Present - Hon. Judith J. Gische, Justice Presiding,
Barbara R. Kapnick
Jeffrey K. Oing
Peter H. Moulton, Justices.

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

Respondent,
-against-

M-5539
Ind. No. 1608/12

Haashim Harley,

Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about March 6, 2015, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, 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:


CLERK

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

BEFORE: Hon. Anil C. Singh
Justice of the Appellate Division

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

-against-

Rajindrananth Susankar

Defendant,

-----X

M-5705
Ind. No.
4400/98
CERTIFICATE
DENYING LEAVE

I, Hon. Anil C. Singh, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about September 17, 2017 is hereby denied.


Hon. Anil C. Singh
Associate Justice

Dated: December 5, 2017
New York, New York

ENTERED: **JAN 02 ZM**

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

BEFORE: Hon. Cynthia S. Kern
Associate Justice of the Appellate Division

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

AURA CHACON,

Petitioner,

M-5260
Ind. No. 101644/16

For a Judgment under Article 78 of
The Civil Practice Law and Rules,

-against-

JAMES O'NEILL, as the Police Commissioner
of the City of New York, and as Chairman,
ex officio, of the Board of Trustees of
the Police Pension Fund, Article II, THE
BOARD OF TRUSTEES of the Police Pension
Fund, Article II, NEW YORK CITY POLICE
DEPARTMENT and THE CITY OF NEW YORK,


Respondents.
-----X

Respondents having moved, pursuant to CPLR 5701(c), for leave to
appeal to the Appellate Division, First Department, from the order of
Supreme Court, New York County (Charles E. Ramos, J.S.C.), entered on
August 25, 2017, and for a stay of all proceedings, 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 application is granted pursuant to CPLR 5520(b).
The appeal must be prosecuted pursuant to 22 NYCRR § 600.11.

Dated: November 29, 2017
New York, New York



Hon. Cynthia S. Kern
Associate Justice

ENTERED

JAN 02 2018

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

BEFORE: Hon. Sallie Manzanet-Daniels
Justice of the Appellate Division

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

M-6392A1
Ind. No. 3886/10,
976/13

-against-


CERTIFICATE
GRANTING LEAVE TO APPEAL
TO THE COURT OF APPEALS

Tamarkqua Garland,
Defendant-Appellant.

-----X

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

ORDERED that permission hereby is granted to the above-named appellant to appeal to the Court of Appeals. ¹


Justice of the Appellate Division

Dated: May 30, 2018
New York, New York

ENTERED: **MAY 30 2013**

*Description of Order:

Supreme Court, Bronx County, entered on May 8, 2015
App. Div., First Dept., Appeal Nos. 4754-4755, affd on Nov. 28, 2017.

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

:The order entered January 2, 2018 is hereby recalled and vacated, and this order substituted therefor.