

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 March 20, 2018.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
Ellen Gesmer
Cynthia S. Kern
Anil C. Singh
Peter H. Moulton, Justices.

-----X

Luigi Smajlaj,
Plaintiff-Respondent,

-against-

M-268
Index No. 307330/11

Prominent Assets, LLC, Parkoff
Management Co. and Parkoff Lenox
Realty, LLC, and Parkoff Operating
Corp.,
Defendants-Appellants.

-----X

Prominent Assets, LLC,
Third-Party Plaintiff-Appellant,

-against-

Third-Party
Index No. 83903/13

Quality Protection Services, Inc.,
Third-Party Defendant-Appellant.

-----X

Appeals having been taken from an order of the Supreme Court, Bronx County, entered on or about April 14, 2017,

And defendant/third-party plaintiff-appellant Prominent Assets, LLC and defendants-appellants New Park Management, sued herein as, Parkoff Management Co., Parkoff Lenox Realty LLC and Parkoff Operating Corp., having moved for an enlargement of time to perfect their 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 taken by defendant/third-party plaintiff-appellant to the September 2018 Term. Sua

sponte, the time for third-party defendant-appellant Quality Protection Services to perfect its appeal is likewise enlarged to the September 2018 Term. The Clerk of the Court is directed to calendar the appeals to be heard together on the same date for that Term, if they are so perfected.

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 March 20, 2018.

Present: Hon. Richard T. Andrias, Justice Presiding,
Ellen Gesmer
Cynthia S. Kern
Anil C. Singh
Peter H. Moulton, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-273

SCI No. 1668/09

Ricardo Scott,
Defendant-Appellant.

-----X

An order of this Court having been entered on December 12, 2017 (M-4125), denying respondent's motion to dismiss defendant's appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about July 29, 2009 and, sua sponte, granting defendant poor person relief and the assignment of counsel for purposes of prosecuting said appeal,

And respondent having renewed the motion to dismiss defendant's 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, defendant's time to perfect the appeal is enlarged 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 March 20, 2018.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
Ellen Gesmer
Cynthia S. Kern
Anil C. Singh
Peter H. Moulton, Justices.

-----X
Bofi Federal Bank, formerly known
as Bank of Internet,
Plaintiff-Respondent-Appellant,

-against-

Kim Davis,
Defendant-Respondent,

M-277
Index No. 850394/13

Board of Managers of Perla's
Puebla Condominium,
Defendant-Appellant-Respondent,

JPMorgan Chase Bank, N.A., et al.,
Defendants.

-----X

An appeal and cross appeal having been taken from an order of the Supreme Court, New York County, entered on or about February 9, 2017,

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

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the cross 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 March 20, 2018.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
Ellen Gesmer
Cynthia S. Kern
Anil C. Singh
Peter H. Moulton, Justices.

-----X
In the Matter of the Application of
Josefina Cruz,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78 M-297
of the Civil Practice Law and Rules, Index No. 101419/16

-against-

Gibrel Mustefa, et al.,
Respondents-Respondents.
-----X

Petitioner-appellant having moved for an enlargement of time in which to perfect the appeal taken from a judgment of the Supreme Court, New York County, entered on or about June 28, 2017,

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

It is ordered that the motion is granted to the extent of 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 March 20, 2018.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
Ellen Gesmer
Cynthia S. Kern
Anil C. Singh
Peter H. Moulton, Justices.

-----X
461 7th Avenue Market, Inc.,
Plaintiff-Respondent,

-against-

M-332
Index No. 650843/17

Delshah 461 Seventh Avenue, LLC,
Defendant-Appellant.
-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about April 12, 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 March 20, 2018.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
Ellen Gesmer
Cynthia S. Kern
Anil C. Singh
Peter H. Moulton, Justices.

-----X
Daniel Ewing,
Plaintiff-Respondent,

-against-

M-333
Index No. 23097/12E

Port Authority of New York and
New Jersey, 3 World Trade Center,
LLC and Tishman Construction
Corporation,
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 April 3, 2017,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the 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 March 20, 2018.

Present - Hon. Richard T. Andrias, Justice Presiding,
Ellen Gesmer
Cynthia S. Kern
Anil C. Singh
Peter H. Moulton, Justices.

