

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 6, 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

Rebecca V.,

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

- - - - -
Administration for Children's Services, **CONFIDENTIAL**
Petitioner-Respondent, M-1053
Docket No. NN-30860/15

Diomedes V.,
Respondent-Appellant.

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

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from orders of the Family Court, Bronx County, entered on or about December 18, 2018 and June 7, 2018, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Steven P. Forbes, Esq., 155-03 Jamaica Avenue, Jamaica, NY 11432, Telephone No. 718-791-8444, 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 therefor¹ **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

¹Service 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 6, 2019.

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

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

- - - - -
Charles W.,
Petitioner-Appellant,

CONFIDENTIAL
M-1054
Docket Nos. V-09278/17/18G
V-00025-18/18H

-against-

Latava P.,
Respondent-Respondent.

Rhonda Albright, Esq.
Children's Law Center,
Attorney for the child.

-----X

Respondent-Respondent having moved for leave to respond, as a poor person, to the appeal taken from the order of the Family Court, Bronx County, entered on or about January 4, 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 Joseph V. Moliterno, Esq., dated February 7, 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, Steven P. Forbes, Esq., 155-03 Jamaica Avenue, Jamaica, NY 11432, Telephone No. 718-791-8444, 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 6, 2019.

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

-----X
Katherine Elena Thiebaud, as
Administrator of the Estate of
Alfredo Thiebaud,
Plaintiff,

-against-

3162-72 73rd Ave. Realty Corp., et al., M-1499
Defendants, Index No. 301560/16

-and-

Delicioso Coco Helado Inc.,
Defendant-Appellant,

-and-

Deegan Overhead Doors Company Inc.,
Defendant-Respondent.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about February 2, 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 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 6, 2019.

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

-----X

Mary Huyck, et al.,

Plaintiffs-Respondents,

-against-

M-1856X
Index No. 653181/17

171 Tenants Corp.,

Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about November 28, 2018,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 3, 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 6, 2019.

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

-----X
Meyer Davis Studio Inc.,

Plaintiff-Respondent,

-against-

560 Seventh Avenue Owner, LLC,

Defendant-Appellant.
-----X

M-1857X
Index No. 654424/17

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 7, 2018,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" March 29, 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 6, 2019.

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

-----X

Celedonia Espinosa,

Plaintiff-Appellant,

-against-

Isaac J. White, et al.,

Defendants-Respondents.

-----X

M-1953

Index No. 151046/17

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

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, 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 6, 2019.

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

-----X
Mary Christian,

Plaintiff-Respondent,

-against-

M-1958
Index No. 304156/15

Pedro Robles, et al.,

Defendants-Appellants.
-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about June 13, 2018,

Now, upon reading and filing the stipulation of the parties hereto, dated April 10, 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 6, 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
by Letitia James, Attorney General of
the State of New York,
 Plaintiff-Respondent,

-against-

M-1959
Index No. 452118/16

Marolda Properties, Inc., et al.,
 Defendants,

-and-

Green Leaf Associates LLC, et al.,
 Defendants-Appellants.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about November 29, 2017,

Now, upon reading and filing the stipulation of the parties hereto, dated February 12, 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 6, 2019.

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

-----X

Force Services, LLC,

Plaintiff-Respondent,

-against-

M-1964X
Index No. 654790/17

Soho Properties, Inc., et al.,

Defendants-Appellants.

-----X

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

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" 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 6, 2019.

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

-----X
HD Tax Services, Inc., doing business as
HSC Tax & Financial Services,
Plaintiff-Respondent,

-against-

M-1968
Index No. 21851/12E

Burns Rodriguez & Associates, Inc.,
et al.,
Defendants-Appellants.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about June 19, 2018,

Now, upon reading and filing the correspondence from the attorney for defendants-appellants dated April 8, 2019, and due deliberation having been had thereon,

It is ordered that the appeal is 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 6, 2019.

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

-----X

Juan Estevez,
Plaintiff-Respondent,

-against-

Seasons Affiliates, LLC, et al.,
Defendants,

M-1971
Index No. 157160/12ECF

-and-

Thurcon Properties Ltd. and Herald
Hotel Associates, L.P.,
Defendants-Appellants.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about September 19, 2018,

Now, upon reading and filing the papers with respect to this matter, including the correspondence from the attorney for defendants-appellants dated April 1, 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 6, 2019.

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

-----X
Oscar Dotson,

Plaintiff-Respondent,

-against-

M-1974
Index No. 23784/16

M&E Quality Food Services Corporation,

Defendant-Appellant.
-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about July 31, 2018,

Now, upon reading and filing the papers with respect to this matter, including the correspondence from the attorney for defendant-appellant dated April 1, 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 6, 2019.

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

-----X
H&M Trading Company, LLC,

Petitioner-Respondent,

-against-

M-1977
Index No. 653399/18

Sherene Mossery, and SM Textile LLC,

Respondents-Appellants.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about November 26, 2018,

Now, upon reading and filing the papers with respect to this matter, including the correspondence from the attorney for respondents-appellants dated March 26, 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 6, 2019.

