

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 October 27, 2011.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
Anna Novello,
Plaintiff-Respondent,

-against-

M-4247X
Index No. 300455/10

Johan Singh, Johan Ram Singh and
Ram Singh,
Defendants-Appellants.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about September 28, 2010,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 16, 2011, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 27, 2011.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
BDC Finance LLC,
Plaintiff-Appellant,

-against-

M-4244X
Index No. 650375/08

Barclays Bank PLC,
Defendant-Respondent.

-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about September 18, 2010 and May 31, 2011, respectively,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 16, 2011, and due deliberation having been had thereon,

It is ordered that the appeals are withdrawn in accordance with the aforesaid stipulation.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 27, 2011.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
Lisa J. Weksler, etc.,
Plaintiff-Appellant,

-against-

M-4259X
Index No. 603288/07

Joseph Weksler, et al.,
Defendants-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about November 19, 2010 (mot. seq. no. 012),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 14, 2011, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 27, 2011.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
Carl C. Icahn, et al.,
Plaintiffs-Appellants,

-against-

M-4242
Index No. 651076/10

Lions Gate Entertainment Corp.;
et al.,
Defendants-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about March 30, 2011,

Now, upon reading and filing the stipulation of the parties hereto, dated September 15, 2011, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the October 2011 Term, is withdrawn in accordance with the aforesaid stipulation.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 27, 2011.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzarelli
John W. Sweeny, Jr.
Sheila Abdus-Salaam
Nelson S. Román, Justices.

-----x
John M. Ferlito, etc., et al.,
Plaintiffs-Appellants,

-against-

Domenick J. Vultaggio, etc., et al.,
Defendants-Respondents.

- - - - -

Domenick J. Vultaggio, etc., et al.,
Counterclaim and Third-Party
Plaintiffs-Respondents,

M-4312
Index Nos. 600396/08
590976/08
100568/11

-against-

John M. Ferolito, etc., et al.,
Counterclaim and Third-Party
Defendants-Respondents.

- - - - -

In the Matter of the Application of
John M. Ferolito, etc.,
Petitioner/Appellant,

For the Dissolution of Beverage
Marketing, USA, Inc.

-----x

Appeals having been taken to this Court from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about June 3, 2011 (Cal. No. 1306); the order of said Court entered on or about June 24, 2011 (Cal. No. 1144); and the order of said Court entered on or about April 14, 2011 (Cal. No. 1481, *Sealed*), and said appeals having been perfected,

And an appeal having been taken to this Court by plaintiff/petitioner John M. Ferolito from the order of Supreme Court, New York County, entered on or about June 2, 2011 (Cal. No. 1317),

And respondents having moved for adjournment of the appeal from the order entered on or about June 2, 2011 (Cal. No. 1317),

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

It is ordered that the motion is granted to the extent of adjourning the appeal from the order entered on or about June 2, 2011 (Cal. No. 1317) to the February 2012 Term. Sua sponte, the appeals (Cal. Nos. 1306/1144/1481) are adjourned to said February 2012 Term. The Clerk is directed to calendar all appeals herein for hearing together during said February 2012 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 27, 2011.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Richard T. Andrias
David B. Saxe
John W. Sweeny, Jr., Justices.

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

Antonio Dwayne G., M-4117
Petitioner-Appellant, Docket No. V-05363-03/09I

-against-

Erica Monte E.,
Respondent-Respondent.

-----X

Petitioner having moved for leave to prosecute, as a poor person, the appeal from orders of the Family Court, New York County, entered on or about December 7, 2010 and August 30, 2010, respectively, 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, Leslie S. Lowenstein, Esq., 567 Sunset Drive, Woodmere, New York 11598, Telephone No. 516-994-6831, 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

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

compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

Sua sponte, the time in which to perfect the appeal is enlarged to the March 2012 Term.

ENTER:

A handwritten signature in black ink, appearing to read "Susan R. Jones", written in a cursive style. The signature is positioned above a horizontal line.

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 October 27, 2011.

Present: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
James M. Catterson
Rolando T. Acosta
Dianne T. Renwick, Justices.

