

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 June 4, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,  
Sallie Manzanet-Daniels  
Ellen Gesmer  
Cynthia S. Kern  
Anil C. Singh, Justices.

-----x  
Spectrum Stamford, LLC,

Plaintiff-Respondent,

-against-

M-2359  
Index No. 650635/18

400 Atlantic Title, LLC,

Defendant-Appellant.  
-----x

Defendant-appellant having moved for a stay of the order of the Supreme Court, New York County, entered on or about April 29, 2019, pending hearing and determination of the appeal taken therefrom,

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

It is ordered that the motion is denied, and the interim relief granted by an order of a Justice of this Court, dated May 6, 2019, is vacated.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 4, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,  
Sallie Manzanet-Daniels  
Ellen Gesmer  
Cynthia S. Kern  
Anil C. Singh, Justices.

-----X  
The People of the State of New York  
ex rel. Diane Word,

Petitioner,

-against-

M-2130  
Ind. No. 12241/92

State of New York, Department of  
Corrections and Community Supervision,

Respondent.  
-----X

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

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

It is ordered that the motion 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 June 4, 2019.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,  
Peter Tom  
Anil C. Singh  
Peter H. Moulton, Justices.

-----X

Mario Suarez, et al.,  
Plaintiffs-Respondents-Appellants,

-against-

M-1266

Index No. 160035/15

Four Thirty Realty LLC, et al.,  
Defendants-Appellants-Respondents.

-----X

Defendants-appellants-respondents having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on February 21, 2019 (Appeal No. 8455),

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 June 4, 2019.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,  
Rosalyn H. Richter  
Peter Tom  
Marcy L. Kahn  
Peter H. Moulton, Justices.

-----X  
Eurotech Construction Corp.,  
Plaintiff-Appellant,

-against-

M-1748  
Index No. 157598/16

Fischetti & Pesce, LLP,  
Defendant-Respondent.

-----X

Plaintiff-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court, entered on February 26, 2019 (Appeal No. 8521),

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 June 4, 2019.

Present - Hon. Rosalyn H. Richter, Justice Presiding,  
Sallie Manzanet-Daniels  
Marcy L. Kahn  
Ellen Gesmer  
Jeffrey K. Oing, Justices.

-----x

Harvey Gladstein,  
Plaintiff-Respondent-Appellant,

-against-

M-1620  
M-1625  
Index No. 152121/15

Thomas F. Keane and Susan Keane,  
Defendants-Appellants-Respondents.

-----x

Defendants-appellants having moved for an enlargement of time to perfect their appeals taken from a judgment of the Supreme Court, New York County, entered on or about May 24, 2018, and two orders of the same Court, both entered on or about October 10, 2018, (M-1620)

And plaintiff-respondent having cross-moved for an enlargement of time to perfect his appeals taken from the order of the Supreme Court, New York County, entered on or about October 10, 2018, and the aforementioned judgment of the Supreme Court, New York County, entered on or about May 24, 2018, (M-1625),

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 by defendants-appellants (M-1620) is deemed one seeking vacatur of the automatic dismissal of the appeal taken from the judgment entered on or about May 24, 2018 and, as such, is granted, the appeal from said judgment is reinstated, and the time to perfect all three appeals is enlarged to the October 2019 Term (see, 22 NYCRR 1250.10), and

It is further ordered that the cross motion by plaintiff-respondent (M-1625) is likewise deemed one seeking vacatur of the automatic dismissal of the cross appeal taken from the judgment entered on or about May 24, 2018 and, as such, is granted, the cross appeal is reinstated, and the time to perfect both cross appeals is enlarged to the October 2019 Term (see, 22 NYCRR 1250.10).

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 June 4, 2019.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,  
Sallie Manzanet-Daniels  
Marcy L. Kahn  
Ellen Gesmer  
Jeffrey K. Oing, Justices.

-----X  
The Bank of New York Mellon,  
Plaintiff-Appellant,

-against-

Beatrice Raulston, M-1195  
Defendant-Respondent, Index No. 381279/12

The City of New York, acting by and through  
The Department of Housing Preservation and  
Development, Board of Managers of Faile  
Street Housing Development Fund Corporation  
Condominium, Doe also known as S. Corban,  
Doe also known as Joseph Hall, Doe also  
known as Letitia Hall,  
Defendants.

-----X

Plaintiff-appellant having moved to vacate the automatic dismissal of its appeal and, upon reinstatement, for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about December 15, 2017,

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

It is ordered that the motion is granted to the extent of vacating the dismissal of the appeal and, upon reinstatement, enlarging the time to perfect the appeal to the October 2019 Term (see, 22 NYCRR 1250.10).

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 June 4, 2019.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,  
Sallie Manzanet-Daniels  
Barbara R. Kapnick  
Ellen Gesmer  
Jeffrey K. Oing, Justices.

-----X  
In re Suncica Reljic, et al.,  
Petitioners-Appellants,

-against-

Tullett Prebon Financial Services, LLC, M-1048  
Respondent-Respondent. Index No. 650092/17

- - - - -

In re Tullett Prebon Americas Corp., et al.,  
Counterclaim Petitioners-Respondents,

-against-

Suncica Reljic, et al.,  
Counterclaim Respondents-Appellants.  
-----X

Petitioner/counterclaim respondents-appellants having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on February 19, 2019 (Appeal No. 8436),

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 June 4, 2019.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,  
Sallie Manzanet-Daniels  
Barbara R. Kapnick  
Cynthia S. Kern  
Peter H. Moulton, Justices.