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

-----X

First Roslyn Realty LLC,
Plaintiff-Respondent,

-against-

Florencia Marotta Wurgler, et al.,
Defendants,

M-1978
Index No. 159902/17

-and-

Mark C. Pappas, and Karen L. Pappas,
Defendants-Appellants.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about July 19, 2018,

Now, upon reading and filing the papers with respect to this matter, including the correspondence from the attorney for defendants-appellants dated March 29, 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 6, 2019.

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

-----X
Carzeil Outlaw, as Administrator of
the Estate of Theresa McNeil,

Plaintiff-Respondent,

M-1988
Index No. 23513/15E

-against-

Seth Darkey, M.D.,

Defendant-Appellant.
-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about July 24, 2018,

Now, upon reading and filing the papers with respect to this matter, including the correspondence from the attorney for defendant-appellant dated April 3, 2019, and due deliberation having been had thereon,

It is ordered that the notice of 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 6, 2019.

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

-----X
Karen Matos, an infant by her mother
and natural guardian, Rosa Ortega and
Rosa Ortega, individually,

Plaintiffs-Respondents,

M-1989X
Index No. 7217/07

-against-

Zevrone Realty Corp.,
Defendant-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about August 10, 2018,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" May 8, 2019, and due deliberation having been had thereon,

It is ordered that the appeal 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 6, 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-2039
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.,

Lauren Friend, Esq., Attorney for
the Child Matthew B.

-----X
Respondent-respondent, Christopher B., having moved, for leave to respond, as a poor person, to the appeal taken from an 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 Gary Schultz, Esq., dated February 8, 2019, and due deliberation having been had thereon, it is

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to §1120 of the Family Court Act, Douglas Reiniger, Esq., 228 East 45th Street, Suite 900, New York, New York 10010, Telephone No. 646-637-8875, 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 6, 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,

Neal Wiesner,
Petitioner,

-against-

Jacklyn Reed,
Respondent.

Confidential

M-2050

Docket Nos. V-22412/17
O-22415/17

-----X

In the Matter of a Custody/Visitation Proceeding,

Jacklyn Reed,
Petitioner,

-against-

Neal Wiesner,
Respondent.

Docket Nos. V-22520/17
O-222518/15

-----X

In the Matter of a Custody/Visitation Proceeding,

Johnny Reed,
Petitioner,

-against-

Jacklyn Reed,
Neal Wiesner,
Respondents.

Docket No. V-12195/18

-----X

Petitioner/Respondent, Jacklyn Reed, having for an order granting leave to appeal from an interim order of the Family Court, New York County, entered on or about February 28, 2019,

Now, upon reading and filing the correspondence received from counsel for the movant dated May 7, 2019, and due deliberation having been had thereon,

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 6, 2019.

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

-----X

Tongyang, Inc.,
Plaintiff-Appellant,

-against-

M-2131

Index No. 650894/17

Tong Yang America, Inc. and
Tongyang Networks Corp.,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about November 26, 2018,

Now, upon reading and filing the stipulation of the parties hereto, dated April 15, 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 6, 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-

CONFIDENTIAL
M-1509
Docket No. 2016NY036629

Paulino Camacho,

Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, New York County (Antignani, J.), entered on or about February 1, 2017, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the correspondence from counsel for defendant-appellant dated April 11, 2019, and due deliberation having been had thereon, it is

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 6, 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-2012
Ind. No. 190/18

Unga Smith,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about February 25, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about February 25, 2019,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and the notice of appeal filed on defendant's behalf,

It is ordered that the appeal is permitted to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 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 6, 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-2013
Ind. Nos. 387/18
78/18

Jaswane McCray,
Defendant-Appellant.

-----X

Orders of the Supreme Court, Bronx County, having been entered on or about February 20, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgments of the Supreme Court, Bronx County, rendered on or about February 19, 2019,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and the notice of appeal filed on defendant's behalf,

It is ordered that the appeal is permitted to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 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 6, 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-2014
Ind. No. 78/19

Antoine Brown,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about February 28, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the the judgment of the Supreme Court, Bronx County, rendered on or about February 28, 2019,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and the notice of appeal filed on defendant's behalf,

It is ordered that the appeal is permitted to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 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 6, 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-2016
Ind. No. 2381/16

Vladimir Gjinaj,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about March 4, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about March 4, 2019,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and the notice of appeal filed on defendant's behalf,

It is ordered that the appeal is permitted to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 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 6, 2019.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-2057
Ind. Nos. 3438/16
4838/16

Richard Jamison,
Defendant-Appellant.

