

At a 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 9, 2018.

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

-----X
Corbin Rogers and Michelle Rogers,

Plaintiffs-Respondents,

-against-

M-6102
Index No. 154673/13

The Affinia Dumont Hotel, Denihan
Hospitality Group, LLC and Denihan
Mezz I Holding Company, LLC,

Defendants-Appellants.

-----X

Defendants-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 February 9, 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 9, 2018.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Peter Tom
Richard T. Andrias
Anil C. Singh
Peter H. Moulton, Justices.

-----X
In the Matter of the Liquidation of
Midland Insurance Company
-----X

Northern States Power Company, a
Wisconsin Corporation, as Successor
in interest to Lake Superior District
Power Company,
Claimant-Appellant,

M-5872
Index No.41294/86

-against-

Maria T. Vullo, Superintendent of
Financial Services of the State of
New York as Liquidator of Midland
Insurance Company,
Respondent-Respondent.
-----X

Claimant-Appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court, entered on October 12, 2017 (Appeal No. 4643),

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

At a 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 9, 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

Nafees F.,

CONFIDENTIAL

M-6018

M-6019

A Person Alleged to be a
Juvenile Delinquent,

Docket Nos. D-00060/16
D-00061/16

Respondent-Appellant.

-----X

Respondent-appellant having moved by two separate notices, for an enlargement of time to perfect the appeal taken from two orders of the Family Court, New York County, entered on or about January 31, 2017,

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 to the extent of enlarging the time to perfect the appeal to the May 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 9, 2018.

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

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

-against-

M-6055
Ind. No. 7466/98

Gustavo Lantigua,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from an order of the Supreme Court, New York County, entered on or about March 29, 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 only to the extent of deeming the moving papers a timely filed notice of appeal from the aforementioned Supreme Court order entered on or about March 29, 2017.

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 9, 2018.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Peter Tom
Cynthia S. Kern
Peter H. Moulton, Justices.

-----X
Sustainable PTE LTD., Surf Hotels
PTE, Gregory Stuppler and Yuta Oka,

Plaintiffs-Appellants,

-against-

M-6022
Index No. 650340/15

Peak Venture Partners LLC, Omar Amanat,
Peak Hotels and Resorts Limited, Peak
Investments Limited, Aman Resorts Group
Limited, Manaman Ventures PTE. LTD.,
Peak Hotels and Resorts Group Limited,
Nader Tavakoli, Tarek Investments
Limited, Vladislav Doronin, Alan
Djanogly, Johan Eliasch, and Sherway
Group Limited,

Defendants-Respondents.

-----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 January 31, 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 September 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 9, 2018.

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,
Peter Tom
Angela M. Mazzarelli
Jeffrey K. Oing
Anil C. Singh, Justices.

-----x

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

- - - - -

Martin A.,
Petitioner-Appellant,

Confidential
Action No. 1

M-5037
Docket No. O-37230/16

-against-

George Miguel A.,
Respondent-Respondent.

- - - - -

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

- - - - -

George Miguel A.,
Petitioner-Respondent,

Confidential
Action No. 2

M-5038
Docket No. O-37818/16

-against-

Martin A.,
Respondent-Appellant.

-----x

Separate appeals having been taken by petitioner/respondent-appellant Martin A. from the orders of the Family Court, New York County, entered on or about July 12, 2016 (Docket No. O-37230/16) and July 21, 2016 (Docket No. O-37818/16), respectively,

And assigned counsel for petitioner/respondent-appellant Martin A., Tennille M. Tatum Evans, Esq., having moved, by separate motions, for dismissal 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 motion (M-5037) to dismiss the appeal from the order entered on or about July 12, 2016 (Docket No. O-37230/16) in Action No. 1 is denied and, sua sponte, assigned counsel is relieved. Further, 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, is assigned as counsel for purposes of prosecuting this appeal. The stay of the enforcement granted by the order of this Court entered August 25, 2016 [M-3567], is continued pending hearing and determination of the appeal, and it is further,

Ordered that the motion (M-5038) to dismiss the appeal from the order entered on or about July 21, 2016 (Docket No. O-37818/16) in Action No. 2 is granted, and the appeal is dismissed.

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 9, 2018.

PRESENT: Hon. Judith J. Gische, Justice Presiding,
Richard T. Andrias
Cynthia S. Kern
Jeffrey K. Oing
Anil C. Singh, Justices.