-----X
CDR Créances S.A.S., as Successor to
Société de Banque Occidentale,
Plaintiff-Respondent,

-against-

Maurice Cohen,
Defendant-Appellant,

M-4001
Index No. 109565/03

-and-

Summerson International, et al.,
Defendants.

-----X
CDR Créances S.A.S., as Successor to
Société de Banque Occidentale,
Plaintiff-Respondent,

-against-

Index No. 600448/06

Leon Cohen, also known as Leon Levy,
also known as Leon Levy Cohen, also
known as Leon Cohen Levy, also known as
Leon Cohen-Levy, also known as
Leon Levy-Cohen, also known as Levy Cohen,
also known as Levy Leo Cohen, also known
as Leo Cohen, Leo Cohen Levy, also known
as Leon Comen, et al.,
Defendants-Appellants,

-and-

Iderval Holdings, Ltd, et al.,
Defendants.

-----X

Separate appeals having been taken to this Court from the order of the Supreme Court, New York County, entered on or about January 25, 2011, which consolidated and resolved mot. seq. nos. 031 and 032 under Index No. 109565/03 and 039 and 040 under Index No. 600448/06 (mot. seq. nos. 031, 032 [M-1507] and 039, 040 [M-1471]), and said appeals having been perfected,

And an appeal having been taken from the order of the Supreme Court, New York County, entered on or about February 24, 2011 (mot. seq. no. 004) [N.Y. Co. Index No. 600448/06],

And plaintiff-respondent, CDR Créances S.A.S., having moved for dismissal of the aforesaid appeals,

Now, upon reading and filing the papers with respect to the motions including the stipulation of the parties filed September 28, 2011, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of deeming the perfected appeals and the appeal from the order entered on or about February 24, 2011 withdrawn upon the terms of the parties' stipulation filed September 28, 2011 without prejudice to perfection of an appeal from the judgment of Supreme Court, New York County, entered on or about August 22, 2011 in accordance with the aforesaid stipulation. The Clerk is directed not to discard the 12 volumes of record filed on the perfected appeals.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 27, 2011.

Present - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
James M. Catterson
Rolando T. Acosta
Dianne T. Renwick, Justices.

-----x
Mt. Hawley Insurance Company,

Plaintiff-Respondent,

-against-

M-4112
Index No. 100812/09

Interstate Fire and Casualty Company,

Defendant-Appellant.
-----x

Plaintiff-respondent having moved for dismissal of the appeal from the order of the Supreme Court, New York County, entered on or about March 2, 2011, for failure to timely perfect,

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

It is ordered that the motion is denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 27, 2011.

Present - Hon. Peter Tom, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Helen E. Freedman
Nelson S. Román, Justices.

-----x
Nikiyah S. Blackman,
Plaintiff-Respondent,

-against-

M-4041
Index No. 101743/02

The Hit Factory, et al.,
Defendants-Appellants.
-----x

An appeal and cross appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about August 19, 2010,

And an order of this Court having been entered on September 15, 2011 (M-3053), inter alia, denying plaintiff's motion for leave to prosecute the appeal as a poor person,

And defendants having moved for an enlargement of time to perfect the cross 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, sua sponte, the direct appeal is dismissed for failure to timely perfect, and defendants are directed to perfect their cross appeal as direct appellants for the February 2012 Term.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 27, 2011.

PRESENT: Hon. Peter Tom, Justice Presiding,
David B. Saxe
Karla Moskowitz
Leland G. Degrasse
Sheila Abdus-Salaam, Justices.

-----X
Peter Stone, et al.,
Plaintiffs-Respondents,

-against-

M-4251
Index No. 100390/06

TDX Construction Corporation, et al.,
Defendants-Appellants,

New York City Department of Design
and Construction,
Defendant.

-----X

Defendants-appellants having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about September 24, 2010,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the April 2012 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 27, 2011.

PRESENT: Hon. Peter Tom, Justice Presiding,
James M. Catterson
Dianne T. Renwick
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----X
Michael Notaro, Jerome McDonnell,
Mark Turner, individually and on
behalf of 1075 Concourse Tenants
Corp. who have signed a petition
for the allowing of a Special
Meeting to remove the Corporation's
Directors,
Plaintiffs-Respondents,

-against-

M-3989
Index No. 309543/09

1075 Units, LLC,
Defendant-Appellant,

1075 Concourse Tenants Corp.,
Defendants-Respondents.

-----X

Defendant-appellant having moved for an enlargement of time in which to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about October 26, 2010,

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 March 2012 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 27, 2011.