-----X

An order of this Court having been entered on March 28, 2019 (M-48) inter alia, granting defendant leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about August 21, 2018, and assigning Robert S. Dean, Esq., Center for Appellate Litigation, as counsel to prosecute the appeal; and a motion having been made to substitute Christina Swarns, Esq., Office of the Appellate Defender, as such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Robert S. Dean, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Christina Swarns, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York, 10007, Telephone No. 212-402-4100, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the complete record, whichever is later.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 6, 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-2160
Ind. No. 4011/18

Laru Curls,
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 28, 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, of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 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 6, 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-2314
Ind. No. 3363/16

John Doe also known as Steven Sidberry,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about April 2, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment, of the Supreme Court, New York County, rendered on or about March 26, 2019,

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

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

(M-2314)

-2-

June 6, 2019

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:

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

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 6, 2019.

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

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

CONFIDENTIAL

M-1861

-against-

Ind. Nos. 3301/84
4293/84

Harvey Zimmerman,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the SORA order of the Supreme Court, Bronx County (Bruce, J.), entered on or about January 18, 2019, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, 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 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 Clerk of the Supreme Court shall expeditiously make and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Bruce as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Janet E. Sabel, Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed.

(M-1861)

-2-

June 6, 2019

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 6, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Sallie Manzanet-Daniels
Ellen Gesmer
Anil C. Singh, Justices.

-----X

The People of the State of New York,
Respondent,

M-1624

-against-

Ind. No. 2020/16

Delano Kirtone, also known as,
Delano Kirton,
Defendant-Appellant.

-----X

Defendant having moved, pro se, for an extension of time to file an untimely notice of appeal, pursuant to CPL 460.30, and for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about December 13, 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 deeming the notice of appeal as timely filed and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 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.

(M-1624)

-2-

June 6, 2019

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 6, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Sallie Manzanet-Daniels
Ellen Gesmer
Anil C. Singh, Justices.

-----X

Orly Genger, in her individual capacity and on behalf of the Orly Genger 1993 Trust (both in its individual capacity and on behalf of D & K Limited Partnership),
Plaintiff-Respondent-Appellant,

CONFIDENTIAL
M-1701
M-1703

Index No. 109749/09

-against-

Dalia Genger, Sagi Genger,
Leah Fang, D & K GP LLC and
TPR Investment Associates, Inc.,
Defendants-Appellants-Respondents.

-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about March 17, 2017 and on or about September 12, 2016,

And defendants having moved for a further enlargement of time to perfect their appeal taken from the aforesaid order entered on or about September 12, 2016 (M-1701),

And plaintiffs having moved for a further enlargement of time to perfect their appeal taken from the aforesaid order entered on or about March 17, 2017 (M-1703),

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

It is ordered that the motions are granted to the extent of enlarging the time to perfect the appeals to the October 2019 Term. If so perfected, the Clerk of the Court is directed to calendar the appeals to be heard together, on the same date in 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 6, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Peter Tom
Jeffrey K. Oing, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-1136
Ind. No. 1283/18

Ronald Izzo,
Defendant-Appellant.

-----X

Defendant-appellant having moved, pro se, for an extension of time in which to file an untimely notice of appeal, pursuant to CPL 460.30, from a judgment of the Supreme Court, Bronx County, rendered on or about December 4, 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 granted to the extent of deeming the notice of appeal as timely filed.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 6, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Peter Tom
Peter H. Moulton, Justices.

-----X
F.L,

Plaintiff-Appellant,

-against-

J.M.,
Defendant-Respondent.

-----X

Confidential

M-1905

M-1906

Index No. 307157/13

Plaintiff-appellant wife having moved for reargument of the decision and order of this Court, entered on March 5, 2019 (Appeal No. 8572) (M-1906) and, to amend the case caption to have her name listed as "Anonymous" (M-1905),

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

It is ordered that the motion seeking reargument is denied (M-1906), and

It is further ordered that the motion seeking to amend the caption is granted to the extent of modifying the caption as indicated above (M-1905). The decision and order of this Court entered on March 5, 2019 (Appeal No. 8572) is recalled and vacated and a new decision and order substituted therefor, (see Appeal No. 8572, decided simultaneously herewith).

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 6, 2019.

Present - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Rosalyn H. Richter
Jeffrey K. Oing
Peter H. Moulton, Justices.

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

Respondent,

-against-

M-484
Ind. No. 4749/15

David Hernandez,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about July 3, 2018, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, in compliance with CPLR 1101(a), and 22 NYCRR 1250.4(d)(1) and (4), setting forth, inter alia, the terms of defendant's retainer agreement with trial counsel, Dawn Florio, Esq., the amount and sources of funds for trial counsel's fee and an explanation as to why similar funds are not available to prosecute this appeal.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 6, 2019.

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

-----X
Karen Stephens,
Petitioner-Appellant,

-against- M-1373
Index No. 100699/18

New York State Division of Human
Rights, et al.,
Defendants-Respondents.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about December 20, 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 to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the attorney for respondent 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. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 6, 2019.

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

-----X
Geraldine McGarvey,
Petitioner-Respondent,

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

-against-

M-1510
Index No. 100029/16

City of New York, New York City Department
of Education and Carmen Farina,
Chancellor of New York City Department of
Education,
Respondents-Appellants.