-----x
Zumana Karamoko, an infant by his father
and natural guardian Lancine Karamoko
and Lancine Karamoko, individually,
Plaintiffs-Appellants,

-against-

City of New York
Defendant-Respondent.

M-388
Action No. 1
Index No. 350236/12

-----x
Zumana Karamoko,
Plaintiff-Appellant,

-against-

Police Officer Thomas Olson and Police
Officer Nelson DeLaRosa,
Defendants-Respondents.

Action No. 2
Index No. 300045/17

-----x
Appeals having been taken to this Court by plaintiffs in both actions from orders of the Supreme Court Bronx County, both of which were entered on or about December 27, 2017,

And plaintiffs having moved for consolidation of the aforesaid appeals,

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

It is ordered that the motion is granted to the extent of placing the appeals on the same day calendar.

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 March 20, 2018.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
Ellen Gesmer
Cynthia S. Kern
Anil C. Singh
Peter H. Moulton, Justices.

-----X
Edison Suarez,
Plaintiff-Respondent,

-against-

Dameco Industries, Inc.,
Defendant-Appellant,

33rd Street, LLC, Stone Oak, LLC,
4JS Lexington, LLC and PJW 33rd
Street, LLC,
Defendants.

M-430
Index No. 155169/15

-----X
33rd Street, LLC, Stone Oak, LLC,
4JS Lexington, LLC and PJW 33rd
Street, LLC,
Third-Party Plaintiffs,

-against-

Richmond Elevator Co., Inc.,
Third-Party Defendant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about April 24, 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 March 20, 2018.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
Ellen Gesmer
Cynthia S. Kern
Anil C. Singh
Peter H. Moulton, Justices.

-----X
Anonymous,
Plaintiff-Appellant,

-against-

M-477
Index No. 22499/12E

Mount Sinai Hospital,
Defendant-Respondent.

-----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 March 27, 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 March 20, 2018.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
Ellen Gesmer
Cynthia S. Kern
Anil C. Singh
Peter H. Moulton, Justices.

-----X
Trasey Barres,
Plaintiff-Appellant, M-6593
M-279
-against- Index No. 306865/09

Martina M. Crank and Philip J.
Crank,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for a further enlargement of time to perfect the appeal taken from a judgment of the Supreme Court, Bronx County, entered on or about June 14, 2016 (M-6593),

And defendants-respondents having cross-moved to stay the aforesaid appeal pending a determination that plaintiff's counsel is authorized to act on plaintiff's behalf, and for related relief (M-279),

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 enlarging the time to perfect the appeal to the September 2018 Term (M-6593). The cross motion for a stay and related relief is denied (M-279).

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 20, 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,

SEALED

M-301

-against-

SCI No. 1279/17

Ind. No. 1212/17

Count C.,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on July 17, 2017, inter alia, granting defendant poor person relief with respect to the appeal from the judgment, of the Supreme Court, Bronx County, rendered on or about July 17, 2017,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and which directed trial counsel to file a notice of appeal on defendant's behalf,

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

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

(M-301)

-2-

March 20, 2018

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 March 20, 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-294
Ind. No. 2119/15

Andres Delacruz also known as
Andre Delacruz,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on July 21, 2017, inter alia, granting defendant poor person relief with respect to the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about July 21, 2017,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and which directed trial counsel to file a notice of appeal on defendant's behalf,

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, 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 March 20, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Rosalyn H. Richter
Barbara R. Kapnick, Justices.

-----X
In the Matter of the Application of
Marie Addoo,
Petitioner-Appellant,

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

M-286
Index No. 101569/14

-against-

NYC Board of Education,
Respondent-Respondent.

-----X

Petitioner-appellant, pro se, having moved for a further enlargement of time to perfect the appeal from a judgment of the Supreme Court, New York County, entered on or about December 22, 2015,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the September 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 March 20, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Rosalyn H. Richter
Cynthia S. Kern, Justices.