PRESENT: Hon. Peter Tom, Justice Presiding,
James M. Catterson
Dianne T. Renwick
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----X
Elisa Cohen and Larry Cohen,
Plaintiffs-Respondents,

-against-

M-3956
Index No. 16471/04

The City of New York, et al.,
Defendants-Appellants.
-----X

Defendants-appellants having moved for an enlargement of time in which to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about November 1, 2010,

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 March 2012 Term.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 27, 2011.

PRESENT: Hon. Peter Tom, Justice Presiding,
James M. Catterson
Dianne T. Renwick
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----X
Teresita Fregans,
Plaintiff-Respondent,

-against-

M-3758
Index No. 106682/09

The New York City Transit Authority,
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about November 3, 2010 (mot. seq. no. 002),

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 February 2012 Term.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 27, 2011.

PRESENT: Hon. Peter Tom, Justice Presiding,
James M. Catterson
Dianne T. Renwick
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----X
Rita W. Gordon,
Plaintiff-Appellant,

-against-

M-3883
M-4049
Index No. 106645/06

Samuel Kadet and Skadden, Arps,
Slte, Meagher & Flom LLP,
Defendants-Respondents.

-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about May 26, 2011 (mot. seq. no. 009) and June 1, 2011 (mot. seq. no. 008), respectively,

And defendants-respondents having moved to dismiss the aforesaid appeals (M-3883),

And plaintiff-appellant have cross-moved for an enlargement of time in which to perfect the aforesaid appeals (M-4049),

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

It is ordered that the motion is granted to the extent of dismissing the aforesaid appeals unless said appeals are perfected for the May 2012 Term. The cross-motion is granted accordingly, to the extent of enlarging the time to perfect the aforesaid appeals to on or before February 21, 2012 for said May 2012 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 27, 2011.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Rolando T. Acosta
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X

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

Matthew Ricardo M., also known as
Matthew M.,

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

M-4119

Docket No. B4374/10

- - - - -
Catholic Guardian Society and Home
Bureau, et al.,
Petitioners-Respondents,

Melissa M.,
Respondent-Appellant.

- - - - -
Lisa May, Esq., Lawyers for Children
Inc.,
Attorney for the Child.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about April 11, 2011, 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, Andrew Baer, Esq., 299 Broadway, Suite 1415, New York, New York 10007, Telephone No. 212-233-0318, 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 Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



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 October 27, 2011.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Rolando T. Acosta
Dianne T. Renwick
Leland G. Degrasse, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-4131

Ind. No. 2164N/09

Armstrong Wilkerson,

Defendant-Appellant.

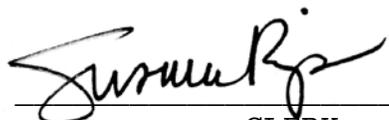
-----X

Defendant-appellant, in connection with the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about February 24, 2010, having moved for leave to file a pro se supplemental brief,

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

It is ordered that the motion is denied.

ENTER:


CLERK

CORRECTED ORDER – May 21, 2012

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 October 27, 2011.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of

Ceawanya W.,
Dontaya W., and
Kenneth S.,

Children Alleged to be abused and/or
Neglected Under Article 10 of the
Family Court Act.

Administration for Children's Services,
Petitioner-Respondent,

M-3736
Docket Nos. NA-16873/09
NA-16874/09
NA-16875/09

Preston B.,
Respondent-Appellant.

Randall Carmel, Esq.,,
Attorney for the Child
Ceawanya W.,

Paul Sweeney, Esq.,
Attorney for the Child
Dontaya W.,

Matthew Gray, Esq.,
Attorney for the Child
Kenneth S.
-----X

Counsel for petitioner-respondent child Ceawanya W., having moved for leave to respond, as a poor person, to the appeal from the order of the Family Court, Bronx County, entered on or about April 12, 2011, 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,

CORRECTED ORDER - May 21, 2012

(M-3736)

-2-

October 27, 2011

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., 53 Jackson Avenue, Syosset, New York 11791, Telephone No. (516)921-8800, 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 petitioner-appellant and 8 copies thereof are filed with this Court.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 27, 2011.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Rosalyn H. Richter
Nelson S. Román, Justices.