-----X
Luisa C. Esposito,
Plaintiff-Appellant,

-against-

M-5728
Index No. 570327/10

Allen H. Issac, etc., et al.,
Defendants-Respondents.

-----X

An order of this Court entered on September 19, 2017 (M-3474) having denied plaintiff-appellant's motion for leave to appeal to this Court from the decision and order of the Appellate Term, First Department entered in the office of the Clerk of the Supreme Court, New York County, on or about January 27, 2017,

And plaintiff-appellant having moved for leave to renew or, in the alternative, for leave to appeal to the Court of Appeals from the aforesaid order of this Court entered on September 19, 2017 (M-3474).

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

At a 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 9, 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-5539A
Ind. No. 1608/12

Haashim Harley,
Defendant-Appellant.

-----X

An order of this Court having been entered on November 5, 2015 (M-4617), granting defendant leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about March 6, 2015, 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. The order of this Court entered on January 2, 2018 (M-5539) is hereby recalled and vacated.

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 9, 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-5786
Ind. No. 1254/14

Manuce Dulcio,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about October 6, 2016, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of deeming the moving papers as 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.

Seymour W. James, Jr., Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTERED:

A handwritten signature in black ink, appearing to read "Seymour James, Jr.", written in a cursive style.

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 9, 2018.

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

-----X
500 Broome Associates,
Plaintiff-Respondent,

-against-

M-5861
Index No. 111183/10

DV Stores, LLC, formerly known as
Chicissimo LLC, and Domenico Vacca,
Defendants-Appellants.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about October 29, 2015,

And an order of this Court, entered on July 18, 2017, having granted defendants-appellants motion for an enlargement of time to perfect the aforesaid appeal to the November 2017 Term and having granted plaintiff-respondent's cross motion to dismiss the aforesaid appeal unless perfected for said November 2017 Term (M-1988/M-2208),

And defendants-appellants having moved for a further 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 denied and, sua sponte, the appeal is dismissed.

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 9, 2018.

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

-----X
1279 St. Johns Place, LLC,
Plaintiff-Respondent,

-against-

M-5862
Index No. 32082/16

Latou Realty Corp., Everton Sterling, also known as Everton A. Sterling, Bronx Supreme Court, Criminal Court of the City of New York (Bronx), New York City Parking Violations Bureau, New York City Environmental Control Board, New York City Department of Finance, New York State Department of Taxation and Finance,

"John Doe #1 Through John Doe #12," the last twelve names being fictitious and unknown to plaintiff, the persons or parties intended being the tenants, occupants, persons or corporations, if any, having or claiming an interest in or lien upon the premises, described in the complaint,
Defendants-Appellants.

-----X

Defendants Latou Realty Corp. and Everton Sterling 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 October 6, 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, without prejudice to seeking a further enlargement, if so advised, in connection with an appeal from any judgment that is entered.

ENTERED:

A handwritten signature in black ink, appearing to read "Susan R. Jones". The signature is written in a cursive style with a prominent initial "S".

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 9, 2018.

Present - Hon. Peter Tom, Justice Presiding,
Barbara R. Kapnick
Troy K. Webber
Jeffrey K. Oing, Justices.

-----x
Blanche Hutcherson,

Plaintiff-Appellant,

-against-

M-6176
Index No. 160153/13

Velma Hill as Executor of the
Estate of Eugene Glaberman and
Mutual Redevelopment Houses, Inc.,

Defendant-Respondent.
-----x

Consolidated appeals having been taken to this Court from the order of the Supreme Court, New York County, entered on or about December 18, 2015, and from an order, same court, entered on or about June 21, 2017, and the appeal from the order entered on or about December 18, 2015 having been perfected,

And plaintiff-appellant having moved for an enlargement of time to perfect the consolidated appeals, and for leave to file a supplemental record on appeal and a new appellant'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 perfected appeal from the order entered on or about December 18, 2015 to the April 2018 Term, to which Term the appeal from the order entered on or about June 21, 2017 is adjourned. The brief filed for the perfected appeal from the order entered on or about December 18, 2015 is stricken. Plaintiff-appellant is granted leave to file a supplemental record containing the order entered on or about June 21, 2017,

and all documents related to the appeal from that order, and plaintiff-appellant is directed to file a new appellant's brief addressing the previously consolidated appeals from the orders entered December 18, 2015 and June 21, 2017, all on or before January 28, 2018.

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 9, 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,

-against-

M-5352
Ind. No. 2694/00

Gonzalo Aguilar,

Defendant.