-----X
106 Spring Street Owner LLC,
Plaintiff-Appellant,

-against-

Workspace, Inc., et al.,
Defendants-Respondents.
-----X

M-355
M-573

Index No. 657050/17

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about January 22, 2018, recalled and reissued on or about January 29, 2018,

And plaintiff-appellant having moved for a CPLR 5518 appellate injunction in the nature of Yellowstone relief and to enjoin the sale of a co-op unit and the distribution of the sale proceeds if it has already taken place by placing the proceeds in escrow; and for a preference in the determination of the appeal (M-355),

And defendants having cross-moved for an undertaking in the event that plaintiff's motion is granted (M-573),

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

It is ordered that plaintiff's motion is granted to the extent of issuing a Yellowstone injunction on the condition that appellant perfects its appeal for the September 2018 Term, and is otherwise denied (M-355). Defendants' cross motion is denied (M-573).

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 March 20, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Rosalyn H. Richter
Anil C. Singh, Justices.

-----X
U.S. Bank National Association, etc.,
Plaintiff-Appellant,

-against-

M-529
Index No. 651282/12

UBS Real Estate Securities Inc.,
Defendant-Respondent.
-----X

Plaintiff-appellant having moved for a further enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about July 28, 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 March 2019 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 March 20, 2018.

Present - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Marcy L. Kahn
Ellen Gesmer
Anil C. Singh, Justices.

-----X

New Cingular Wireless PCS, LLC,

Plaintiff-Respondent,

-against-

M-6764

Index No. 652926/15

West Investors LLC,

Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about April 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 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 March 20, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Marcy L. Kahn
Anil C. Singh
Peter H. Moulton, Justices.

-----X
Lisa H.,
Petitioner,

CONFIDENTIAL

M-192

-against-

Docket No. F-05260-07/16A

Reginald C.,
Respondent-Appellant.

-----X

Respondent-appellant, pro se, having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about October 31, 2017, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is denied in its entirety.

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 March 20, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Marcy L. Kahn
Anil C. Singh
Peter H. Moulton, 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-263

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

Jacqueline T., et al.,
Respondents-Appellants.

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

-----X

An appeal having been taken from an Order of Disposition of the Family Court, Bronx County, entered on or about July 1, 2014, bringing up for review a fact finding order entered on or about April 15, 2013, and said appeal having been perfected and heard (Appeal Nos. 902-903) [Appeal No. 1],

And an appeal having been taken from a Permanency Hearing Order of the Family Court, Bronx County, entered on or about February 24, 2016 [Appeal No. 2],

And respondent-appellant having moved for an enlargement of time to perfect [Appeal No. 2], pending hearing and determination of [Appeal No. 1],

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 [Appeal No. 2] to the September 2018 Term, with no further enlargements to be granted.

ENTERED:

A handwritten signature in black ink, appearing to read "Susan R.", 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 March 20, 2018.

Present: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Marcy L. Kahn
Anil C. Singh
Peter H. Moulton, Justices.

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

CONFIDENTIAL

M-314

Virgilio M.,
Petitioner-Appellant,

Docket Nos.
G-6891-2-14/14A
V-1643-4/14

-against-

Jasmin R.,
Respondent-Respondent.

Jaclyn Sherman, Esq.,
The Children's Law Center
Attorney for the Children.

-----X
An appeal having been taken to this Court by petitioner-appellant from an order of the Family Court, Bronx County, entered on or about February 8, 2017,

And petitioner-appellant having moved for leave to prosecute said appeal as a poor person, for the assignment of 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 denied, with leave to renew, upon submission of an affidavit indicating the sources of funds used to retain The Bozeman Law Firm PLLC (Vinita Ullal, Esq.), and why said funds are no longer available to prosecute the appeal.

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 March 20, 2018.

Present - Hon. David Friedman
 Judith J. Gische
 Angela M. Mazzarelli
 Cynthia S. Kern
 Anil C. Singh,
Justice Presiding,
Justices.

-----X

Vanessa Hackworth,

Plaintiff-Respondent,

-against-

M-6594

Index No. 152358/13

Brooks Range Contract Services,

Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about February 23, 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 March 20, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,
Judith J. Gische
Angela M. Mazzarelli
Cynthia S. Kern
Anil C. Singh, Justices.

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

-against-

Kaseem Wilson,
Defendant-Appellant.