-----X

Respondents-appellants having moved for an enlargement of time in which to perfect the appeal taken from a judgment of the Supreme Court, New York County, entered on or about January 23, 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 granted to the extent of enlarging the time to perfect the appeal to 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 6, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Troy K. Webber
Ellen Gesmer, Justices.

-----x

S. A.,
Plaintiff-Respondent,

CONFIDENTIAL

M-1057

-against-

Index No. 306655/11

R.H.,
Defendant-Appellant.

-----x

Appeals having been taken to this Court from orders of the Supreme Court, New York County, entered on or about June 22, 2018 and July 9, 2018, determining issues of custody and visitation,

And R. Ellen Sigal, Esq., court attorney for the subject child, having moved on said child's behalf, for 1) assignment of Andrew J. Baer, Esq., as counsel for the child to respond to the appeal; and 2) amending the caption to reflect plaintiff-respondent's name as "S.A." and defendant-appellant's name as "R.H.," and to use such initials on all decisions or opinions to be published, in order to preserve the anonymity and privacy of the child; 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, insofar as it seeks amendment of the caption, is granted and the caption shall be amended as set forth herein, and it is further

Ordered that the motion, insofar as it seeks an assignment of counsel for the subject child, is granted to the extent of assigning, pursuant to 22 NYCRR Part 36, Lewis S. Calderon, Esq., 155-03 Jamaica Avenue, Jamaica, N.Y. 11432, Telephone No. 718-883-1560, as counsel for purposes of responding to the appeal;

said counsel to be compensated in accordance with the order of the Supreme Court, New York County entered on or about February 8, 2012 (See, M-1101, dated June 6, 2019, decided simultaneously herewith).

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 6, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Troy K. Webber
Ellen Gesmer, Justices.

-----x

S.A.,
Plaintiff-Respondent,

CONFIDENTIAL

M-1101

-against-

Index No. 306655/11

R.H.,
Defendant-Appellant.

-----x

Appeals having been taken to this Court from orders of the Supreme Court, New York County, entered on or about June 22, 2018 and July 9, 2018, determining issues of custody and visitation,

And defendant-appellant, by assigned counsel, having moved for an order 1) unsealing the transcript of the child's *in camera*, Lincoln Hearing testimony, and directing that it be provided to defendant-appellant's counsel under such terms and conditions as this Court shall deem necessary to protect the child's confidentiality; 2) directing the Clerk of the Supreme Court and the Office of Court Reporters to provide a copy of all trial transcripts to defendant-appellant's counsel, and to furnish an original, signed certified copy to the Clerk of this Court, pursuant to the order of this Court entered January 3, 2019 (M-5730); (3) directing the Clerk of the New York County Supreme Court to file the original record, including all trial exhibits, with the Clerk of this Court, pursuant to the order of this Court entered January 3, 2019 (M-5730); (4) disqualifying Ellen Sigal, Esq. as the child's counsel on appeal; and (5) remitting the issue of visitation to Supreme Court, New York County, for issuance of an order of unsupervised visitation,

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

Ordered that that branch of the motion seeking relief with respect to the original record is denied, without prejudice to counsel (1) serving a subpoena pursuant to 22 NYCRR 1250.9(a)(i) listing the documents relevant to the orders appealed from and to be included in the appellate record, including any relevant

transcripts, but which shall not include any sealed records, copies of forensic reports or medical or mental health records, and (2) providing the Court Reporters' Office with the dates of proceedings relevant to the orders on appeal for which no transcript has been made a part of the record of this matter in the New York County Clerk's Office. The motion is otherwise denied. (See, M-1057, dated June 6, 2019, decided simultaneously herewith).

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 6, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,
Judith J. Gische
Troy K. Webber
Marcy L. Kahn
Jeffrey K. Oing, Justices.

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

Respondent,

M-762

M-1349

-against-

Ind. No. 604/17

Julio Pereira,
Defendant-Appellant.

-----X

Defendant having moved, by a Notice of Motion and an Amended Notice of Motion (M-1349 and M-762, respectively), for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about May 24, 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, 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 6, 2019.

Present - Hon. David Friedman, Justice Presiding,
Judith J. Gische
Troy K. Webber
Marcy L. Kahn
Jeffrey K. Oing, Justices.

-----x

Valerie Jackson,

Plaintiff-Appellant,

-against-

M-1508
Index No. 800001/17

Bellevue Hospital,

Defendant-Respondent.

-----x

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 19, 2017,

And plaintiff-appellant, pro-se, having moved, for an order pursuant to CPLR 1101 and 1102 granting leave to prosecute said appeal as a poor person, on the original record and typewritten briefs, for a free copy of the transcript, granting an exemption from the subpoena fee required for the transfer of said record to this Court, and for related relief,

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

It is ordered that the motion is denied.

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 6, 2019.

Present - Hon. David Friedman, Justice Presiding,
Judith J. Gische
Troy K. Webber
Marcy L. Kahn
Jeffrey K. Oing, Justices.