-----x

Defendant pro se having moved, pursuant to Criminal Procedure Law, sections 450.15 and 460.15, for a certificate granting leave to appeal to this Court from the order of the Supreme Court, New York County, entered on or about November 22, 2016,

Now, upon reading and filing the papers with respect to the motion, and the correspondence from defendant dated November 7, 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 9, 2018.

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

-----X

Margaret Sefah Frempong,

Plaintiff-Appellant,

-against-

M-6162
Index No. 306556/13

Kevin M Arnold,

Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about November 15, 2016, and said appeal having been perfected,

Now, upon reading and filing the stipulation of the parties hereto, dated October 30, 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 9, 2018.

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

-----X

Elvira Colorado,
Plaintiff-Appellant,

M-6211X
Index No. 161746/14

-against-

YMCA of Greater New York d/b/a
YMCA Chinatown,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 11, 2017,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" November 30, 2017, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected, 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 9, 2018.

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

-----X
Emilio Bacilio,

Plaintiff-Respondent,

M-6218

Index No. 152898/13

-against-

STV Construction, Inc., Avenues World Holding, LLC, and Twenty-Six Investors, LP, Defendants-Appellants,

-and-

Eagle Scaffolding, Co.,
Defendant.

-----X
STV Construction, Inc., Avenues World Holding, LLC and Twenty-Six Investors, LP, Third-Party Plaintiffs-Appellants,

-against-

HI-Lume Corporation,
Third-Party Defendant.

-----X
HI-Lume Corporation,
Second Third-Party Plaintiff,

-against-

Consolidated Scaffold Corporation,
Second Third-Party Defendant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about October 20, 2016,

Now, upon reading and filing the stipulation of the parties hereto, dated November 9, 2017, and due deliberation having been had thereon,

-----X
STV Construction, Inc., Avenues World
Holding, LLC and Twenty-Six Investors, LP,
Third Third-Party Plaintiffs-Appellants,

-against-

Consolidated Scaffold Corporation,
Third Third-Party Defendant.
-----X

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 9, 2018.

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

-----X
Vyacheslav S. Ripa, Emil Blank, Vadim,
Shubaderov and Oleg Egorov,

Plaintiffs-Respondents,

M-6220
Index No. 653575/16

-against-

Zhan Petrosyants, Robert Petrosyants,
Akiva Ofshtein, Akiva Ofshteyn, P.C.,
Ofshteyn Law Firm, P.C., Prime One
Catering, Inc., Prime Four, Inc. d/b/a
Forno Rosso Pizzeria, Prime Five, Inc.,
242 Wood Food, Inc. d/b/a Wallabout
Seafood & Co., and Prime Six, Inc.
d/b/a Woodland NYC,

Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about February 15, 2017,

Now, upon reading and filing the stipulation of the parties hereto, dated December 5, 2017, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected, 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 9, 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, M-5830
DC #12
-against- Ind. No. 4006N/12

Eduardo Disla,
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 20, 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 9, 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,

M-5939

DC #33

-against-

Ind. No. 856/12

Mor Ndiaye,
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 16, 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 9, 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-5896
DC #15
Ind. #4021/10

Brian Garcia,
Defendant-Appellant,
-----X

An appeal having been taken to this Court by defendant-appellant from a judgment of the Supreme Court, New York County, rendered on or about November 12, 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 a stipulation of the parties dated November 20, 2017 having been filed with this Court, moving to withdraw the aforesaid appeal,

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

Ordered that the aforesaid appeal is deemed withdrawn.

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 9, 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-

M-6157

Ind. No. 5135/13

Alex Ortiz,

Defendant-Appellant.

-----X

Defendant having appealed to this Court from an order of the Supreme Court, Bronx County, entered on or about April 2, 2015,

Now, upon reading and filing the stipulation of the parties hereto, dated December 5, 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 9, 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-

Latwoine Parker,

Defendant-Appellant.
-----X

M-6159
Ind. Nos. 1752/12
1753/12

Defendant having appealed to this Court from a judgment of the Supreme Court, Bronx County, rendered on or about March 22, 2016,

Now, upon reading and filing the stipulation of the parties hereto dated December 4, 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 9, 2018.

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

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

-against-

Taye Elleby,
Defendant-Appellant.

CONFIDENTIAL

M-5674

Ind. No. 2135/13

-----X

A decision and order of this Court having been entered on January 26, 2017 (Appeal No. 2879), unanimously affirming a judgment of the Supreme Court, New York County (Patricia Nunez, J.), rendered on February 5, 2014,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate counsel, and for related relief,

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

It is ordered that said application is denied.