M-6766
Ind. Nos. 622/16
2606/16

-----X

An order of this Court having been entered on November 14, 2017 (M-5324), inter alia, granting defendant's motion for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 14, 2017, under Indictment Nos. 2606/16 and 622/16, and assigning counsel therefor,

And defendant-appellant having moved for an order amending the notice of appeal and the aforementioned order of assignment to include an appeal from the judgment of **resentence**, rendered August 1, 2017 under Indictment No. 622/16, and deeming the notice of appeal from the judgment of **resentence** as timely filed,

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

It is ordered that said motion is granted to the extent of amending the aforementioned order of assignment to include an appeal from the judgment of **resentence**, same Court, rendered August 1, 2017, under Ind. No. 622/16, and deeming the notice of appeal from the judgment of **resentence** as timely filed, and extending the poor person relief previously granted to cover same.

It is further ordered that the time to perfect the appeal is enlarged 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 March 20, 2018.

Present - Hon. David Friedman, Justice Presiding,
Judith J. Gische
Angela M. Mazzarelli
Cynthia S. Kern
Anil C. Singh, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-6768
Ind. No. 4069/07

Willie Harris,

Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, New York County, rendered on or about July 21, 2008,

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 March 20, 2018.

Present - Hon. David Friedman, Justice Presiding,
Peter Tom
Angela M. Mazzairelli
Anil C. Singh, Justices.

-----X
April McCormick,

Plaintiff-Appellant,

-against-

City of New York and Serafina Reda,
Defendants-Respondents.

-----X

M-171
Index No. 306837/13

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 April 26, 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 March 20, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Peter Tom
Angela M. Mazzarelli
Jeffrey K. Oing, Justices.

-----X
George Evans,
Plaintiff-Respondent,

-against-

Maria Gomes Oliveira,
Defendant-Appellant.
-----X

Confidential
M-587
Index No. 313339/07

Defendant-appellant, having moved for an enlargement of time to perfect her 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 March 20, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Sallie Manzanet-Daniels
Judith J. Gische
Marcy L. Kahn
Jeffrey K. Oing, Justices.

-----X
Joshua Rizack, Plan Administrator of the
Post Confirmation Estate of West End
Financial Advisors LLC, as Assignee,

Plaintiff-Appellant,

M-169

Index No. 653920/14

-against-

Signature Bank, N.A.,

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 April 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 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 March 20, 2018.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-110
Ind. No. 4000/08

Maurice Parks,
Defendant-Appellant.

-----X

Defendant having renewed his motion for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about June 23, 2009, 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 March 20, 2018.

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

-----X
State Farm Mutual Automobile Insurance
Company, et al.,
Plaintiffs-Respondents,

M-244
Index No. 153079/15

-against-

Stracar Medical Services, P.C.,
Defendant-Appellant.
-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about March 7, 2017,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the 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 March 20, 2018.

Present: Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Marcy L. Kahn
Cynthia S. Kern, Justices.

-----X
Ricky Zegelstein, M.D., Custom Anesthesia Services, P.C., and Innovative Anesthesia Solutions, P.C.,

Plaintiffs-Appellants,

M-6223

M-6748

-against-

Index No. 651198/14

Michael J. Faust, M.D., et al.,

Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 12, 2017,

And plaintiffs-appellants having moved for an enlargement of time to perfect their appeal (M-6223),

And defendant-respondent Michael J. Faust, M.D., having cross-moved to dismiss the appeal, and to impose sanctions upon plaintiffs (M-6748),

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 plaintiffs' motion is granted to the extent of enlarging the time to perfect the appeal to the September 2018 Term (M-6223). Defendant's cross motion is denied in its entirety, without prejudice to raising the arguments advanced in his moving papers directly on appeal. Sua sponte, defendant is granted leave to attach the opinion

and order of the U.S. District Court, Southern District
(Zegelstein v Chaudhry 16-civ-3090 [KBF]), dated October 17,
2017, as an addendum to his respondent's brief, along with
a copy of this order (M-6748).

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 March 20, 2018.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Richard T. Andrias
Barbara R. Kapnick
Ellen Gesmer
Peter H. Moulton, Justices.

-----X

Gennaro DeStefano and Joseph DeStefano,
as Administrators of the Estate of
Maryanne Toto,
Plaintiffs-Appellants,

-against-

M-6752
M-204
Index No. 112992/07

Columbia Presbyterian Medical Center,
Staten Island University Hospital and
Clove Lakes Health & Rehabilitation
Center, Inc.

