

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 10, 2018.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,  
Richard T. Andrias  
Troy K. Webber  
Ellen Gesmer  
Peter H. Moulton, Justices.

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

-against-

M-1862  
Ind. No. 1879/10

Darrell Joe,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for an extension of time to file a pro se supplemental brief in connection with an appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about September 22, 2014,

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

It is ordered that the motion is granted to the extent of deeming the pro se supplemental brief annexed to the moving papers as timely filed for the October 2018 Term of this Court, 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 May 10, 2018.

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

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

Frank Enrique S., Jr.,  
Gabrielle G., and  
Michael G.,

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

**CONFIDENTIAL**

**M-1144**

- - - - -  
Catholic Guardian Society & Home Bureau,  
now known as Catholic Guardian Services,  
et al.,  
Petitioners,

Docket Nos. B-18651/13  
B-46584/16  
B-46585/16

Karina F.,  
Respondent,

Mike G.,  
Respondent.

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

-----X

An order of this Court having been entered on February 13, 2018 (M-5739, M-5740 and M-5937), inter alia, dismissing the appeals separately taken by the above-named respondents as to the child Frank Enrique S.,

And said respondents having moved, inter alia, for reconsideration of the aforesaid order of this Court, entered on February 13, 2018, and for the reinstatement of their appeals, for visitation rights with the subject children, and 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.

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 May 10, 2018.

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

-----X  
16 West 12 Holdings, LLC,  
Plaintiff-Appellant,

-against-

M-1562X  
Index No. 650131/16

Robert Couturier,  
Defendant-Respondent.

-----X

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

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" March 13, 2018, and due deliberation having been had thereon,

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

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 10, 2018.

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

-----X  
57th Eatery, Inc., et al.,  
Plaintiffs-Respondents,

-against-

M-1563X  
Index No. 652892/16

57 & 7th Associates LP, et al.,  
Defendants-Appellants.  
-----X

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

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" March 15, 2018, 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 May 10, 2018.

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

-----X  
Slated TP, LLC,  
Plaintiff-Respondent,

-against-

M-1671  
Index No. 650029/13

The Independent Film Development  
Group, et al.,  
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about October 16, 2017,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" March 23, 2018, and due deliberation having been had thereon,

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

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 10, 2018.

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

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

- - - - -  
Rosaura C.,  
Petitioner-Appellant,  
  
-against-

**CONFIDENTIAL**  
**M-1326**  
Docket Nos. V-26399/16  
V-32288/16

Mark C.,  
Respondent-Respondent.  
- - - - -

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

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, Bronx County, entered on or about January 19, 2018, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Steven N. Feinman, Esq., One North Broadway, Suite #412, White Plains, NY 10601, Telephone No. (914) 949-8214, as counsel for purposes of prosecuting the appeal;

(2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor<sup>1</sup> **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:

  
CLERK

---

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



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 10, 2018.

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

-----X  
In the Matter of

Carol Colin G. G.,  
and Dashanti Renyae G.,

Children Under the Age of 21 Years  
Pursuant to Proceedings for the  
Appointment of Kinship Guardian  
Under §661 of the Family Court Act.

- - - - -

Jazmine D.,  
Petitioner-Respondent,

Administration for Children's  
Services,  
Respondent-Respondent,

Alicia G.,  
Respondent-Appellant.

- - - - -

Larry S. Bachner, Esq.,  
Attorney for the Child  
Carol Colin G. G.,

Lewis S. Calderon, Esq.,  
Attorney for the Child  
Dashanti Renyae G.

-----X

**CONFIDENTIAL**  
**M-1788**

Docket Nos. G-48706/16  
G-48707/16

Petitioner-respondent, Jazmine D., having moved for leave to respond, as a poor person, to the appeal taken from orders of the Family Court, New York County, both entered on or about June 14, 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 granted to the extent of (1) assigning, pursuant to §1120 of the Family Court Act, Kenneth M. Tuccillo, Esq., 591 Warburton Ave., #576, Hastings on Hudson, NY 10701, Telephone No. (914) 439-4843, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for respondent-appellant and 8 copies thereof are filed with this Court. The perfected appeal is adjourned 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 May 10, 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-1581  
Ind. No. 3029/15

Justin Bruno,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about June 6, 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.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 10, 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-1583  
Ind. Nos. 3368/16  
2515/16

Jaime Castano,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about June 2, 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.