-----X  
Walter Vargas,  
Plaintiff-Appellant,

-against-

The City of New York,  
Defendant-Respondent.

M-1325  
Index No. 150556/11

- - - - -  
The Legal Aid Society, Bronx Defenders,  
Brooklyn Defender Services, Community  
Service Society of New York, Center on  
the Administration of Criminal Law at  
New York University School of Law,  
Center on Race, Law and Justice at  
Fordham University Law School, Katal  
Center for Health, Equity, and Justice,  
and Brooklyn Community Bail Fund,  
Amici Curiae.

-----X

Plaintiff-appellant having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on January 22, 2019 (Appeal No. 7392),

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 June 4, 2019.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,  
Sallie Manzanet-Daniels  
Peter Tom  
Marcy L. Kahn  
Anil C. Singh, Justices.

-----X  
Juan Vargas,  
Plaintiff-Respondent,

-against-

M-1184  
Index No. 302647/16

Deutsche Bank National Trust Company,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on January 31, 2019 (Appeal No. 8276),

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 June 4, 2019.

Present - Hon. Judith J. Gische, Justice Presiding,  
Angela M. Mazzarelli  
Marcy L. Kahn  
Ellen Gesmer, Justices.

-----X  
In re Part 60 Put-Back Litigation

- - - - -  
Deutsche Bank National Trust  
Company, etc.,  
Plaintiff-Appellant,

M-1009  
Index No. 652877/14

-against-

Morgan Stanley Mortgage Capital  
Holdings LLC, etc., et al.,  
Defendants-Respondents.

-----X

Defendants-respondents having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on January 17, 2019 (Appeal No. 2118),

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

It is ordered that the motion, to the extent it seeks reargument, is denied. The motion, to the extent it seeks leave to appeal to the Court of Appeals, is granted and this Court, pursuant to CPLR 5713, certifies that the following question of law, decisive of the correctness of its determination, has arisen, which in its opinion ought to be reviewed by the Court of Appeals:

"Was the order of this Court, which reversed the order of the Supreme Court, properly made?"

This Court further certifies that its determination was made as a matter of law and not in the exercise of discretion.

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 June 4, 2019.

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

-----X  
Ethan Rafii,

Plaintiff-Respondent,

-against-

M-1792  
Index No. 155023/16

Anthony Vega,

Defendant-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about October 15, 2018,

Now, upon reading and filing the stipulation of the parties hereto, dated March 7, 2019, 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 June 4, 2019.

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

-----X  
Martin Regalado,

Plaintiff-Respondent,

-against-

635 Riverside Drive NY LLC,  
Defendant-Appellant,

DHNY APT V LLC,  
Defendant.

M-1588X  
Index No. 151907/15

- - - - -  
635 Riverside Drive NY LLC,  
Third-Party Plaintiff-Appellant,

-against-

Bluestar Properties, Inc., et al.,  
Third-Party Defendants-Respondents,

Ogando Construction Corp., et al.,  
Third-Party Defendants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 6, 2018,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" March 1, 2019, 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 June 4, 2019.

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

-----X  
Danilo Betancourt,

Plaintiff-Appellant,

-against-

M-1873X  
Index No. 22671/13

The City of New York, et al.,

Defendants-Respondents.  
-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about September 17, 2018,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 2, 2019, 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 June 4, 2019.

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

-----X  
Cordelle Williams, an infant by his  
Mother and Natural Guardian,  
Danielle Morales, and Danielle  
Morales, Individually,  
Plaintiffs-Appellants,

-against-

M-1925X  
Index No. 350177/14

Linden Plaza Housing Co., Inc.,  
et al.,  
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about January 22, 2018,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 8, 2019, 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 June 4, 2019.

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

-----X

Javier Arellano,  
Plaintiff-Respondent,

-against-

Manuel P. Chimborazogualpa, etc.,  
et al.,  
Defendants,

M-1932X  
Index No. 306618/14

-and-

Bradway Trucking, Inc., sued  
herein as Broadway Trucking, Inc.,  
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about July 12, 2018,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 8, 2019, 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 June 4, 2019.

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

-----X

Jose Luis Melendez Pedraza, also known  
as Jose Luis Melendez, also known as  
Jose L. Pedraza,  
Plaintiff-Appellant,

M-1946  
Index No. 159366/13

-against-

New York City Transit Authority,  
Metropolitan Transportation Authority  
and Angel Rivera,  
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 28, 2017,

Now, upon reading and filing the stipulation withdrawing appeal of the parties hereto, dated April 9, 2019, 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 June 4, 2019.

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-1949  
Ind. No. 3849/16

Tyrone Robins,

Defendant-Appellant.  
-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about March 22, 2017,

Now, upon reading and filing the stipulation of the parties hereto, dated April 4, 2019, 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 June 4, 2019.

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

-----X  
Yorkson Legal, Inc.,

Plaintiff-Appellant,

-against-

M-1802

Index No. 155512/17

Mitchell C. Shapiro, Esq.,

Defendant-Respondent.  
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about July 13, 2018,

Now, upon reading and filing the stipulation of the parties hereto, dated February 25, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 4, 2019.

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

-----X

The Port Authority of New York and  
New Jersey and Bovis Lend Lease LMB,  
Inc.,

Plaintiffs-Appellants,

-against-

Everest National Insurance Co.,  
Defendant-Respondent.

