

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 August 28, 2012.

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

-----X
Elba Negrón, As Administratrix
of the Estate of Alcides Negrón,
Plaintiff-Appellant,

-against-

M-3217X
Index No. 300429/08

St. Barnabas Nursing Home and St.
Barnabas Hospital,
Defendants-Respondents.

-----X

Appeals having been taken from an order of the Supreme Court, Bronx County, entered on or about July 1, 2011 and a judgment of said Court entered on or about July 13, 2011,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 9, 2012, 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It is ordered that the appeals are withdrawn in accordance with the aforesaid stipulation.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 August 28, 2012.

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

-----X

Leo Falcon,

Plaintiff-Respondent,

-against-

Rhaisa Auto Corp., et al.,

Defendants-Appellants.

-----X

M-3218X
Index No. 302930/09

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about December 29, 2011,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 9, 2012, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 August 28, 2012.

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

-----X

Joseph Budano,

Plaintiff-Respondent,

-against-

Andrew Gurdon,

Defendant-Appellant.

-----X

M-3235X
Index No. 301199/09

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about September 28, 2011,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 10, 2012, 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 August 28, 2012.

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

-----X
RSB Beford Associates, LLC,
Plaintiff-Appellant,

-against-

M-3275X
Index No. 602303/09

Ricky's Williamsburg, Inc., et al.,
Defendants-Respondents.
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 1, 2011,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 11, 2012, 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 August 28, 2012.

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

-----X

Semra Siller,

Plaintiff-Respondent,

-against-

Keith Siller,

Defendant-Appellant.

-----X

M-3277X
Index No. 350085/10

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about April 26, 2011 and on or about December 6, 2011, respectively,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 9, 2012, 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 August 28, 2012.

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

-----X
Hyman Kramer, also known as
Hy Kramer,

Plaintiff-Appellant,

-against-

Josef Geldwert, M.D., et al.,

Defendants-Respondents.
-----X

M-3276X
Index No. 602837/09

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about October 6, 2011,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 10, 2012, 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 August 28, 2012.

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

-----X

Penny Shane,

Plaintiff-Appellant,

-against-

M-3062

Index No. 350214/02

Michael T. Tomaino, Jr.,

Defendant-Respondent.

-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about August 1, 2011, June 7, 2011 (mot. seq. no. 021) and September 15, 2011, respectively,

Now, upon reading and filing the stipulation of the parties hereto, dated July 2, 2012, and due deliberation having been had thereon,

It is ordered that all of the aforesaid appeals, including those previously perfected for the October 2011 Term, 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 August 28, 2012.

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

-----X
John Capparo and Theresa Wissler,
Plaintiffs-Appellants,

-against-

M-3068
Index No. 104458/08

The City of New York, et al.,
Defendants-Respondents.

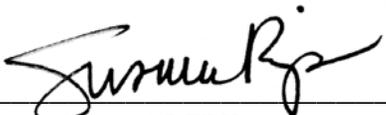
-----X
(And a third-party action)
-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, entered on or about November 4, 2011,

Now, upon reading and filing the stipulation of the parties hereto, dated June 27, 2012, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the June 2012 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 August 28, 2012.

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

-----X
Dr. Shlomo Mannor, et al.,
Plaintiffs-Respondents,

-against-

M-3633
Index No. 104156/09

Richard Feldstein and Sharon Feldstein,
Defendants-Appellants,

605 Apartment Corp. and Rudd Realty
Management Corp.,
Defendants.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about January 31, 2012,

Now, upon reading and filing the stipulation of the parties hereto, filed August 7, 2012, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the June 2012 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 August 28, 2012.

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

-----X
Susan Kendall Bradford, et al.,
Plaintiffs-Appellants/
Plaintiffs-Appellants-Respondents/

-against-

M-3004
Index No. 108471/08

Anne W. Burrell,
Defendant-Respondent/
Defendant-Respondent-Appellant,

74 Seventh, LLC, doing business as
Centro Vinoteca, et al.,
Defendants-Respondents
Defendants-Respondents-Appellants.

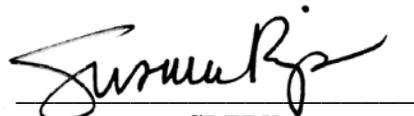
-----X

Appeals and cross appeals having been taken to this Court from the order of the Supreme Court, New York County, entered on or about May 5, 2011 (mot. seq. no. 007), and an appeal and cross appeals having been taken from the order of said Court entered on or about November 25, 2011 (mot. seq. no. 008),

Now, upon reading and filing the stipulation of the parties hereto dated June 19, 2012, and due deliberation having been had thereon,

It is ordered that the appeals and cross appeals, previously perfected for the September 2012 Term, are deemed withdrawn in accordance with the aforesaid stipulation, the underlying action having been settled.