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

Helen G.,
Petitioner-Appellant,

-against-

M-3966
Docket No. V-50219/10A

James K. T. and Laverne W.,
Respondents-Respondents.

-----X

Petitioner-appellant having moved for an enlargement of time in which to perfect the appeal from an order of the Family Court, New York County, entered on or about October 13, 2010,

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 January 2012 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 27, 2011.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----X

In the Matter of

Brian F.,

A Person Alleged to be a Juvenile
Delinquent,

M-4323
Docket No. D8453/10

Appellant.

-----X

Appellant having moved for an enlargement of time in which to perfect the appeal taken from the order of the Family Court, Bronx County, entered on or about December 1, 2010,

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 on or before January 3, 2010 for the March 2012 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 27, 2011.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Rosalyn H. Richter
Nelson S. Román, Justices.

-----X
Sariel Abad, an Infant by his
Mother and Natural Guardian,
Yris Morales,
Plaintiff-Appellant,

-against-

M-3886
Index No. 6365/06

New York City Health and Hospitals
Corporation,
Defendant-Respondent.
-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect her appeals from an order and judgment of the Supreme Court, Bronx County, entered on or about October 26, 2010 and November 18, 2010, respectively,

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 appeals to the March 2012 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 27, 2011.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----X
Raj Vohra and Sudesh Vohra,
Plaintiffs-Respondents,

-against-

M-4172
Index No. 114912/08

Queen Anne Co., L.L.C.,
Defendant-Respondent.

-----X
Queen Anne Co., L.L.C.,
Third-Party Plaintiff-Respondent,

-against-

Third-Party
Index No. 91158/08

Dr. Nabil Megally,
Third-Party Defendant-Appellant.

-----X

Third-party defendant-appellant Dr. Nabil Megally having moved for an order staying the trial in the above-entitled action pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about May 9, 2011 (mot. seq. no. 002), and said appeal having been perfected,

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.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 27, 2011.

Present - Hon. David B. Saxe, Justice Presiding,
David Friedman
Karla Moskowitz
Helen E. Freedman
Rosalyn H. Richter, Justices.

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

Respondent,

-against-

M-4052
Ind. No. 1073/07

Ronald Godbold,

Defendant-Appellant.
-----x

Defendant-appellant having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, New York County, rendered on or about July 30, 2009,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the March 2012 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 27, 2011.

Present - Hon. David B. Saxe, Justice Presiding,
David Friedman
Karla Moskowitz
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X

In the Matter of the Application of
the State of New York,
Petitioner-Respondent,

M-4174
Index No. 406721/07
SCID No. 30061/08

For Civil Management Pursuant to
Article 10 of the Mental Hygiene Law,

-against-

Floyd Y.,
Respondent-Appellant.

-----X

Respondent-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about July 7, 2010,

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 March 2012 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 27, 2011.

Present: Hon. David B. Saxe, Justice Presiding,
David Friedman
Karla Moskowitz
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York
ex rel. Lance Lazzaro, attorney on
behalf of Harvin Eigner,
Petitioner-Appellant,

M-3899

Index No. 108561/11

-against-

Warden: Dora B. Schriro, Commissioner,
New York City Department of Corrections,
Respondent-Respondent.

-----X

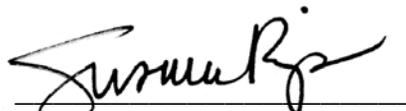
An appeal having been taken from the judgment of the Supreme Court, New York County, entered on or about August 9, 2011, which denied his application for a writ of habeas corpus,

And petitioner by motion deemed to be for an order granting petitioner bail pending hearing and determination of the aforesaid appeal,

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

Ordered that the motion is granted to the extent of continuing the terms of the interim bail granted by a Justice of this Court dated August 23, 2011 pending hearing and determination of the appeal and otherwise denied without prejudice to petitioner's direct appeal.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 27, 2011.