-----x
Ian S. Peck,

Plaintiff-Appellant,

-against-

M-1514
Index No. 157281/17

Liliane Peck, individually and as
Preliminary Executrix of the Estate
of Norman L. Peck, Deceased,

Defendant-Respondent.
-----x

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about May 25, 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 granted to the extent of enlarging the time to perfect the appeal to 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 6, 2019.

Present - Hon. David Friedman Justice Presiding,
 Judith J. Gische
 Troy K. Webber
 Marcy L. Kahn
 Jeffrey K. Oing,, Justices.

-----x
In the Matter of the Application of
Isabelle Kostic,
 Petitioner-Respondent,

For a Judgment Pursuant to Article 78 M-1587
of the Civil Practice Law and Rules,

 -against- Index No. 152243/17

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

 -and-

Amdar Company LLC,
 Respondent-Appellant.

In the Matter of the Application of
Amdar Company, LLC,
 Petitioner-Appellant,

For a Judgment Pursuant to Article 78 Index No. 100290/17
of the Civil Practice Law and Rules,

 -against-

New York State Division of Housing
and Community Renewal, et al.,
 Respondents-Respondents.

-----x

Respondent/petitioner-appellant having moved, pursuant to 22 NYCRR 1250.10(c), to vacate the dismissal of the appeal taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about July 5, 2018 and, upon vacatur, for an enlargement of time to perfect the appeal,

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

It is ordered that the motion is granted, the appeal reinstated, and the time to perfect the appeal is enlarged to 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 6, 2019.

Present - Hon. David Friedman, Justice Presiding,
Judith J. Gische
Troy K. Webber
Marcy L. Kahn
Jeffrey K. Oing, Justices.

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

- - - - -
Elijah D. F.,
Petitioner-Appellant,

CONFIDENTIAL
M-1616
Docket No. 0-2709/19

-against-

Yvette F.,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Family Court, New York County, entered on or about March 4, 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 due deliberation having been had thereon,

It is ordered that the motion is denied, with leave to renew upon respondent's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), and 22 NYCRR 1250.4(d)(1), setting forth, inter alia, facts sufficient to establish respondent's indigency, including the amount and sources of his income, and a description of any property he owns, with its value.

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 6, 2019.

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

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

Corinne Frances B.,
Petitioner-Appellant,

CONFIDENTIAL

M-2090

-against-

Docket Nos. V-10349/17
V-5270/18

Antwan M.,
Respondent-Respondent.

V-5270/18/18A

Anna Schissel, Esq.,
Attorney for the Child.

-----X
Consolidated appeals having been taken to this Court by petitioner-appellant from orders of the Family Court, New York County, entered on or about March 8, 2018, May 7, 2018, December 5, 2018 and December 17, 2018,

And an order of a Justice of this Court having been entered on December 7, 2018, denying petitioner-appellant's application for a stay of all proceedings and trial (M-6293), and petitioner-appellant having moved, pro se, for reconsideration of the aforesaid order, and for a stay of trial and enforcement of the portions of the orders on appeal which adversely effect her, pending hearing and determination of the consolidated appeals,

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

It is ordered that the motion is denied.

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 6, 2019.

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

-----x
Lorraine Pierre-Destine,
Plaintiff,

-against-

M-2174
Index No. 22393/19E
L&T Index No. 76587/18

Lisa Dawn Apartments Inc.,
Defendant.
-----x

Defendant having moved pursuant to CPLR 5704(a) for certain relief denied by a Justice of the Supreme Court, Bronx County, and vacating an order of the same court, entered on or about April 15, 2019, which declined to sign an order to show cause seeking removal of a Housing Court proceeding between the parties, and consolidating it with the above captioned personal injury action, and changing the venue of the consolidated action from Bronx County to New York County,

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 6, 2019.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Rosalyn H. Richter
Barbara R. Kapnick
Jeffrey K. Oing
Anil C. Singh, Justices.

-----x

U.S. Bank Trust, N.A., etc.,
Plaintiff-Respondent,

-against-

M-1319
Index No. 35934/14E

Henry Siame, etc.,
Defendant-Appellant,

-and-

Richard Streeter, et al.,
Defendants.

-----x

An appeal having been taken to this Court from the order and judgment (one paper) of the Supreme Court, Bronx County, entered on or about January 4, 2019,

And defendant-appellant having moved for a stay of foreclosure of the subject premises located at 2028 Story Avenue, Bronx, NY 10473, pending hearing and determination of the appeal,

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

It is ordered that the motion is denied, and the interim relief granted by the order of a Justice of this Court, dated March 7, 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 6, 2019.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Rosalyn H. Richter
Barbara R. Kapnick
Jeffrey K. Oing
Anil C. Singh, Justices.

-----x
IN RE: NEW YORK CITY ASBESTOS LITIGATION Index No. 40000/88

This Document Relates To:
William Gerard Slattery and Joanne Cornell,
as Executrix of the Estate of Rebecca
Jean Slattery, Deceased, M-1997
Plaintiffs-Appellants, Index No. 190090/16

-against-

Colgate-Palmolive Company,
Defendant-Respondent.