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 August 28, 2012.

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

-----X
Frederick Simmons,
Plaintiff-Respondent-Appellant,

-against-

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

M-2540
M-3024X
Index No. 309291/08

-----X

An appeal and cross appeal having been taken from the judgment of the Supreme Court, Bronx County, entered on or about October 24, 2011,

And plaintiff-respondent-appellant having moved for an expedited hearing thereof (M-2540),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 27, 2012, and due deliberation having been had thereon (M-3024X),

It is ordered that the appeal and cross appeal are withdrawn in accordance with the aforesaid stipulation (M-3024X). The motion is accordingly deemed withdrawn (M-2540).

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 August 28, 2012.

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

-----X
Joel S. Ario, etc.,
Plaintiff-Respondent,

-against-

M-3449X
Index No. 602690/09

LVI Environmental Services, Inc.,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 26, 2012 (mot. seq. no. 008),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 24, 2012, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation (See M-3006, decided simultaneously herewith).

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 August 28, 2012.

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

-----X

Joel S. Ario, etc.,
Plaintiff-Respondent,

-against-

M-3006
Index No. 602690/09

LVI Environmental Services, Inc.,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 26, 2012 (mot. seq. no. 008),

And defendant-appellant having moved for a stay of trial pending hearing and determination of the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motion, and correspondence from John Petriello, Esq., dated June 29, 2012, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn (See M-3449X, decided simultaneously herewith).

ENTER:



CLERK

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

CORRECTED ORDER – November 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 August 28, 2012.

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

-----X
The People of the State of New York,
Respondent, M-1905
DC #7
-against- Ind. No. 5961/06

Curtis Brown,
Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about September 15, 2009,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on , pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the January 2013 Term of this Court and counsel is directed to so perfect.

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 August 28, 2012.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
David B. Saxe
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X

Nata Bob,
Plaintiff-Respondent,

-against-

M-3340

Index No. 403033/10

Steve Cohen /Alan Cass & Associates,
Defendants-Appellants.

-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about May 11, 2011 and on or about July 14, 2011,

And an order of this Court having been entered on December 1, 2011 (M-3540) consolidating the aforesaid appeals, and said consolidated appeals having been perfected,

And defendants-appellants having moved for an order staying all proceedings including discovery pending hearing and determination of the aforesaid 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.

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 August 28, 2012.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
David B. Saxe
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X
Vera Zeldin, as Administratrix of
the Estate of Slava Zeldin, deceased,
and Vera Zeldin, individually,
Plaintiff-Appellant,

M-3422
Index No. 15196/06

-against-

W. Roy Michaels, M.D., et al.,
Defendants-Respondents.

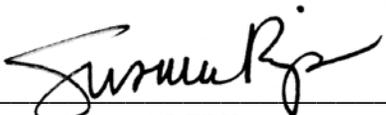
-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the consolidated appeals from orders of the Supreme Court, Bronx County, entered on or about April 27, 2011 and June 1, 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 enlarging the time in which to perfect the consolidated appeals to the December 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 August 28, 2012.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
David B. Saxe
Sheila Abdus-Salaam
Sallie Manzanet-Daniels, Justices.

-----X

Nicole Lawi Zekry,

Plaintiff-Respondent,

-against-

M-3562

Index No. 102550/08

Pinhas Zekry and R. David Ben Barouck
Corp.,

Defendants-Appellants.

-----X

Defendants-appellants 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 July 11, 2012 (mot. seq. no. 029),

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 August 28, 2012.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
David B. Saxe
Sheila Abdus-Salaam
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.