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 9, 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-

M-5700
Ind. No. 547/01

Jason Lopez,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on January 10, 2006 (Appeal No. 7540), unanimously affirming a judgment of the Supreme Court, Bronx County (John A. Barone, J.), rendered on February 26, 2004,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate counsel, and for related relief,

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

It is ordered that said application is denied.

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 9, 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-

M-6161
Ind. No. 2166/12
Case No. 37870C/12

Drury Duval,

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 December 4, 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:

A handwritten signature in black ink, appearing to read "Susan R. Jones", written in a cursive style.

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 9, 2018.

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

-----x
Vladimira Koch, also known as Vlad'ka Koch, Michael Koch, Europa Docu-Search, Inc., Eurovid, Inc., Eurovid FKK, Helios Natura, Europa Docu-Search, s.r.o., Eurovidfkk, s.r.o.,
 Plaintiffs-Appellants,

-against-

M-6456
Index No. 112337/07

Sheresky, Aronson & Mayefsky LLP,
David Aronson, individually, Bragar,
Wexler, Eagel & Morgenstern P.C.,
Raymond A. Bragar, individually,
Ragues & Min, Esqs., Raymond Ragues,
individually, D'Agostino & Salvi, LLP,
Frank J. Salvi, individually,
 Defendants-Respondents.

-----X

Appeals having been taken from an order of the Supreme Court, New York County, entered on or about October 14, 2015, from an order of the same Court and Justice, entered on or about December 15, 2015, and from an order, entered on or about February 22, 2016, and said appeals having been perfected,

And Vladimira Koch, also known as Vlad'ka Koch, having moved for leave to file an amended main brief 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 denied. Sua sponte, the appeals are adjourned 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 9, 2018.

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

-----x
In the Matter of the Application of
160 East 84th Street Associates LLC,
 Petitioner-Appellant-Respondent,

-against-

M-6236
Index No. 100643/16

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

-against-

New York State Division of Housing
and Community Renewal,
 Respondent-Respondent-Appellant,

Sherry Sado,
 Intervenor-Respondent.

-----x

Separate appeals having been taken to this Court from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about March 1, 2017, and the appeal taken by the New York State Division of Housing and Community Renewal having been perfected,

And intervenor-respondent having moved for dismissal 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 denied. Sua sponte, the perfected appeal taken by New York State Division of Housing and Community Renewal is adjourned to the March 2018 Term. The

perfected appeal is to be placed on the same day as the appeal taken by petitioner 160 East 84th Street Associates LLC if said appeal is perfected for the March 2018 Term pursuant to this Court's order entered December 7, 2017 (M-5638).

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 9, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Rosalyn H. Richter
Angela M. Mazzairelli
Richard T. Andrias
Ellen Gesmer, Justices.

-----X
Shadai Bellamy,

Plaintiff-Appellant,

-against-

TGI Friday's Inc.,

Defendant-Respondent.
-----X

M-5820
Index No. 161870/13

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 January 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 May 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 9, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Rosalyn H. Richter
Angela M. Mazzairelli
Richard T. Andrias
Ellen Gesmer, Justices.

-----X
Doron Avgush,

Plaintiff-Appellant,

-against-

M-5870
Index No. 20734/12E

Jerry Fontan, Inc., and Gerardo Fontan,

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 26, 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, with no further enlargements to be 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 9, 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-

Abram Ojofeitimi,
Defendant-Appellant.

M-5871
Ind. Nos. 1373/16
1375/16

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal taken from the judgments of the Supreme Court, New York County, both rendered on or about March 7, 2017, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of deeming the moving papers as 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.

Seymour W. James, Jr., Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTERED:

A handwritten signature in black ink, appearing to read "Seymour James, Jr.", written in a cursive style.

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 9, 2018.

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

-----X

In the Matters of
Gabrielle N. and Naomi N.,

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

Administration for Children's
Services, et al.,
Petitioners-Respondents.

CONFIDENTIAL

M-5892

Docket Nos. NN-3075-12
NN-21860-12

Jacqueline T. and Delroy N.,
Respondents-Appellants.

Seymour James, Jr., Esq.,
Attorney for the Children.

-----X

Respondent-Appellant Jacqueline T. having moved for an enlargement of time to perfect the appeal taken from a Permanency Hearing Order of the Family Court, Bronx County, entered on or about February 29, 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, with leave to seek further enlargements if necessary.