-----x
This Document Relates To:
Sharon Ward,
Plaintiff-Appellant, Index No. 190091/16

-against-

Colgate-Palmolive Company,
Defendant-Respondent.

-----x
This Document Relates To:
Gerald Lindsey, Individually and as
Administrator of the Estate of Venus L.
Lindsey, Index No. 190145/16
Plaintiffs-Appellants,

-against-

Colgate-Palmolive Company,
Defendant-Respondent.

-----x

Separate appeals having been taken to this Court by plaintiffs-appellants from orders of the Supreme Court New York County, entered on or about July 13, 2018 (Index No. 190090/16), July 25, 2018 (Index No. 190091/16) and July 25, 2018 (190145/16),

And plaintiffs-appellants having jointly moved for an order consolidating the aforesaid appeals, and for a further enlargement of time to perfect same,

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

It is ordered that the motion is granted to the extent of consolidating the appeals from the orders entered on or about July 13, 2018, on or about July 25, 2018 and on or about July 25, 2018, (see, 22 NYCRR 1250.9[f][4]). Appellants are permitted to prosecute the consolidated appeals upon an original, five hard copies and, if represented by counsel, one digital copy of a single record and brief, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division. The time to perfect the consolidated appeals is enlarged to 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 6, 2019.

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

-----X

Koya Abe,
Plaintiff-Appellant,

-against-

M-1489

Index No. 105985/10

New York University, David W. Mclaughlin,
Nancy Barton, Ken Castronuovo, Joseph
Giovannelli, Roger Ho, Mary Brabeck,
Barbara Cardeli-Arroyo, and Cathleen Dawe,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for leave to prosecute, as a poor person, the appeals taken from a judgment from the Supreme Court, New York County, entered on or about March 6, 2019, and from orders of the same Court, entered on or about February 4, 2019 and February 13, 2019, respectively, for consolidation of the aforesaid appeals, for an enlargement of time to perfect the consolidated appeal, and for leave to have the appeal heard on the original record and upon a reduced number of a typewritten or printed appellant's brief or to file the briefs electronically, 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 the motion is granted to the extent of permitting the consolidated appeals (see 22 NYCRR 1250.9 [f][3]) to be heard upon the original record and upon a single reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the attorney for respondent and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, on or before August 5, 2019 for the October 2019 Term in accordance with the requirements of 22 NYCRR 1250.9(a). Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record. The court reporter shall promptly make and file with this Court, pursuant to CPLR 1102(b), two transcripts of the minutes of the proceedings, if any. The

Clerk shall furnish a copy of such transcript to appellant, without charge, the transcript to be returned to this Court when appellant's brief is filed. The motion 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 6, 2019.

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

-----X
Robert Cornelius,

Plaintiff-Appellant,

-against-

M-1544
Index No. 113631/11

23-85 87th St. LLP, et al.,

Defendants-Respondents.
-----X

Plaintiff-appellant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, New York County, entered on or about March 6, 2019, 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 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 6, 2019.

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

-----x
Clare Grady,

Plaintiff-Respondent,

-against-

M-1608
Index No. 153565/17

Hessert Realty L.P., et al.,

Defendants-Appellants.
-----x

Defendants-appellants having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about June 29, 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 granted to the extent of enlarging the time to perfect the appeal to 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 May 9, 2019.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Judith J. Gische
Peter Tom
Ellen Gesmer
Anil C. Singh, Justices.

-----X

Richard Wolodin and Crystal Wolodin,
Plaintiffs-Respondents,

-against-

M-1842
Index No. 154020/12

Lehr Construction Corp. and
450 Partners, LLC,
Defendants-Appellants.

-----X

Defendants-appellants, Lehr Construction Corp. and 450 Partners, LLC, having moved for a stay of all proceedings, including trial, pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about July 28, 2017,

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

It is ordered that the motion is 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 6, 2019.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Judith J. Gische
Troy K. Webber
Marcy L. Kahn
Peter H. Moulton, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-1526
Ind. No. 2796/15

Augusto Collado,
Defendant-Appellant.

-----X

An order of this Court having been entered on July 13, 2017 (M-2898) granting defendant leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about January 26, 2017, and assigning Rosemary Herbert, Esq., predecessor counsel to Christina Swarns, Esq., Office of the Appellate Defender, as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, or, in the alternative, for dismissal of the aforementioned appeal without prejudice to reinstatement,

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

It is ordered that the motion is granted to the extent of deeming the appeal withdrawn 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 6, 2019.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Judith J. Gische
Troy K. Webber
Marcy L. Kahn
Peter H. Moulton, Justices.

-----x
In the Matter of a Proceeding for
Support Under Article 4 of the
Family Court Act.

Susan A.,
Petitioner-Appellant,

CONFIDENTIAL

M-1700
Docket No. F44460-10/18S

-against-

Christopher O.,
Respondent-Respondent.