Jesus M. T., M-3042
Petitioner-Respondent, Docket No. V4296/12

-against-

Yesenia A.,
Respondent-Appellant.
-----X

Respondent-appellant having moved for leave to appeal to this Court from the order of the Family Court, Bronx County, entered on or about June 20, 2012 finally determining the petition for visitation, and for a stay thereof 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, to the extent it seeks leave to appeal to this Court is denied, as unnecessary. So much of the motion which seeks a stay 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 August 28, 2012.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
David B. Saxe
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X

Mary L. Robinson,

Plaintiff-Respondent,

-against-

M-3304

Index No. 110305/10

156 Broadway Associates, LLC,

Defendant-Appellant.

-----X

Defendant-appellant having moved for a stay of trial pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about April 2, 2012 (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 August 28, 2012.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
David B. Saxe
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X
Colliers ABR, Inc.,
Plaintiff-Respondent,

-against-

M-3519
Index No. 650140/10

Famurb Company and Chester Leasing,
LLC,
Defendants-Appellants.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, entered on or about April 17, 2012, and said appeal having been perfected,

And plaintiff-respondent having moved for this Court to take judicial notice of certain documents submitted with plaintiff's moving papers,

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

Ordered that the motion is granted and plaintiff-respondent is directed to expeditiously submit 9 copies of the documents attached to their moving papers as Exhibit A., and, sua sponte, the aforesaid appeal is adjourned to the October 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 August 28, 2012.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
David B. Saxe
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X
Jelissa Lugo, an infant by her mother
and natural guardian, Luz Bermudez,
and Luz Bermudez, individually,
Plaintiffs-Respondents,

-against-

M-3080
Index No. 305754/08

Adom Rental Transportation Inc.,
and Mamdee Jomandy,
Defendants-Appellants,

Lynn E. Peters, et al.,
Defendants.

-----X

Defendants-appellants 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, Bronx County, entered on or about February 7, 2012,

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 August 28, 2012.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
David B. Saxe
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X
Jeannette Bharat,
Plaintiff-Respondent,

-against-

M-3176

Index No. 111235/09

RPI Industries Inc., sued herein as
Regal-Pinnacle MFG, Inc.,
Defendant-Appellant,

M. Tucker, Co., Inc., et al.,
Defendants.

-----X

Defendant-appellant 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 March 6, 2012 (mot. seq. no. 004), 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 August 28, 2012.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
David B. Saxe
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X
Yubel Cabrera and Yosbierry DeJesus,

Plaintiffs-Appellants,

-against-

Charice M. Daye, also known as Carice M.
Hawkins, et al.,
Defendants-Respondents.

-----X

M-3397
M-3567
Index No.302924/07

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about February 3, 2011,

And plaintiffs-appellants having moved for an enlargement of time in which to perfect the aforesaid appeal (M-3397),

And defendants-respondents having cross-moved to dismiss plaintiffs' appeal (M-3567),

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-3397] is granted to the extent of enlarging the time to perfect the appeal to on or before October 1, 2012 for the December 2012 Term; defendants-respondents' cross motion [M-3567] is accordingly granted unless the appeal is perfected for said December 2012 Term. Upon failure to so perfect, an order dismissing the appeal may be entered ex parte, provided defendants-respondents serve a copy of this order upon the plaintiffs-appellants within 10 days after the date of entry hereof.

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 August 28, 2012.

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

-----X
Eugene Stolowski, Brigid Stolowski,
Eileen Bellew, as Administratrix
of the estate of John G. Bellew,
Deceased, and Eileen Bellew,
Individually, Jeffrey G. Cool, Sr., M-5666
Jull Cool, Joseph P. DiBerbardo, M-5744
and Brendan K. Cawley, Index No. 8850/05

Plaintiffs-Appellants,

-and-

Jeannette Meyran, as Executrix
of the Estate of Curtis W. Meyran,
Deceased, and Jeannette Meyran,
Individually,

Plaintiffs-Appellants,

-against-

234 East 178th Street LLC and the
City of New York,

Defendants-Respondents.

-----X

Separate appeals having been taken from the order of the Supreme Court, Bronx County, entered on or about March 2, 2011,

And the Stolowski plaintiffs-appellants having moved for an enlargement of time in which to perfect their appeal (M-5666),

And the Meyran plaintiffs-appellants having cross-moved for the same relief (M-5744),

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 and cross motion are granted to the extent of enlarging the time in which to perfect the respective appeals to the January 2013 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 August 28, 2012.