Present - Hon. David B. Saxe, Justice Presiding,
David Friedman
Karla Moskowitz
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----x
In the Matter of the Application of
Carrie Martin,
Petitioner-Appellant,

For an Order Pursuant to Article 78
of the CPLR,

M-4123
M-4181
Index No. 401065/10

-against-

New York City Housing Authority,
Respondent-Respondent.

-----x

Respondent-respondent having moved for dismissal of the appeal from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about December 13, 2010 (M-4123),

And petitioner-appellant having cross-moved for an enlargement of time to perfect the appeal (M-4181),

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 (M-4123) to dismiss the appeal is granted unless petitioner perfects the appeal for the March 2012 Term. The cross motion (M-4181) for an enlargement of time to perfect the appeal is granted to on or before January 3, 2012 for said March 2012 Term. The stay granted by the order of this Court entered on March 15, 2011 (M-941) is continued on pending hearing and determination of the appeal.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 27, 2011.

PRESENT: Hon. David B. Saxe, Justice Presiding,
David Friedman
Rolando T. Acosta
Leland G. DeGrasse
Sheila Abdus-Salaam, Justices.

-----X
Alson Alston,
Petitioner-Appellant,

-against-

M-3875
Index No. 101818/09

New York City Commission on
Human Rights, et al.,
Respondents-Respondents.

-----X

Petitioner-appellant having moved for an enlargement of time in which to perfect the appeal from an order of the Supreme Court, New York County, entered on or about March 30, 2010 (mot. seq. no. 004),

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 February 2012 Term, with no further enlargements to be granted.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 27, 2011.

PRESENT: Hon. David B. Saxe, Justice Presiding,
David Friedman
Rolando T. Acosta
Leland G. DeGrasse
Sheila Abdus-Salaam, Justices.

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

-against-

Antwan Hope, also known as
Antwan Hopkins,
Defendant-Appellant.

M-3790
Ind. Nos. 4/10
175/10

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about June 17, 2010, for leave to prosecute the appeal as a poor person, 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 granted only to the extent of deeming the moving papers a timely filed notice of appeal.

The motion, to the extent that it seeks poor person relief, is denied, with leave to renew upon defendant's submission of a notarized affidavit, pursuant to CPLR 1101, setting forth facts sufficient to establish that defendant has no funds or assets with which to prosecute the appeal, including the amount and sources of his income and listing his property with its value.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 27, 2011.

PRESENT: Hon. David B. Saxe, Justice Presiding,
David Friedman
Rolando T. Acosta
Leland G. DeGrasse
Sheila Abdus-Salaam, Justices.

-----X
Wei Xu,

Plaintiff-Appellant,

-against-

M-3879

Index No. 350205/06

Fangruo Chen,

Defendant-Respondent.

-----X

Appeals having been taken from a judgment of the Supreme Court, New York County, entered on or about July 19, 2011 and an order of the same Court and Justice entered on or about March 25, 2011,

And plaintiff-appellant having moved for a stay of the aforesaid judgment appealed and for leave to prosecute, as a poor person, the aforesaid appeals 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 the motion is denied in its entirety.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 27, 2011.

PRESENT: Hon. David B. Saxe, Justice Presiding,
David Friedman
Rolando T. Acosta
Leland G. DeGrasse
Sheila Abdus-Salaam, Justices.

-----X

In the Matter of the Application of
The City of New York, et al.,
Petitioners-Appellants,

For a Judgment Pursuant to Article 78
of the CPLR,

-against-

M-3969
Index No. 400177/10

The Board of Collective Bargaining
of the City of New York, et al.,
Respondents-Respondents.

-----X

Petitioners-appellants having moved for an enlargement of time in which to perfect the appeal from an order of the Supreme Court, New York County, entered on or about November 4, 2010 (mot. seq. no. 002),

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 March 2012 Term.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 27, 2011.

PRESENT: Hon. David B. Saxe, Justice Presiding,
David Friedman
Rolando T. Acosta
Leland G. DeGrasse
Sheila Abdus-Salaam, Justices.