-----x

Defendant-appellant having moved, pursuant to 22 NYCRR 1250.10(c), to vacate the dismissal of the appeal taken from the order of the Family Court, New York County, entered on or about September 27, 2018 and, upon vacatur, for an enlargement of time to perfect said appeal,

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

It is ordered that the motion is granted to the extent of reinstating the appeal, and enlarging the time to perfect same to 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 6, 2019.

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

-----X
In re Baby Boy W., also known
as Muhamed Umar W.,

A Child Under Eighteen Years
of Age, etc.,

CONFIDENTIAL

M-1965

Docket No. NN-42965-13

Jessica W.,
Respondent-Appellant,

Administration for Children's Services,
Petitioner-Respondent.

-----X

Appeals having been taken from orders of the Family Court, New York County, entered on or about January 6, 2014, January 29, 2015, and September 10, 2015,

And a decision and order of this Court having been entered on November 18, 2018 (M-4092) denying respondent-appellant's pro se motion in the nature of a writ of error coram nobis, for an order finding that she has received ineffective assistance from her assigned appellate counsel, assigning her new appellate counsel, and for poor person and other relief,

And a decision and order of this Court, having been entered on March 19, 2019 (Appeal Nos. 8740-8741-8742), unanimously affirming the order of fact-finding of the Family Court, New York County, entered on or about January 29, 2015, and dismissing the appeal from the order of disposition of the same court, entered on or about September 10, 2015, as moot,

And respondent-appellant, pro se, having moved in the nature of a writ of error coram nobis, for an order finding that she has received ineffective assistance from her assigned appellate counsel, for reargument of the aforementioned decisions and orders of this Court, and for poor person and other relief,

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

It is ordered that the motion is denied.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 6, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Ellen Gesmer
Cynthia S. Kern
Anil C. Singh, Justices.

-----X
Angel Sepulveda,

Plaintiff-Respondent,

-against-

M-676
Index No. 304714/15

The City of New York, New York City
Department of Education, New York
City Board of Education, and New
York City School Construction
Authority,

Defendants-Appellants

-----X

Defendants-appellants having moved for an order vacating the dismissal of appeal pursuant to 22 NYCRR 1250.10(c) and for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about June 19, 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 granted to the extent of vacating the dismissal of the aforementioned appeal, and enlarging the time to perfect the reinstated appeal to 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 6, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Ellen Gesmer
Cynthia S. Kern
Anil C. Singh, Justices.

-----X
Danny Tenaglia and D Tour Inc.,

Plaintiffs-Appellants,

-against-

M-1270

Index No. 650608/16

Kevin McHugh,

Defendant-Respondent.

-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about July 24, 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, deemed to include a request to vacate the dismissal of appeal pursuant to 22 NYCRR 1250.10(c), is granted and the time to perfect said appeal is enlarged to the December 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 6, 2019.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Ellen Gesmer
Cynthia S. Kern
Anil C. Singh, Justices.

-----X
In Re: New York City Asbestos Litigation

Allison Linsky,
Plaintiff-Respondent,

-against-

M-1470
Index No. 190149/16

American Biltrite, Inc.,
Defendant-Appellant,

Amchem Products, Inc., et al.,
Defendants.

-----X
Defendant-appellant, American Biltrite, Inc., having moved for a stay of trial pending the hearing and determination of its appeal taken from an order of the Supreme Court, New York County, entered on or about February 14, 2019,

Now, upon reading and filing the papers with respect to the motion, and defendant-appellant's Notice of Withdrawal of Appeal, dated March 29, 2019, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid notice. The motion is denied as academic.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 6, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Ellen Gesmer
Cynthia S. Kern
Anil C. Singh, Justices.

-----x
Vladimira Koch, also known as Vlad'ka
Koch, et al.,
Plaintiffs-Appellants,

-against- M-1532
Index No. 112337/07

Sheresky, Aronson & Mayefsky LLP,
et al.,
Defendants-Respondents.

-----x

Plaintiff-appellant, Vladimira Koch, having moved for a further enlargement of time to perfect the consolidated appeals taken to this Court from two orders of the Supreme Court, New York County, both entered on or about May 4, 2018, and from the judgment of the same Court entered on or about September 28, 2018, and for permission to perfect the appeals using the appendix method,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the consolidated appeals to the October 2019 Term, with leave to proceed by the appendix method.

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 6, 2019.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Ellen Gesmer
Cynthia S. Kern
Anil C. Singh, Justices.

-----X
Madison 92nd Street Associates, LLC,

Plaintiff-Appellant,

M-1558

Index No. 653449/15

-against-

Courtyard Management Corporation,

Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about August 20, 2018,

And plaintiff-appellant having moved to withdraw the appeal "without prejudice" or, in the alternative, for an enlargement of time to perfect said appeal to the June 2019 Term,

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

It is ordered that the motion is granted to the extent of deeming the appeal withdrawn without prejudice to future appeals.

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 6, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Peter Tom
Marcy L. Kahn
Ellen Gesmer, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-830
Ind. No. 2030/15

Alex Krahmalni,
Defendant-Appellant.