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:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 10, 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-1584  
Ind. No. 196/17

Nelson Jacquez,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about February 21, 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, 28<sup>th</sup> Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:



A handwritten signature in black ink, appearing to read "Susan R. Jones", is written over a horizontal line. Below the line, the word "CLERK" is printed in a simple, sans-serif font.

CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 10, 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-1588  
Ind. No. 5368/15

Farhan Khan,  
Defendant-Appellant.

-----X

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

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 10, 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-1589  
Ind. No. 3299/16

Ersel Lee,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about June 15, 2017, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28<sup>th</sup> Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 10, 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-1590  
Ind. No. 660/17

Markee Moore,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about May 23, 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.

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:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 10, 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-1591

-against-

Ind. Nos. 3492/16  
3242/16

Jared S.,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about June 7, 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.

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:

  
CLERK



CORRECTED ORDER - SEPTEMBER 10, 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 May 10, 2018.

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

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

-against-

M-1594  
Ind. No. 682/16

John Sime Torres,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, **Bronx** County, rendered on or about July 5, 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.

(M-1594)

-2-

May 10, 2018

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 May 10, 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-1586  
Ind. No. 3084/15

Habib Jalloh,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about April 25, 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.

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:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 10, 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-1587  
Ind. No. 3007/14

Dionny Joaquin,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about June 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, 28<sup>th</sup> Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 10, 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-1592  
Ind. No. 2699/14

Lorenzo Shoy,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about August 2, 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, 28<sup>th</sup> 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 May 10, 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-

Tuaron Smith,  
Defendant-Appellant.

M-1593  
Ind. Nos. 3802/16  
1875/16  
3177/15

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about June 1, 2017, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 10, 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-1595  
Ind. No. 2663/11

Gabriel Vasquez,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about May 4, 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, 28<sup>th</sup> Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 10, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
Sallie Manzanet-Daniels  
Peter Tom  
Jeffrey K. Oing  
Anil C. Singh, Justices.

-----X  
SPT Realty, LLC,  
Plaintiff-Respondent,

-against-

M-1222  
Index No. 24185/15E

Banner Realty Company, LLC, Jay Katz,  
& Susan Saunders Katz,  
Defendants-Appellants.

-----X

Appeals having been taken from an order of the Supreme Court, Bronx County, entered on or about February 2, 2017, and from an order of the same Court and Justice, entered on or about February 5, 2018,

And defendants-appellants having moved to consolidate the aforesaid appeals and for an enlargement of time to perfect same,

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

It is ordered that the motion is granted to the extent of permitting appellants to prosecute the consolidated appeals upon 9 copies of one record and one set of appellant points covering the consolidated appeals. The attention of the parties is directed to 22 NYCRR § 600.11. The time to perfect the consolidated appeals 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 May 10, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
Sallie Manzanet-Daniels  
Peter Tom  
Jeffrey K. Oing  
Anil C. Singh, Justices.

-----X  
HSBC Bank USA, et al.,  
Plaintiffs-Respondents,

-against-

Betty Lugo,  
Defendant-Appellant,

M-1388  
Index No. 381904/09

-and-

New Century Mortgage Corporation,  
et al.,  
Defendants.

-----X

Defendant-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 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 May 10, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Cynthia S. Kern  
Anil C. Singh, Justices.

-----x  
Andrew Sussman,

Plaintiff-Respondent,

-against-

MK LCP Rye LLC, et al.,

Defendants-Appellants.  
-----x

**CONFIDENTIAL**

M-1568

Index No. 156066/14E

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about July 25, 2017, and said appeal having been perfected,

And defendants-appellants having moved for a stay of all proceedings, including trial, pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is granted, to the extent that the trial is stayed pending determination of the appeal. The scheduled appearance for an Early Settlement Conference on May 18, 2018 is, however, not subject to the stay.

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 May 10, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
Peter Tom  
Jeffrey K. Oing,  
Peter H. Moulton, Justices.

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

-against-

M-878  
Ind. No. 2020/16

Lee Almonte,  
Defendant-Appellant.

-----X

Defendant having moved, through privately retained counsel, Steven Hoffner, Esq., for limited poor person relief as to the preparation of the record on appeal so as not to require the printing of multiple copies of said record, in the prosecution of the appeal 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 permitting the appeal to be perfected without filing multiple copies of the record. Further, defendant's time to perfect the within appeal is enlarged to the October 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 May 10, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
Peter Tom  
Jeffrey K. Oing  
Peter H. Moulton, Justices.