-----X
Goidel & Siegel, LLP, individually
and on behalf of all other present
and former tenants of 122 East 42nd
Street, LLC,
Plaintiff-Respondent,

-against-

M-3617
Index No. 101979/11

122 East 42nd Street, LLC,
Defendant-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about August 3, 2011,

And defendant-appellant having moved for an order vacating or modifying a preliminary injunction granted in the aforesaid order 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.

ENTER :


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 27, 2011.

PRESENT: Hon. David B. Saxe Justice Presiding,
Helen E. Freedman
Sheila Abdus-Salaam
Sallie Manzanet-Daniels, Justices.

-----X
Aaron Elkin,
Plaintiff-Appellant,

-against-

M-3602
Index No. 105411/08

Andrea Labis,
Defendant-Respondent.

-----X

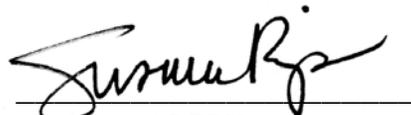
Consolidated appeals having been taken to this Court from an order of the Supreme Court, New York County, entered on or about November 16, 2009, and from the judgment of said Court entered on or about January 22, 2010, respectively,

And plaintiff-appellant having moved for an enlargement of time in which to perfect 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 granted to the extent of enlarging the time in which to perfect the consolidated appeals to the February 2012 Term, with no further enlargements to be granted.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 27, 2011.

PRESENT: Hon. James M. Catterson, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

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

Jill R.,
Petitioner-Respondent,

-against-

Eugene C.,
Respondent-Appellant.

M-4141
Docket # V-18030-10/10A#1
V-18031-10/10A#1
V-17938-10/Mot #2

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about August 16, 2011, 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, Leslie S. Lowenstein, Esq., 567 Sunset Drive, Woodmere, NY 11598, Telephone No. (516) 994-6831, 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

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

Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:

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 October 27, 2011.

Present - Hon. James M. Catterson, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

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

Maria C.,
Petitioner-Appellant

M-4170
Docket No. O-29579/10

-against-

Jaime G.,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about August 31, 2011, 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, Daniel R. Katz, Esq., 339 West 88th Street, Apt. #3, New York, New York 10024, Telephone No. 212-579-5719, 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

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

compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:

A handwritten signature in black ink, appearing to read "Susan R. Jones", written in a cursive style. The signature is positioned above a horizontal line.

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 October 27, 2011.

Present: Hon. James M. Catterson, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X
In the Matter of

Amber W.
and Pria J. L.,

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

M-4265
Docket Nos. NN32508/10
NN32509/10

Administration for Children's
Services,
Petitioner-Respondent,

Sharon L., also known as Saron L.,
Respondent-Appellant.

Steven Banks, Esq., The Legal Aid
Society, Juvenile Rights Division,
Attorney for the Children.

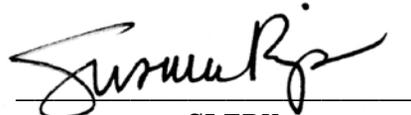
-----X
Respondent-appellant mother having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about August 10, 2011, and for assignment of counsel, a free copy of the transcript, and for related relief,

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, Daniel R. Katz, Esq., 339 West 88th Street, Apt. #3, New York, NY 10024, Telephone No. (917) 886-5620, 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 Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:


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 October 27, 2011.

PRESENT - Hon. Helen E. Freedman, Justice Presiding,
Rosalyn H. Richter
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X
230 East 44th Street Associates, LLC,
Plaintiff-Respondent,

-against-

M-3491
Index No. 112075/08

Park on 44th Corp.,
Defendant-Appellant,

The Department of Consumer Affairs of
the City of New York,
Defendant.

-----X

Plaintiff-respondent having moved for dismissal of the appeal taken from the judgment of the Supreme Court, New York County, entered on or about February 9, 2011 (mot. seq. no. 003),

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.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 27, 2011.

Present: Hon. Helen E. Freedman, Justice Presiding,
Rosalyn H. Richter
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X
Christina Laourdakis and Margarita
Laourdakis,

Plaintiffs-Appellants,

M-3476

Index No. 306925/08

-against-

Feliciano Mendez, et al.,

Defendants-Respondents.
-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about June 8, 2011,

And defendant-respondent, Robert Torres, having moved for an order dismissing the aforesaid appeal,

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

Ordered that the motion is denied, without prejudice to defendant-respondent addressing the issue directly on appeal.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 27, 2011.