-----X

An order of this Court having been entered on June 29, 2017 (M-2140) striking the designation of Robert S. Dean, Esq., Center for Appellate Litigation, as counsel to prosecute defendant's appeal and substituting Rosemary Herbert, Esq., predecessor counsel to Christina Swarns, Esq., Office of Appellate Defender, as counsel to prosecute the appeal from the judgment of the Supreme Court, New York County, rendered on or about August 9, 2016,

And decision and order of this Court having been entered on March 7, 2019 (Appeal No. 8608), unanimously affirming the order of the Supreme Court, New York County (Gregory Carro, J.), entered on or about August 9, 2016,

And defendant-appellant having moved for an order relieving assigned counsel and to substitute other counsel to prosecute the appeal,

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

It is ordered that the motion is denied, as academic.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 6, 2019.

Present: Hon. Dianne T. Renwick, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Cynthia S. Kern
Peter H. Moulton, Justices.

-----X

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

CONFIDENTIAL

M-1206

Eddie W.,
Petitioner-Appellant,

Docket Nos. V-22546-09/17F
V-1887-08/17G

-against-

Kayo I.,
Respondent-Respondent.

-----X

Petitioner-appellant-father having moved for an enlargement of time to perfect the appeal taken from an order of the Family Court, New York County, entered on or about May 30, 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 granted to the extent of enlarging the time in which to perfect the appeal to 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 6, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Judith J. Gische
Troy K. Webber
Anil C. Singh, Justices.

-----x
Anthony Varriano,

Plaintiff-Respondent,

-against-

Confidential

M-1371

Index No. 301005/16

Maria Proietti Varriano,

Defendant-Appellant.
-----x

Defendant-appellant having moved, pursuant to 22 NYCRR 1250.10(c), to vacate the dismissal of the appeal taken from the judgment of divorce of the Supreme Court, New York County, entered on or about June 8, 2018, and upon vacatur, for an enlargement of time to perfect said appeal,

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

It is ordered that the motion is granted to the extent of vacating the dismissal, reinstating the appeal, and enlarging the time to perfect same to 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 6, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Judith J. Gische
Troy K. Webber
Anil C. Singh, Justices.

-----x

Erica Bloom,
Plaintiff-Respondent,

CONFIDENTIAL

M-1535

-against-

Index No. 311653/16

Daniel Hilpert,
Defendant-Appellant.

-----x

Appeals having been taken to this Court by defendant from orders of the Supreme Court, New York County, entered on or about January 13, 2017, December 15, 2017, April 18, 2018, April 23, 2018, and November 2, 2018 (two orders),

And defendant-appellant having moved for an order consolidating the aforesaid appeals, and for an enlargement of time to perfect same,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties dated March 1, 2019, and due deliberation having been had thereon,

It is ordered that the motion is granted and defendant is directed to perfect the consolidated appeals upon a single and record and brief on or before August 5, 2019 for the October 2019 Term (see 22 NYCRR 1250.9[f][3]).

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 6, 2019.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Troy K. Webber
Cynthia S. Kern, Justices.

-----X

Henry 85 LLC,

Plaintiff-Respondent,

-against-

M-1471

Index No. 154499/15

Joel Roodman and Jill Tafrate,

Defendants-Appellants.

-----X

Defendants-appellants having moved for a further enlargement of time to perfect their appeal taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about May 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 enlarging the time to perfect the appeal to 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 6, 2019.

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

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

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

Children Under 18 Years of Age
Pursuant to §384-b of the Social
Services Law of the State of New York.

- - - - -

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

CONFIDENTIAL

M-2193
Docket Nos. NN-15651/11
NN-40004/13
NN-45208/14

Karina Elizabeth F. and Mike G., Sr.
Respondents-Appellants.

- - - - -

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

-----X

Appeals having been taken by respondent-appellant father from orders of the Family Court, New York County, entered on or about August 21, 2013, July 9, 2014, October 4, 2014, March 9, 2015 and August 12, 2015, and respondent-appellant father, pro se, having renewed his motion for poor person relief with respect to the aforesaid appeals (M-6023),

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

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

BEFORE: Hon. Marcy L. Kahn
Justice of the Appellate Division

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

M-1486
Indictment No.
4268C/05


-against-

CERTIFICATE
DENYING LEAVE

Samuel Encarnacion,
Defendant.

-----X

I, Marcy L. Kahn, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application deemed 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, Bronx County (Hon. Martin Marcus), entered on or about February 5, 2019, is hereby denied.



Associate Justice

Dated: April 25, 2019
New York, New York

ENTERED: June 6, 2019

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

BEFORE: Peter H. Moulton
Justice of the Appellate Division

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

M-764
Ind. No. 1032/04
65/05

-against-


CERTIFICATE
DENYING LEAVE

Emmanuel Sanchez,
Defendant.

-----X

I, Peter H. Moulton, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.10(5) 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 (Ruth Pickholz, J.) entered on or about April 3, 2018 is hereby denied.

Dated: April 19, 2019
New York, New York



Hon. Peter H. Moulton
Associate Justice

ENTERED: June 6, 2019