-----X

M-1834  
Index No. 653659/13

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about April 9, 2018,

Now, upon reading and filing the stipulation of discontinuance with prejudice of the parties hereto, dated April 4, 2019, and due deliberation having been had thereon,

It is ordered that the perfected 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 June 4, 2019.

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

-----X  
Bianca Pichardo,

Plaintiff-Respondent,

-against-

M-1951  
Index No. 157494/14

New York City Housing Authority,

Defendant-Appellant.  
-----X

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

Now, upon reading and filing the stipulation of the parties hereto, dated April 9, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
CLERK









At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 4, 2019.

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

-----X  
Charles A. Sherod, as Administrator  
of the Estate of Mary Fortune,  
also known as Mary Lou Fortune,  
Deceased,  
Plaintiff-Respondent,

-against-

M-1585  
Index No. 311155/11

Montefiore Medical Center,  
Defendant-Appellant,

-and-

Kings Harbor Multicare Center,  
Defendant.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about June 21, 2018,

Now, upon reading and filing the papers with respect to this matter, including the correspondence from the attorney for defendant-appellant dated March 8, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 4, 2019.

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

-----X  
U.S. Bank NA, successor trustee to  
Bank of America, NA, etc.,  
Plaintiff-Appellant,

-against-

M-1790  
Index No. 850020/17

Howard Warshaw, et al.,  
Defendants,

-and-

Arusa Trade & Finance, Inc.,  
Defendant-Respondent.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about July 13, 2018,

Now, upon reading and filing the papers with respect to this matter, including the correspondence from the attorney for plaintiff-appellant dated March 21, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 4, 2019.

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

-----X  
Roxane West,

Plaintiff-Appellant,

-against-

King Construction and Design,

Defendant-Respondent.  
-----X

M-1794  
Index No. 153349/17

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about September 21, 2018,

Now, upon reading and filing the papers with respect to this matter, including the correspondence from the attorney for plaintiff-appellant dated March 27, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 4, 2019.

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

-----X  
Zurich American Insurance Company,  
et al.,  
Plaintiffs-Respondents,

-against-

Liberty Mutual Fire Insurance Company, M-1904  
Defendant-Appellant, Index No. 160188/14  
JP Morgan Chase Bank, NA,  
Defendant-Appellant,  
Brian Gray,  
Defendant.

-----X

Separate appeals having been taken to this Court by defendants Liberty Mutual Fire Insurance Company and JP Morgan Chase Bank, NA, from the order of the Supreme Court, New York County, entered on or about August 21, 2018,

Now, upon reading and filing the papers with respect to this matter, including the correspondence from the attorney for defendant-appellant Liberty Mutual Fire Insurance Company, dated April 4, 2019, and due deliberation having been had thereon,

It is ordered that the appeal taken by defendant Liberty Mutual Fire Insurance Company is deemed withdrawn in accordance with the aforesaid correspondence. The appeal taken by JP Morgan Chase Bank, NA, remains extant.

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 June 4, 2019.

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-1312  
Ind. No. 3238/16

Steven Nunez,  
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 March 1, 2019, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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, Suite 1601, New York, New York 10007, Telephone No. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete 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 June 4, 2019.

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-1912  
Ind. No. 39/16

Clarence Thigpen,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about February 25, 2019, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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, Suite 1601, New York, New York 10007, Telephone No. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete 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 June 4, 2019.

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-1947  
Ind. No. 845/15

Tray Fullwood,  
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 February 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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.

Janet E. Sabel, Esq., The Legal Aid Society, 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 180 days from the date of receipt of the complete 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 June 4, 2019.

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-2000  
SCI No. 2606/18

Bryce Zimmerman,  
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 January 3, 2019, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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.

Janet E. Sabel, Esq., The Legal Aid Society, 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 180 days from the date of receipt of the complete 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 June 4, 2019.

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-2001  
Ind. No. 3506/17

Bryce Zimmerman,  
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 January 3, 2019, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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.

Janet E. Sabel, Esq., The Legal Aid Society, 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 180 days from the date of receipt of the complete 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 June 4, 2019.

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-2003  
Ind. No. 1183/18

Curtis Frazier,  
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 January 17, 2019, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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.

Janet E. Sabel, Esq., The Legal Aid Society, 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 180 days from the date of receipt of the complete 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 June 4, 2019.

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-2027  
Ind. No. 5097/15  
SCI No. 744/17

Roberto Saintkitts,  
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 February 7, 2019, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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.

Janet E. Sabel, Esq., The Legal Aid Society, 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 180 days from the date of receipt of the complete 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 June 4, 2019.

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

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

-----  
Maria K.,  
Petitioner-Appellant,  
  
-against-

**CONFIDENTIAL**

M-1056  
Docket Nos. V-183-13/18H  
V-184-13/18H  
V-34266-11/18J  
V-34267-11/18J

Christopher B.,  
Dimitra L.,  
Respondents-Respondents.

-----  
Larry S. Bachner, P.C., Attorney for  
the Child Krystyna B.,

Thomas R. Villecco, Esq.,  
Attorney for the Child Matthew B.

-----X  
Respondent-respondent Dimitra L. having moved for leave to respond, as a poor person, to the appeal taken from the order of the Family Court, New York County, entered on or about January 7, 2019, 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 the certification of Holden E. Thornhill, Esq., dated February 4, 2019 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, Leslie S. Lowenstein, Esq., 567 Sunset Drive, Woodmere, NY 11598, Telephone No. 516-374-1962, 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 each party to the appeal, and an original and five hard copies, and if represented by counsel, one digital copy of such brief, are filed with this court, pursuant to 22 NYCRR Section 1250.9.