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 9, 2018.

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

-----X

The People of the State of New York,

Respondent,

-against-

M-5859
Ind. No. 2020/16

Lee Almonte,

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 July 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 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 9, 2018.

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

-----X
Vladimira Koch, a/k/a Vlad'ka Koch,
Michal Koch, her son, Europa Docu-Search,
Inc., Eurovid, Inc., Eurovid FKK, Helios
Natura, Europa Douc-Search, s.r.o.,
Eurovidfkk, s.r.o.,
Plaintiffs-Appellants,

-against-

Sheresky, Aronson & Mayefsky LLP, David
Aronson individually, Bragar, Wexler,
Eagel & Morgenstern, P.C., Raymond A.
Bragar individually, Ragues & Min, Esqs.,
Raymond Ragues individually, and
D'Agostino & Salvi, LLP, Frank J. Salvi
Individually,
Defendants-Respondents.

CONFIDENTIAL

M-5865

Index No. 112337/07

-----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 March 8, 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 September 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 9, 2018.

Present - Hon. David Friedman, Justice Presiding,
Judith J. Gische
Peter Tom
Marcy L. Kahn, Justices.

-----x
James P. McG.,
Plaintiff-Respondent,

-against-

Jodi A. McG.,
Defendant-Appellant.
-----x

CONFIDENTIAL

M-6252

Index No. 350117/12

An appeal having been taken to this Court from the amended judgment of divorce of the Supreme Court, New York County, entered on or about March 7, 2016, and said appeal having been perfected,

And plaintiff-respondent having moved for leave to strike the reply brief filed by defendant-appellant, and to be awarded counsel fees and costs,

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

It is ordered that the motion, to the extent it seeks to strike defendant-appellant's reply brief, is denied, without prejudice to addressing the issue upon oral argument, with costs to abide the event.

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 9, 2018.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Richard T. Andrias, Justices.

-----x
Ira S.,

Plaintiff-Appellant,

-against-

Janice S.,
Defendant-Respondent.

-----x

CONFIDENTIAL

M-6479

M-6480

Index No. 311503/07

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about October 7, 2016 and October 18, 2016, and said appeals having been perfected,

And defendant-respondent having moved for an extension of time to file a respondent's brief (M-6479),

And plaintiff-appellant having cross-moved for a preference in hearing of the appeal, and for an expedited decision with respect to said appeal (M-6480),

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 is granted to the extent of adjourning the perfected appeal to the April 2018 Term, with no further adjournments to be granted. The Clerk is directed to calendar the appeal for hearing in the first week of said 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 9, 2018.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Judith J. Gische
Peter Tom
Jeffrey K. Oing
Anil C. Singh, Justices.

-----X
Howard L. Grossman, on behalf of himself
and all others similarly situated,
Plaintiff-Appellant,

-against-

M-5610
Index No. 652402/15

Michael Akker, et al.,
Defendants-Respondents.

-----X

Defendants-respondents having moved for dismissal of the appeal taken from orders of the Supreme Court, New York County, entered on or about August 18, 2016, and August 30, 2016, for failure to timely perfect,

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

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

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 9, 2018.

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

-----X

Robert DePasca,

Plaintiff-Appellant,

-against-

M-6039
Index No. 302021/11

Anna DePasca,

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 June 26, 2015 and from a subsequent order, same court and Justice, entered on or about October 20, 2015,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the 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 9, 2018.

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

-----X

Evelyn Y. Pineda,

Plaintiff-Respondent,

-against-

M-6052
Index No. 306378/12

Brickyard Inc. and Jose R. Castellano,

Defendants-Appellants.

-----X

Defendant-appellant Brickyard Inc. 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 18, 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 9, 2018.

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

-----X

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

CONFIDENTIAL

M-6065

-----X

Kayo I,
Petitioner-Respondent,

-against-

Eddie W.,
Respondent-Appellant.

Eddie W.,
Petitioner-Appellant,

-against-

Kayo I.,
Respondent-Respondent.

-----X

Docket Nos. V-1887/08
V-1887-08/14B
V-1887-08/15C
V-1887-08/15D
V-1887/08/15E
V-1887/08/15F
V-22546-09/15B
V-22546-09/15C
V-22546-09/15D
V-22546-09/15E

Respondent-Petitioner-father 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 October 17 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 in which to perfect the appeal to the April 2018 Term.

ENTERED:


CLERK