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

-against-

M-968  
Ind. No. 1118/16

Andrew Kuforiji,  
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 June 1, 2017, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied, with leave to renew, upon defendant's submission of a detailed notarized affidavit setting forth his indigency, in compliance with CPLR 1101, including the amount and sources of funds used to retain trial counsel, and to post the \$3,500 bail in the Supreme Court, the disposition thereof, and an explanation as to why similar funds are not available to prosecute this 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 May 10, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
Peter Tom  
Jeffrey K. Oing  
Peter H. Moulton, Justices.

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

-against-

M-983  
Ind. No. 1890/15

Felix Santos,  
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 June 6, 2017, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied, with leave to renew, upon defendant's submission of a detailed notarized affidavit setting forth his indigency, pursuant to CPLR 1101, including the amount and sources of funds used to retain trial counsel, and to post the \$150,000 bail in the Supreme Court, the disposition thereof, and an explanation as to why similar funds are not available to prosecute this 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 May 10, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
Peter Tom  
Jeffrey K. Oing  
Peter H. Moulton, Justices.

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

-against-

M-1019  
Ind. No. 4967/14

Timothy Montalvo,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about August 18, 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 notice of appeal as timely filed and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28<sup>th</sup> Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 10, 2018.

Present: Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
Ellen Gesmer  
Cynthia S. Kern  
Anil C. Singh, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

**M-946**

Ind. No. 2726/16

Israel Velez,

Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to file an untimely notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about April 25, 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 May 10, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rosalyn H. Richter  
Richard T. Andrias  
Barbara R. Kapnick  
Troy K. Webber, Justices.

-----x

In the Matter of the Arbitration  
Between:

MyPart Software Ltd.,  
Petitioner-Appellant,

M-1245  
Index No. 650350/17

-against-

Fluent Trade Technologies Ltd. S.A.R.L.,  
et al.,  
Respondents-Respondents.

-----x

An appeal having been taken to this Court from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about April 18, 2017,

And petitioner-appellant 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 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 May 10, 2018.

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

-----x

Norma Douglas,  
Plaintiff-Respondent,

-against-

M-1701

Index No. 302851/08

Sherwood 48 Associates, a limited  
partnership, et al.,  
Defendants-Appellants.

- - - - -

Belcor Builders, Inc.,  
Third-Party Plaintiff-Appellant,

-against-

Index No. 84047/08

Rite-Way Internal Removal, Inc.,  
Third-Party Defendant-Respondent,

CMK Contracting, Inc.,  
Third-Party Defendant.

-----x

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

And defendant/third-party plaintiff-appellants having moved for a stay of trial, including jury selection, pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is denied.

ENTERED:

  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 10, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Angela M. Mazzarelli  
Marcy L. Kahn  
Ellen Gesmer, Justices.

-----X  
JPMorgan Chase,  
Plaintiff-Respondent,

M-1155  
Index No. 850171/13

-against-

Lynn D. Salvage, also known as  
Lynn Salvage, et al.,  
Defendants-Appellants,

-----X

Defendants-appellants having moved for a further enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about March 10, 2017,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the October 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 May 10, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Angela M. Mazzarelli  
Marcy L. Kahn  
Ellen Gesmer, Justices.

-----X  
First American International Bank,  
Plaintiff-Respondent,

-against-

M-1393  
Index No. 154577/12

Koon Young Chong,  
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 July 10, 2017,

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

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

ENTER:

  
\_\_\_\_\_  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 10, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,  
Rosalyn H. Richter  
Richard T. Andrias  
Troy K. Webber  
Peter H. Moulton, Justices.

-----X  
Mauray Realty Co. and Mauray Realty  
USA, LLC,  
Plaintiffs-Respondents-Appellants,

-against-

M-1122  
Index No. 406619/07

Advantage Plastics, Inc.,  
Defendant-Appellant-Respondent.  
-----X

An appeal and cross appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about April 20, 2017,

And plaintiffs-respondents-appellants having moved for an enlargement of time to perfect their cross appeal taken from the same aforementioned 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 both the appeal and 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 May 10, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Rosalyn H. Richter  
Richard T. Andrias  
Troy K. Webber  
Peter H. Moulton, Justices.

-----X  
In the Matter of

Moriba K.,  
Makoya K.,  
Mariama K.,  
Fanta K.,  
and Sadik K.,

**CONFIDENTIAL**

M-1211  
Docket No.  
NA-28380-84/15

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

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

Djiba K.,  
Respondent-Appellant.