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 June 4, 2019.

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

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

-----  
Maria K.,  
Petitioner-Appellant,  
  
-against-

**CONFIDENTIAL**

M-1809  
Docket Nos. V-183-13/18H  
V-184-13/18H  
V-34266-11/18J  
V-34267-11/18J

Christopher B.,  
Dimitra L.,  
Respondents-Respondents.

-----  
Larry S. Bachner, P.C., Attorney for  
the Child Krystyna B.,

Thomas R. Villecco, Esq.,  
Attorney for the Child Matthew B.

-----X  
  
Daniel Robles, Esq., court attorney for the subject child, Krystyna B., having moved on the child's behalf for leave to respond, as a poor person, to the appeal taken from the order of the Family Court, New York County, entered on or about January 7, 2019, 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 the certification of Daniel Robles, Esq., dated February 1, 2019, 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, Larry S. Bachner, P.C., c/o Bachner & Associates, P.C., 39 Broadway, Suite 1610, New York, NY 10006, Telephone No. 917-674-9516, as

counsel for the child Krystyna B. 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 each party to the appeal, and an original and five hard copies, and if represented by counsel, one digital copy of such brief, are filed with this court, pursuant to 22 NYCRR Section 1250.9.

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 June 4, 2019.

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  
Custody/Visitation Under Article 6  
of the Family Court Act.

**CONFIDENTIAL**

M-2204

Docket Nos. V-34239-14/17C  
V-34239-14/16B  
V-34239-14/16A  
V-34239-14/17F  
V-34239-14/17D  
V-04388-17/17A  
V-04389-17/17B  
V-04389-17/17A  
V-04388-17/17B  
V-34240-14/17G  
V-34240-14/17F  
V-34240-14/17D  
V-34239-14/17G  
V-34240-14/17C  
V-34240-14/16B  
V-34240-14/16A

Naamye Nyarko B.,  
Petitioner-Appellant,

-against-

Goodwin Edwin C.,  
Respondent-Respondent.

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

-----x

Alexander M. Carlin, Esq., court attorney for the subject children, having moved on the childrens' behalf for leave to respond, as a poor person, to the appeal taken from the order of the Family Court, New York County, entered on or about February 27, 2019, 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 the certification of Alexander M. Carlin, Esq., dated April 2, 2019 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, Andrew J. Baer, Esq., 299 Broadway, Suite 1415, New York, NY 10007, Telephone No. 212-233-0318, 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 each party to the appeal, and an original and five hard copies, and if represented by counsel, one digital copy of such brief, are filed with this court, pursuant to 22 NYCRR Section 1250.9.

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 June 4, 2019.

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  
Custody/Visitation Under Article 6  
of the Family Court Act.

**CONFIDENTIAL**

M-2051

Docket Nos. V-34239-14/17C  
V-34239-14/16B  
V-34239-14/16A  
V-34239-14/17F  
V-34239-14/17D  
V-04388-17/17A  
V-04389-17/17B  
V-04389-17/17A  
V-04388-17/17B  
V-34240-14/17G  
V-34240-14/17F  
V-34240-14/17D  
V-34239-14/17G  
V-34240-14/17C  
V-34240-14/16B  
V-34240-14/16A

Naamye Nyarko B.,  
Petitioner-Appellant,

-against-

Goodwin Edwin C.,  
Respondent-Respondent.

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

-----x

Respondent-respondent having moved for leave to respond to the appeal taken from the order of the Family Court, New York County, entered on or about February 27, 2019, as a poor person, 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 the certification of David Goldstein, Esq., dated April 12, 2019, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to §1120 of the Family Court Act, Bruce A. Young, Esq., 100 Church Street, Suite 800, New York, NY 10007, Telephone No. 646-775-8994, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal

upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for each party to the appeal, and an original and five hard copies, and if represented by counsel, one digital copy of such brief, are filed with this court, pursuant to 22 NYCRR Section 1250.9.

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 June 4, 2019.

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  
Custody/Visitation Under Article 6  
of the Family Court Act.

-----  
Georgianna N.,  
Petitioner-Appellant,

**CONFIDENTIAL**

M-912  
Docket Nos. V-43480/13  
V-43479/13

-against-

Carmen V. and Ibor S.,  
Respondents-Respondents.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, New York County, entered on or about February 1, 2019, 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 the certification of Randall S. Carmel, Esq., dated February 11, 2019, 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, Randall Carmel, Esq., 410 Jericho Turnpike, Suite 302, Jericho, NY 11753, Telephone No. 603-313-1951, 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**

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

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 Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:



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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 June 4, 2019.

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

Youssouf D.,

**CONFIDENTIAL**

M-1643

A Person Alleged to Be a Juvenile  
Delinquent,

Docket No. D-35125/18

Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to prosecute the appeal taken from two orders of the Family Court, Bronx County, entered on or about January 29 2019 and February 19, 2019, as a poor person, 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 the certification of Bryan Greenberg, Esq., dated March 18, 2019, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Section 35 of the Judiciary Law and Section 1120 of the Family Court Act, Thomas R. Villecco, Esq., 366 N. Broadway, Suite 410, Jericho, NY 11753, Telephone No. 516-942-4221, 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 State 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;**

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

(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) directing appellant to perfect this appeal, in compliance with Section 1250.9 of the Rules of the Appellate Division, **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



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 June 4, 2019.