Defendants-Respondents.

-----X

Defendants-respondents having moved to dismiss the appeal taken from the order of the Supreme Court, New York County, entered on or about December 19, 2016 (M-6752),

And plaintiff-appellant Joseph DeStefano, pro se, having cross-moved for an enlargement of time to perfect the appeal and for other relief (M-204),

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

It is ordered that the motion to dismiss the appeal is granted unless it is perfected for the September 2018 Term (M-6751), and

It is further ordered that the cross motion is granted to the extent of enlarging the time to perfect the appeal to the September 2018 Term, and is otherwise 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 March 20, 2018.

Present: Hon. Sallie Manzanet-Daniels, Justice Presiding,
Judith J. Gische
Peter Tom
Ellen Gesmer
Anil C. Singh, Justices.

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

-against- **M-6571**
Ind. No. 2654/14

Lewys Lugo,
Defendant-Appellant.
-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about May 26, 2015,

And assigned counsel, Seymour W. James, Jr., Esq.,
The Legal Aid Society, having moved to dismiss the aforesaid
appeal as moot,

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

It is ordered that the motion is granted to the extent of
deeming the appeal withdrawn.

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 March 20, 2018.

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

-----X
In the Matter of

Sebastian L.,

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

CONFIDENTIAL

M-6770

Docket No. NA-33195/17

- - - - -
Commissioner of Social Services
of the City of New York,
Petitioner-Appellant,

Jill L. and John L.,
Respondents-Respondents.

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

-----X

An appeal having been taken by petitioner agency from an order of the Family Court, Bronx County, entered on or about December 22, 2017,

And petitioner-appellant agency having moved for an order, pursuant to FCA 1027, directing the removal and remand of the subject child, staying that part of the order being appealed that denied petitioner's application for a remand and directed the child's release to respondent father, and granting leave to re-open the FCA 1027 hearing to allow the introduction of testimony that had been precluded by Family Court.

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

Ordered that the motion 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 March 20, 2018.

Present: Hon. Richard T. Andrias, Justice Presiding,
Barbara R. Kapnick
Ellen Gesmer
Peter H. Moulton, Justices.

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

Respondent,

-against-

M-21

Ind. No. 1608/16

Jose Nieves,

Defendant-Appellant.
-----X

Defendant having moved for an enlargement of time to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about April 24, 2017,

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

It is ordered that the motion is granted to the extent of deeming the notice of appeal timely filed.

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 March 20, 2018.

Present: Hon. Richard T. Andrias, Justice Presiding,
Barbara R. Kapnick
Ellen Gesmer
Peter H. Moulton, Justices.

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

Respondent,

-against-

M-144

Ind. No. 1380/15

Carrisma Blyden,

Defendant-Appellant.
-----X

Defendant having moved for an enlargement of time to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about July 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 deeming the moving papers a timely filed notice of appeal.

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 March 20, 2018.

Present: Hon. Richard T. Andrias, Justice Presiding,
Ellen Gesmer
Cynthia S. Kern
Anil C. Singh
Peter H. Moulton, Justices.

-----X
Uni-rty Corporation and Golden
Plaza Limited Partnership,
Petitioners-Appellants,

-against-

New York Guangdong Finance, Inc.,
et al.,
Respondents-Respondents,

Sheriff of New York County,
Additional Respondent.

-----X

M-155
M-322
Index No. 157621/12

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

And petitioners-appellants having moved for an enlargement of time to perfect their appeal (M-155),

And additional respondent, Sheriff of New York County, having cross-moved to dismiss the aforesaid appeal (M-322),

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 petitioners' motion is granted to the extent of enlarging the time to perfect the appeal to on or before July 9, 2018 for the September 2018 Term (M-155). The cross motion to dismiss the appeal is granted unless petitioners perfect the appeal for said September 2018 Term (M-322).

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,

Respondent

-against-

Anthony Hill

Defendant.
-----X

Confidential
M-6743
Ind. No.
1694/2001
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 October 31, 2017, is hereby denied.



Hon. Anil C. Singh
Associate Justice

Dated: February 20, 2018
New York, New York

ENTERED: MAR 20 2018