PRESENT: Hon. Helen E. Freedman, Justice Presiding,
Rosalyn H. Richter
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X
Theresa Christmas, et al.,
Plaintiffs-Appellants,

-against-

Nicolock Paving Stones LLC, et al.,
Defendants-Respondents.

M-3487
M-3566
Index No. 350273/10

-----X

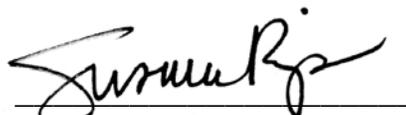
Defendants-respondents having moved to dismiss the appeal taken from the order of the Supreme Court, Bronx County, entered on or about January 19, 2011 (M-3487),

And plaintiffs-appellants having cross moved for an enlargement of time in which to perfect the aforesaid appeal (M-3556),

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

It is ordered that the motion to dismiss the appeal is denied (M-3487). The cross-motion is granted to the extent of enlarging the time in which to perfect the appeal to on or before December 5, 2011 for the February 2012 Term (M-3566).

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 27, 2011.

Present - Hon. Helen E. Freedman, Justice Presiding,
Rosalyn H. Richter
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

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

Respondent,

-against-

M-3064
Ind. No. 3750/06

Sheldon Harris,

Defendant-Appellant.
-----x

Defendant-appellant having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about August 25, 2009,

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 February 2012 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 27, 2011.

Present: Hon. Helen E. Freedman, Justice Presiding,
Rosalyn H. Richter
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X

In the Matter of the Application of

Isabelita Gonzalez and Emadeldin Omar,
Petitioners-Appellants,

Michael James and Luise Trabucchi,
Petitioners,

M-3332

M-4144

Index No. 400151/08

For a Judgment Pursuant to Article 78
of the CPLR,

-against-

Division of Housing and Community
Renewal of the State of New York,
168-70 West 25th Street Associates
and Irving Ledereich,
Respondents-Respondents.

-----X

An appeal having been jointly taken by the above-named petitioners-appellants from the order of the Supreme Court, New York County, entered on or about May 6, 2010,

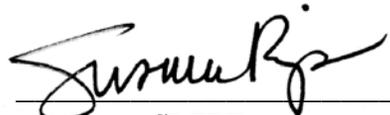
And petitioner-appellant, Isabelita Gonzalez, having moved for an enlargement of time in which to perfect her appeal (M-3332),

And petitioner-appellant, Emadeldin Omar, having moved for leave to prosecute her appeal as a poor person, and for an enlargement of time in which to perfect said appeal (M-4144),

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

Ordered that petitioner-appellant Gonzalez's motion (M-3332) is granted to the extent of enlarging the time in which to perfect her appeal on or before December 5, 2011 for the February 2012 Term, with no further enlargements to be granted. Petitioner-appellant Omar's motion (M-4144), to the extent it seeks leave to prosecute the aforesaid appeal as a poor person, is denied. So much of the motion which seeks an enlargement of time to perfect her appeal is granted and movant is directed to perfect said appeal on or before December 5, 2011 for the February 2012 Term, with no further enlargements to be granted.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 27, 2011.

Present - Hon. Helen E. Freedman, Justice Presiding,
Rosalyn H. Richter
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

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

-against-

M-3578
Ind. No. 7198/99

John Brown,
Defendant-Appellant.

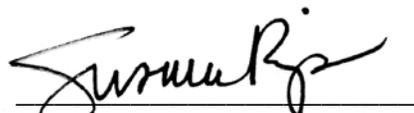
-----X

Defendant-appellant having moved for leave to file a pro se supplemental brief in connection with an appeal from an order of **resentence** of the Supreme Court, New York County, entered on or about November 24, 2010, for a copy of the trial transcripts and for an enlargement of time in which to file said pro se supplemental brief,

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

It is ordered that the motion is granted to the extent of directing defendant to serve and file 8 copies of his pro se supplemental brief on or before January 3, 2012 for the March 2012 Term, to which Term the appeal is adjourned. The Clerk of the Court is directed to forward to the Warden at the State correctional facility wherein defendant is incarcerated a transcript of the minutes relating to defendant's appeal, said transcript to be made available to appellant and returned by appellant to this Court when submitting the pro se supplemental brief hereto. The appeal will not be heard unless and until all material furnished to appellant has been returned.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 27, 2011.