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  
Support Under Article 4 of the  
Family Court Act.

- - - - -  
Lisa B.,  
Petitioner-Respondent,

**CONFIDENTIAL**

M-1736  
Docket No. F-41352-16/18F

-against-

Bruce C.,  
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, New York County, entered on or about August 14, 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 the certification of Elliot Podhorzer, Esq., dated August 31, 2018, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Leslie S. Lowenstein, Esq., 567 Sunset Drive, Woodmere, NY 11598, Telephone No. 516-374-1962, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor<sup>1</sup> **within 30 days (FCA 1121[7])**

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

**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 Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

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 June 4, 2019.

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

Levi L., and  
Landry L.,

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

**CONFIDENTIAL**  
M-1867

Administration for Children's Services, Docket Nos. NN-30480/17  
Petitioner-Respondent, NN-30479/17

Deanna R.,  
Respondent-Appellant.

-----  
Janet E. Sabel, Esq., The Legal  
Aid Society,  
Attorney for the Children.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, Bronx County, entered on or about March 26, 2019, 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 the certification of Schlomit Cohen, Esq., dated March 28, 2019, 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 Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:

  
CLERK

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<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 June 4, 2019.

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

Shilloh Matthew J., also known as  
Shilloh M. J., also known as  
Shilloh J., also known as  
Shailloh J., and  
Cobey Rymel R., also known as  
Cobey R. R., also known as  
Cobey R., also known as  
Cobey J., and  
Khalil J.,

**CONFIDENTIAL**

M-1869

Children Under 18 Years of Age  
Pursuant to §384(b) and (d) of the Social  
Services Law of the State of New York.

Docket Nos. B-59/15  
B-61/15

- - - - -  
Saint Dominic's Family Services, et al.,  
Petitioners-Respondents,

Jamesina M. J.,  
Respondent-Appellant.

- - - - -  
Janet E. Sabel, Esq., The Legal  
Aid Society,  
Attorney for the Children.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeals from orders of the Family Court, Bronx County, entered on or about September 20, 2018 and January 17, 2019, 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 the certifications of Mary Ann Barile, Esq., dated March 21, 2019, 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, Randall Carmel, Esq., 410 Jericho Turnpike, Suite 302, Jericho, NY 11753, Telephone No. 603-313-1951, as counsel for purposes of prosecuting the appeals; (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 the appeals, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing 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 June 4, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
Judith J. Gische  
Angela M. Mazzarelli  
Troy K. Webber  
Jeffrey K. Oing, Justices.

-----X  
Bliss World LLC,  
Plaintiff-Respondent,

-against-

10 West 57th Street Realty LLC,  
Defendant-Appellant.

M-1811  
Index No. 657007/17

-----X

Plaintiff-respondent having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on March 5, 2019 (Appeal No. 7971N),

Now, upon reading and filing the papers with respect to the motion, and the stipulation dated May 2, 2019, and due deliberation having been had thereon,

It is ordered that the motion is deemed 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 June 4, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer  
Anil C. Singh, Justices.

-----X

Starr Russia Investments III B.V.,  
Plaintiff-Respondent,

-against-

M-1664

Index No. 652251/17

Deloitte Touche Tohumatsu Limited,  
et al.,  
Defendants-Appellants.

-----X

Defendants-appellants Deloitte LLP, Deloitte CIS Limited and Deloitte CIS Holdings Limited having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on February 7, 2019 (Appeal Nos. 8335-8335A),

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 June 4, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
Peter Tom  
Peter H. Moulton, Justices.

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

-against- M-1277  
Ind. No. 2829/17

Ramon Rodriguez,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about October 17, 2018, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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.

Janet E. Sabel, Esq., The Legal Aid Society, 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 180 days from the date of receipt of the complete 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 June 4, 2019.

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

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

-----  
Byron John M.,  
Petitioner-Respondent,

-against-

Sasha A.,  
Respondent.

-----  
Shirim Nothenberg, Esq., Lawyers for  
Children, Inc.,  
Attorney for the Child-Appellant.

**CONFIDENTIAL**

M-2312  
Docket No. V-2937-10/17B

-----x

An appeal having been taken to this Court from the order of the Family Court, New York County, entered on or about April 5, 2019,

And the subject child having moved for a stay of the order granting petitioner-father visitation, pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is granted on condition the appeal is perfected for the October 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 June 4, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,  
Barbara R. Kapnick  
Ellen Gesmer  
Jeffrey K. Oing  
Peter H. Moulton, Justices.

-----X  
Citibank, N.A.,

Plaintiff-Respondent,

-against-

Soccer for a Cause, LLC, et al.,  
Defendants-Appellants,

Gordon V. Hartman,  
Defendant.

-----X

**SEALED**

M-1296

Index No. 653859/15

Plaintiff-respondent having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on February 5, 2019 (Appeal Nos. 8162-8163),

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 June 4, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,  
Angela M. Mazzarelli  
Troy K. Webber  
Cynthia S. Kern  
Jeffrey K. Oing, Justices.