-----  
Stacy-Ann Suckoo, Esq.,  
Attorney for the Children.

-----X  
Respondent-appellant having moved for an enlargement of time to perfect the appeal taken from the Order of Fact-Finding and the Order of Disposition of the Family Court, Bronx County, entered on or about March 23, 2017 and March 28, 2017, respectively,

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

(M-1211)

-2-

May 10, 2018

Ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the June 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 May 10, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Rosalyn H. Richter  
Richard T. Andrias  
Troy K. Webber  
Peter H. Moulton, Justices.

-----X  
Antonio Albericci,  
Plaintiff-Respondent,

-against-

M-1225  
Index No. 23768/13E

The Port Authority of New York  
and New Jersey, 1 World Trade  
Center, LLC and Tishman Construction  
Corporation,  
Defendants-Appellants.


-----X

Defendants-appellants having moved for a further enlargement of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about March 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 October 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 May 10, 2018.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,  
Rosalyn H. Richter  
Richard T. Andrias  
Troy K. Webber  
Peter H. Moulton, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

**M-1242**

Ind. No. 470/16

Shashonda Cunningham,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, an appeal taken from the judgment of the Supreme Court, New York County, rendered on or about February 16, 2017, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied, with leave to renew, upon defendant's submission of a detailed notarized affidavit setting forth his indigency, pursuant to CPLR 1101(a), including facts sufficient to establish that defendant has no funds or assets with which to prosecute the appeal, and the amount and sources of his income and listing his property with its value. (The application shall include an affidavit listing the source[s] of all funds utilized by defendant.)

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 May 10, 2018.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,  
Rosalyn H. Richter  
Richard T. Andrias  
Troy K. Webber  
Peter H. Moulton, Justices.

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

Chiffon Fitzpatrick,  
Petitioner-Appellant,

**M-1383**  
Index No. 100273/17

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

-against-

East River Landing 1199 Housing Corp.,  
Respondent-Respondent.

-----X

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

And petitioner having moved to stay eviction pursuant to the aforesaid order pending hearing and determination of the appeal,

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

It is ordered that the motion is denied.

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 May 10, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,  
Richard T. Andrias  
Troy K. Webber  
Peter H. Moulton, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

**M-1179**

Ind. No. 4817/16

Antoine Anthony,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about May 30, 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 as 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 May 10, 2018.

Present: Hon. Dianne T. Renwick, Justice Presiding,  
Richard T. Andrias  
Marcy L. Kahn  
Ellen Gesmer  
Cynthia S. Kern, Justices.

-----X  
Citimortgage, Inc.,  
Plaintiff-Appellant,

**M-915**  
Index No. 35044/14E

-against-

Robert J. Hibbert, et al.,  
Defendants-Respondents,

-and-

Robert Doar, etc., et al.  
Defendants.

-----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 December 21, 2016,

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

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 10, 2018.

Present - Hon. Dianne T. Renwick, Justice Presiding,  
Richard T. Andrias  
Marcy L. Kahn  
Ellen Gesmer  
Cynthia S. Kern, Justices.

-----X

Paul Schwenger,

Plaintiff-Appellant,

**M-1046**

Index No. 114525/03

-against-

New York University,

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 May 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 May 10, 2018.

Present: Hon. Dianne T. Renwick, Justice Presiding,  
Richard T. Andrias  
Marcy L. Kahn  
Ellen Gesmer  
Cynthia S. Kern, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

**M-1103**

Ind. No. 839/15

Edward Pulley,  
Defendant-Appellant.

-----X

An order of this Court having been entered on February 7, 2017 (M-5470), inter alia, assigning Rosemary Herbert, Esq., predecessor counsel to Christina Swarns, Esq., Office of the Appellate Defender, as counsel to prosecute defendant's appeal taken from a judgment of the Supreme Court, New York County, rendered on or about November 2, 2015,

And assigned counsel having moved for an order abating the appeal by reason of appellant's death, remanding the matter to the trial court to vacate the judgment of conviction, and dismissing the indictment,

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 remanding the matter to the Supreme Court, New York County, to vacate the judgment of conviction and dismiss the indictment by reason of defendant's death on May 22, 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 May 10, 2018.

Present: Hon. Dianne T. Renwick, Justice Presiding,  
Angela M. Mazzarelli  
Marcy L. Kahn  
Ellen Gesmer  
Cynthia S. Kern, Justices.