Present - Hon. Helen E. Freedman, Justice Presiding,
Rosalyn H. Richter
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

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

Respondent,

-against-

M-3339
Ind. No. 222/09

Harold Williams,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about July 18, 2011, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts 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.

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 27, 2011.

Present: Hon. Helen E. Freedman, Justice Presiding,
Rosalyn H. Richter
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

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

-against-

M-3571
Ind. No. 4438/05

Thomas Poole,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Arlene Goldberg, J.) entered on or about May 24, 2011, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL 460.70) two transcripts of the stenographic minutes of the SORA hearing and any other proceedings before Justice Goldberg as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Richard Greenberg Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed.

The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 27, 2011.

Present: Hon. Helen E. Freedman, Justice Presiding,
Rosalyn H. Richter
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X
Frank Mondello,
Plaintiff-Appellant,

-against-

M-3568
Index No. 12430/06

Patricia Mondello,
Defendant-Respondent.

-----X

Appeals having been taken from orders of the Supreme Court, Bronx County, entered on or about September 24, 2010 and on or about April 5, 2011, respectively,

And plaintiff-appellant pro se having moved for an enlargement of time in which to perfect the appeal taken from the order entered on or about September 24, 2010,

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 taken from the order entered on or about September 24, 2010 to on or before January 3, 2012 for the March 2012 Term. Sua sponte, the aforesaid appeals are consolidated and plaintiff is directed to perfect said appeals upon 9 copies of one record and of one set of appellant's points covering the consolidated appeals for said March 2012 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 27, 2011.

Present - Hon. Helen E. Freedman, Justice Presiding,
Rosalyn H. Richter
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

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

-against-

M-3818
Ind. Nos. 846/09
4539/09
Deward Smith, also known as TG,
Defendant-Appellant.

-----X

An order of this Court having been entered on January 4, 2011 (M-5639), inter alia, granting defendant's motion for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about June 15, 2010, under Indictment No. 846/09, and assigning counsel therefor,

And defendant-appellant having moved for an order amending the notice of appeal and the aforementioned order to include the judgment of said Court rendered on or about June 15, 2010 under Indictment No. 4539/09,

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

It is ordered that said motion is granted to the extent of amending defendant's notice of appeal and the aforementioned order to include the judgment of said Court rendered on or about June 15, 2010 under Indictment No. 4539/09, and extending the poor person relief previously granted to cover same.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 27, 2011.

Present: Hon. Helen E. Freedman, Justice Presiding,
Rosalyn H. Richter
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X

Dennis Balk,
Plaintiff-Appellant,

-against-

M-3233

Index No. 150030/09

New York Institute of Technology,
et al.,
Defendants-Respondents.

-----X

Appeals having been taken to this Court from orders of said Supreme Court entered on or about September 9, 2010 and on or about March 9, 2011, respectively,

And plaintiff-appellant having moved for an enlargement of time in which to perfect his appeal from the order entered on September 9, 2010 and for consolidation of said appeal with the appeal taken from the order entered on March 9, 2011,

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 aforesaid appeals and permitting plaintiff-appellant to prosecute the consolidated appeals upon 9 copies of one record and of one set of appellant's points covering the appeals. The time in which to perfect the consolidated appeals is enlarged to the April 2012 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 27, 2011.

Present - Hon. Helen E. Freedman, Justice Presiding,
Rosalyn H. Richter
Sheila Abdus-Salaam
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of the Application of
Fedie R. Redd,
Petitioner-Appellant,

For a Judgment Under Article 75 of
the CPLR,

M-3303
Index No. 402474/10

-against-

Edward A. Battisti - Arbitrator,
New York State Division of Parole,
Respondents-Respondents.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, entered on or about February 8, 2011, 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 file 8 copies of such brief, together with the original record, with this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record.

ENTER:


CLERK