-----X

Dynamic-Hakim, LLC, et al.,  
Plaintiffs-Respondents,

JBLTZ Holdings, LLC, etc.,  
Plaintiff,

-against-

M-1335  
Index No. 651765/17

Kevin Maloney, et al.,  
Defendants-Appellants,

Franklin R. Kaiman, et al.,  
Defendants-

QPP Venture LLC, et al.,  
Nominal Defendants.

-----X

Defendants-appellants having moved for reargument of the decision and order of this Court, entered on February 5, 2019 (Appeal No. 8321),

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 June 4, 2019.

Present - Hon. David Friedman, Justice Presiding,  
Judith J. Gische  
Troy K. Webber  
Ellen Gesmer  
Peter H. Moulton, Justices.

-----x

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

**CONFIDENTIAL**

M-2245

Ece D.,  
Petitioner-Appellant,

Docket Nos. V-48309/16  
V-48310/16  
V-03122/17  
V-03123/17  
O-27730/17

-against-

Sreeram M.,  
Respondent-Respondent.

-----x

An appeal having been taken to this Court from the order of the Family Court, New York County, entered on or about April 1, 2019, which set forth a parenting plan for joint legal custody of the children,

And petitioner-appellant having moved for an order (1) staying enforcement of the aforesaid order, modifying the visitation schedule set forth therein, and restraining respondent-respondent from traveling with the children outside the United States, pending hearing and determination of the appeal, and (2) appointing an attorney for the children,

And an interim stay having been granted by order of a Justice of this Court, dated April 15, 2019,

And respondent-respondent, having submitted affidavits in opposition to the motion and requesting that the interim stay be vacated,

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 staying, pending the hearing and determination of the appeal, enforcement of the order of the Family Court, New York County, entered on or about April 1, 2019, and continuing the visitation schedule established by an order of the same court entered on or about July 7, 2017, with the modification that the respondent-respondent father shall, in addition, have visitation on Wednesdays from 7:30 a.m. through Thursdays at 6:00 p.m., and on the first and third weekend of each month from Fridays at 7:30 a.m. to Saturdays at 3:00 p.m., on condition that the appeal is perfected for the October 2019 Term, and

It is further ordered that the branch of the motion, seeking to restrain respondent-respondent from traveling with the children outside the United States and for the appointment of counsel for the children, is denied, without prejudice to further proceedings in Family Court.

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 June 4, 2019.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Peter Tom  
Barbara R. Kapnick  
Jeffrey K. Oing, Justices.

-----X  
In the Matter of

Horace W.,  
Petitioner-Appellant,

-against-

Tameeka S.,  
Respondent-Respondent.

**CONFIDENTIAL**

M-1893  
Docket Nos. F-24583-06/17K  
F-8792/17  
F-33079/16  
P-24583/06  
F-24583/06

-----X

Petitioner-appellant, pro se, 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 July 23, 2018, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that said motion is granted only to the extent of enlarging the time to perfect the appeal to the October 2019 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 June 4, 2019.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Sallie Manzanet-Daniels  
Peter Tom  
Barbara R. Kapnick  
Peter H. Moulton, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-1407  
Ind. No. 3657/16

David Carter, Sr.,  
Defendant-Appellant.

-----X

Defendant having moved for leave to file an untimely notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about December 12, 2018, and for leave to prosecute said appeal as a poor person, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of deeming the moving papers as a timely filed notice of appeal and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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, Suite 1601, New York, New York 10007, Telephone No. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:

  
CLERK



*David Schneider*, Docket No. FU-210024-RT, issued on June 1, 2018, and *PWV Acquisition LLC & Seth M. Goldstein*, Docket Nos. GP-410015-RO and GP-410032-RT, issued on July 17, 2018.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 4, 2019.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Sallie Manzanet-Daniels  
Peter Tom  
Jeffrey K. Oing, Justices.

-----X  
Detectives Endowment Association, Uniformed  
Fire Officers Association, Lieutenant  
Benevolent Association, Sanitation Officers  
Association, Correction Captains Association,  
Captains Endowment Association, Assistant  
Deputy Wardens/Deputy Wardens Association  
and Uniformed Sanitation Chiefs Association,  
Plaintiffs-Respondents, M-1999  
Index No. 654958/17

-against-

The City of New York, Robert W. Linn as  
Commissioner of Labor Relations,  
Defendants-Appellants.

-----X  
Defendants-appellants having moved for a stay of discovery pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about February 1, 2019,

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 June 4, 2019.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Troy K. Webber  
Ellen Gesmer  
Anil C. Singh, Justices.

-----X  
Dervanna H. A. Troy-McKoy,

Plaintiff-Appellant,

-against-

M-1714  
Index No. 652456/16

City of New York Parks and  
Recreational Department,

Defendant-Respondent.  
-----X

Plaintiff-appellant, pro se, having moved for leave to appeal to the Court of Appeals from the decision and order of this Court, entered on March 19, 2019 (Appeal No. 8737),

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 June 4, 2019.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Judith J. Gische  
Marcy L. Kahn  
Jeffrey K. Oing  
Anil C. Singh, Justices.

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

-against-

M-1612  
Ind. No. 2373/14

Davon Pinkston,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for reargument of the decision and order of this Court, entered on February 19, 2019 (Appeal Nos. 8014-8015),

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 June 4, 2019.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,  
Rosalyn H. Richter  
Peter Tom  
Cynthia S. Kern  
Anil C. Singh, Justices.