-----X  
Gjovan Rroku,

Plaintiff-Respondent,

-against-

West RAC Contracting Corp.,  
and Polytechnic Preparatory Country  
Day School,

Defendants-Appellants.  
-----X

**M-1226**  
Index No. 300351/15

Defendants-appellants having moved for a stay of trial pending determination of the appeal taken from an order of the Supreme Court, Bronx County, entered on or about August 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.

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 May 10, 2018.

Present - Hon. Rosalyn H. Richter, Justice Presiding,  
Sallie Manzanet-Daniels  
Troy K. Webber  
Jeffrey K. Oing  
Peter H. Moulton, Justices.

-----x  
Andrew Poma,

Petitioner-Respondent,

-against-

M-1763  
Index No. 650823/17

Adem Arici,

Respondent-Appellant.  
-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about August 18, 2017, and said appeal having been perfected,

And petitioner-respondent having moved for an order that this Court take judicial notice of certain documents attached to the motion solely in support of this motion, and for dismissal of the appeal,

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

It is ordered that the motion is granted only to the extent of taking judicial notice of the documents in question solely for the purposes of this motion, said documents do not become part of the record on appeal. The motion to the extent it seeks dismissal of the appeal is denied.

ENTERED:

  
\_\_\_\_\_  
CLERK

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

BEFORE: Hon. Ellen Gesmer  
Justice of the Appellate Division

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

M-1420  
Ind. No. 3266/11

-against-

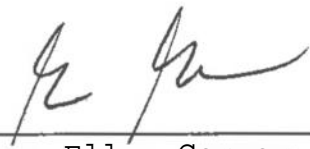
CERTIFICATE  
DENYING LEAVE

Steven Carter,

Defendant.

-----X

I, Ellen Gesmer, a Justice of the Appellate Division, First  
Judicial Department, certify that the application of the above-  
named defendant for a certificate pursuant to Criminal Procedure  
Law sections 450.15 and 460.15 fails to present any question of  
law or fact 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, dated October 30,  
2017 is denied.

  
\_\_\_\_\_  
Hon. Ellen Gesmer  
Associate Justice

Dated: April 18, 2018  
New York, New York

ENTERED:

**ISSTIEI**

MAY 10 2018



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

The People of the State of New York,

M - 1161  
Ind. No. 9333/97

-against-

Victor Feliciano,

CERTIFICATE  
DENYING LEAVE

Defendant.

-----X

I, Cynthia S. Kern, 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, section 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 (Arlene D. Goldberg, J.), dated September 14, 2017, is hereby denied.

Dated: April 17, 2018  
New York, New York

*CSK*

Hon. Cynthia S. Kern  
Associate Justice

11 ENTERED

HAY 10 2018

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

BEFORE: Hon. DAVID FRIEDMAN  
Justice of the Appellate Division

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

M-1648  
Ind. No. 572/75

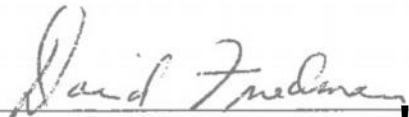
-against-

CERTIFICATE  
DENYING LEAVE

Anthony Ricco a/k/a Anthony Viserto,  
Defendant.  
-----X

I, DAVID FRIEDMAN, 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, section 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, Bronx County, entered  
on or about February 13, 2018, is hereby denied.

Dated: New York, New York  
April 13, 2018

  
-----  
-DAVID FRIEDMAN  
Justice of the Appellate Division

aiiM 1. WAV 1 0 2018  
WJ

J

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

BEFORE: Hon. Peter H. Moulton  
Justice of the Appellate Division

-----X

The People of the State of New York,

M-973  
Ind. No. 5544/87


-against-

ORDER DENYING LEAVE  
UPON REARGUMENT

Kevin Clark,  
Defendant.

-----X

I, Peter H. Moulton, a Justice of the Appellate Division, First Judicial Department, certify that, upon application made by the above-named defendant for reargument of the order of a Justice of this Court (M-4753), issued on October 24, 2017 which denied defendant's motion for a certificate pursuant to Criminal Procedure Law, section 460.15, and no question of law or fact having been misapprehended -or overlooked, defendant's application for reargument is denied and the order denying leave to appeal to this Court from the order of the Supreme Court, Bronx County, entered on or about July 21, 2017 is adhered to.

  
\_\_\_\_\_  
Hon. Peter H. Moulton  
Associate Justice

Dated: April 24, 2018  
New York, New York

ENTERED

**SIEBTERED**

HAV 1 0 2018