-----X  
Telx-New York, LLC,

Plaintiff-Respondent,

-against-

60 Hudson Owner, LLC,

Defendant-Appellant.  
-----X

M-956

Index No. 650440/17

Plaintiff-respondent having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on January 22, 2019 (Appeal No. 8173),

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 June 4, 2019.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Rosalyn H. Richter  
Peter Tom  
Cynthia S. Kern  
Anil C. Singh, Justices.

-----X  
Waterscape Resort LLC,  
Plaintiff-Respondent,

-against-

Pavarini McGovern, LLC,  
Defendant-Appellant.

M-1102  
Index No. 651360/15

- - - - -  
Waterscape Resort LLC,  
Plaintiff-Appellant-Respondent,

-against-

Pavarini McGovern, LLC,  
Defendant-Respondent-Appellant.

-----X

Defendant Pavarini McGovern, LLC having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on January 22, 2019 (Appeal Nos. 8178, 8179, 8180),

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 June 4, 2019.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Peter Tom  
Troy K. Webber  
Marcy L. Kahn  
Cynthia S. Kern, Justices.

-----X  
Wilmington Savings Fund Society FSB  
doing business as Christina Trust, etc.,  
Plaintiff-Appellant-Respondent,

-against-

M-1377  
Index No. 32059/17E

Sung R. Park also known as Sung Rae Park,  
et al.,  
Defendants,

East Fork Capital Equities LLC,  
Defendant-Respondent-Appellant.

-----X

Defendant-respondent-appellant having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on February 7, 2019 (Appeal Nos. 8364-8365),

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 June 4, 2019.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Sallie Manzanet-Daniels  
Peter Tom  
Barbara R. Kapnick  
Peter H. Moulton, Justices.

-----X

498 West End Avenue, LLC,  
Petitioner-Appellant-Respondent,

-against-

Jan Reynolds,  
Respondent-Respondent-Appellant,

Ariel Eliaz,  
Respondent-Undertenant.

-----X

M-1108  
Supreme Court  
Index No. 570861/18  
Civil Court  
Index No. 70878/16

Petitioner-appellant-respondent having moved for leave to appeal to this Court from the decision and order of the Appellate Term, First Department, entered in the office of the Clerk of the Supreme Court, New York County, on or about December 28, 2018,

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

It is ordered that the motion is denied.

ENTERED:

  
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 June 4, 2019.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,  
Sallie Manzanet-Daniels  
Barbara R. Kapnick  
Jeffrey K. Oing  
Anil C. Singh, Justices.

-----x  
Humberto Rivera,  
Plaintiff-Respondent,

-against-

11 West 42 Realty Investors, L.L.C.,  
et al.,  
Defendants-Respondents,

M-2394  
Index No. 300823/12

-and-

NTT Services, LLC and Pritchard  
Industries, Inc.,  
Defendants-Appellants.

- - - - -  
[And third-party actions]

-----x  
An appeal having been taken to this Court by NTT Services, LLC and Pritchard Industries, Inc., from the order of the Supreme Court, New York County, entered on or about January 19, 2018, and said appeal having been perfected,

And defendants-appellants NTT Services, LLC and Pritchard Industries, Inc., having moved for a stay of 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, and the trial is stayed pending hearing and determination of 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 June 4, 2019.

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

-----X  
Anggeluz A.,

Plaintiff-Appellant,

-against-

**CONFIDENTIAL**

**M-1866**

Index No. 310538/16

Peter A.,  
Defendant-Respondent.

-----X  
In the Matter of

Abigale A.  
Allison A.  
Kimberly A.

Docket No. NA-10423-5/17

Children under Eighteen Years of Age  
Adjudicated to be Neglected by,

Anggeluz A.  
Respondent-Appellant.

-----X  
Larry S. Bachner, P.C.,

Attorney for the Children.

-----X

Plaintiff/respondent-appellant mother having taken an appeal from an Order of Fact-Finding and Disposition of the Supreme Court, New York County, entered on or about December 20, 2018,

And Tara Diamond, Esq., court attorney for the subject children, having moved on the children's behalf for leave to respond to the aforementioned appeal as poor persons, for assignment of counsel, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of Tara Diamond, Esq., dated January 24, 2019, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning Larry S. Bachner, P.C. care of Bachner & Associates, P.C., 39 Broadway, Suite 1610, New York, New York, 10006, Telephone No. 917-674-9516, as counsel for the subject children for purposes of responding to the appeal; (2) permitting the subject children 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 each party to the appeal, and an original and five hard copies, and if represented by counsel, one digital copy of such brief, are filed with this court, pursuant to 22 NYCRR Section 1250.9.

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 June 4, 2019.

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

-----X  
Anggeluz A.,

Plaintiff-Appellant,

-against-

**CONFIDENTIAL**  
**M-1827**

Index No. 310538/16

Peter A.,  
Defendant-Respondent.

-----X  
In the Matter of

Abigale A.  
Allison A.  
Kimberly A.

Docket No. NA-10423-5/17

Children under Eighteen Years of Age  
Adjudicated to be Neglected by,

Anggeluz A.  
Respondent-Appellant.

-----X  
Larry S. Bachner, P.C.,

Attorney for the Children.

-----X

Plaintiff/respondent-appellant mother having moved for leave to prosecute as a poor person the appeal taken from an Order of Fact-Finding and Disposition of the Supreme Court, New York County, entered on or about December 20, 2018, and for assignment of counsel, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of Alexandra Rosin, dated January 25, 2019, and due deliberation having been had thereon, it is

Ordered that the motions is granted to the extent of (1) assigning Richard L. Herzfeld, Esq. 112 Madison Avenue, 8th Floor, New York, New York, 10016, Telephone No. 212-818-9019, as counsel for purposes of prosecuting the respondent-appellant mother's appeal; (2) directing the Clerk of said Supreme 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 for respondent-appellant mother and charged against the State of New York for the subject children from funds available therefor<sup>1</sup> **within 30 days 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 Supreme Court to this Court. **The Clerk of the Supreme Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Supreme Court.**

ENTERED:

  
CLERK

---

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

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

BEFORE: Hon. DAVID FRIEDMAN  
Justice of the Appellate Division

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

M-2024  
Ind. No. 2498/14

-against-

CERTIFICATE  
GRANTING LEAVE

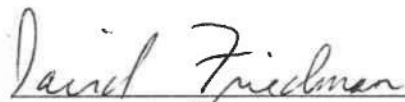
Nazir Khan,  
Defendant-Appellant.  
-----X

I, DAVID FRIEDMAN, a Justice of the Appellate Division, First Judicial Department, do hereby certify that in the proceedings herein questions of law or fact are involved which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is hereby granted to the above-named defendant to appeal to the Appellate Division, First Judicial Department, from the Order of the Supreme Court, Bronx County, entered on or about December 31, 2018.<sup>1</sup>

Dated: New York, New York  
May 17, 2019

**Entered**

JUN 04 2019

  
\_\_\_\_\_  
DAVID FRIEDMAN  
Justice of the Appellate Division

NOTICE: Within 15 days from the date hereon, an appeal must be taken, and this certificate must be filed with the notice of appeal. An appeal is taken by filing, in the Clerk's office of the criminal court in which the order sought to be appealed was rendered, a written notice in duplicate that appellant appeals to the Appellate Division, First Judicial Department (Section 460.10, subd. 4, CPL), together with proof that another copy of the notice of appeal has been served upon opposing counsel. The appeal (or consolidated appeals; see footnote) must be argued within 120 days from the date of the notice of appeal, unless the time to perfect the appeal(s) is enlarged by the court or a justice thereof.

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XIn the event defendant has an existing (direct) appeal from a judgment, such appeal shall be consolidated with the appeal from the aforesaid order; and any poor person relief granted with respect to the appeal from the judgment shall be extended to cover the appeals so consolidated.

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

BEFORE: Hon. Dianne T. Renwick  
Justice of the Appellate Division

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

M- 259  
Ind. No. 3190/2015

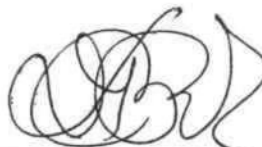
-against-

CERTIFICATE  
DENYING LEAVE

John Walden,  
Defendant.

-----X

I, Dianne T. Renwick, 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 August 10, 2018 is hereby denied.



Justice

Dated: May 13, 2019  
New York, New York

ENTERED: JUN 04 2019

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

BEFORE: Hon. Dianne T. Renwick  
Justice of the Appellate Division

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

M-2037  
Ind. No. 1220/15


-against-

CERTIFICATE  
GRANTING LEAVE TO APPEAL  
TO THE COURT OF APPEALS

Zhakariyya Muhammad,  
Defendant-Appellant.

-----X  
I, Dianne T. Renwick, a Justice of the Appellate Division, Supreme Court, First Department, do hereby certify that in the record and proceedings herein\* questions of law are involved which ought to be reviewed by the Court of Appeals and pursuant to CPL 460.20, it is

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

  
Justice of the Appellate Division

Dated: May 13, 2019  
New York, New York

ENTERED: JUN 04 2019

\*Description of Order:

Judgment, Supreme Court, New York County, rendered on June 24, 2016, App. Div., First Dept., Appeal No.7527- 7528, Affd on April 4, 2019.

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

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

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

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

M-1713  
Ind. No. 623/12

-against-

CERTIFICATE  
GRANTING LEAVE

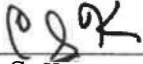
Michael Crum,  
Defendant-Appellant.  
-----X

I, Cynthia S. Kern, a Justice of the Appellate Division, First Judicial Department, do hereby certify that in the proceedings herein questions of law or fact are involved which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is hereby granted to the above-named defendant to appeal to the Appellate Division, First Judicial Department, from the order of the Supreme Court, New York County (Michele Rodney, J.), entered on or about March 4, 2019.<sup>1</sup>

Dated: May 7, 2019  
New York, New York

**Entered**

JUN 04 2019

  
\_\_\_\_\_  
Hon. Cynthia S. Kern  
Associate Justice

NOTICE: Within 15 days from the date hereon, an appeal must be taken, and this certificate must be filed with the notice of appeal. An appeal is taken by filing, in the Clerk's office of the criminal court in which the order sought to be appealed was rendered, a written notice in duplicate that appellant appeals to the Appellate Division, First Judicial Department (Section 460.10, subd. 4, CPL), together with proof that another copy of the notice of appeal has been served upon opposing counsel. The appeal (or consolidated appeals; see footnote) must be argued within 120 days from the date of the notice of appeal, unless the time to perfect the appeal(s) is enlarged by the court or a justice thereof.

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<sup>1</sup> In the event defendant has an existing (direct) appeal from a judgment, such appeal shall be consolidated with the appeal from the aforesaid order; and any poor person relief granted with respect to the appeal from the judgment shall be extended to cover the appeals so consolidated.