Present - Hon. Peter Tom, Justice Presiding,
David Friedman
Rolando T. Acosta
Leland G. DeGrasse
Nelson S. Román, Justices.

-----x
Lawrence Bennett and Jacqueline Bennett,
Plaintiffs-Respondents-Appellants,

-against-

M-276A
Index No. 306933/09

Sydney Gordon, individually and as
Administrator of the Estate of
Darnley DeCosta, and as Administrator
in behalf of the Estate of Muriel
Gordon,
Defendants-Appellants-Respondents.

-----x

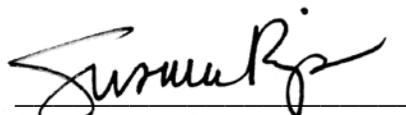
An appeal and cross appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about August 15, 2011,

And plaintiffs-respondents-appellants having moved for a stay of discovery pending hearing and determination of the appeal and 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 on condition plaintiffs perfect their respective appeal as direct appellants for the December 2012 Term. The order of this Court entered on March 13, 2012 (M-276) is hereby recalled and vacated.

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 August 28, 2012.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David Friedman
John W. Sweeny, Jr.
James M. Catterson, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-2596
Ind. Nos. 58816C/04

Ajene Moore,
Defendant-Appellant.

-----X

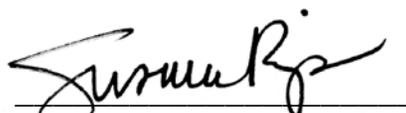
Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County, entered on or about April 26, 2012, **denying resentence**, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related 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 to the extent of permitting the appeal to be heard upon 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, with this Court pursuant to Rule 600.11 of the Rules of this Court.

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the first Judicial Department in the County of New York on August 28, 2012.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David Friedman
John W. Sweeny, Jr.
James M. Catterson, Justices.

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

Respondent,

-against-

M-2603

Ind. No. 3346/99

Julio Perez,

Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of **resentence** of the Supreme Court, New York County, entered on or about May 3, 2012, for leave to have the appeal heard upon 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 to the extent of permitting the appeal to be heard upon 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 court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of **resentence**. 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.

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 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 120 days from the date of filing of the record.

ENTER:



CLERK

CORRECTED ORDER – November 18, 2013

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 August 28, 2012.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David Friedman
John W. Sweeny, Jr.
James M. Catterson, Justices.

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

Respondent,

-against-

M-2689
Docket No. 51354C/11

Leonardo Gonzalez,

Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about May 16, 2012, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, for the assignment of The Bronx Defenders as counsel on 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, 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, 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.

CORRECTED ORDER – November 18, 2013

(M-2689)

-2-

August 28, 2012

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 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 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 August 28, 2012.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David Friedman
John W. Sweeny, Jr.
James M. Catterson, Justices.

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

April C. G.,
Petitioner-Respondent,

M-2805
Docket No. F-30090/06

-against-

Duane C. M.,
Respondent-Appellant.

-----X

Trial counsel for respondent-appellant, Robert F. Himmelman, Esq., having moved on respondent's behalf for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about May 16, 2012, 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

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

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:

A handwritten signature in black ink, appearing to read "Susan R. [unclear]", 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 August 28, 2012.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David Friedman
John W. Sweeny, Jr.
James M. Catterson, Justices.

-----X
In the Matter of

Julio J.,

A Person Alleged to Be a Juvenile
Delinquent,

M-2846
Docket No. D28440/11

Respondent-Appellant.
-----X

Respondent-appellant having moved for leave to prosecute the appeal from an order of the Family Court, Bronx County, entered on or about June 1, 2012, as a poor person, for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Section 35 of the Judiciary Law and Section 1120 of the Family Court Act, Carol L. Kahn, Esq., 225 Broadway, Suite 1510, New York, New York 10007, Telephone No. 212-227-0206, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the State of New York from funds available therefor;¹ **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) directing appellant to perfect this appeal, in compliance with Rule 600.11 of the Rules of this

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

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 August 28, 2012.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David Friedman
John W. Sweeny, Jr.
James M. Catterson, Justices.

-----X

In the Matter of Releasing Official
Records and Papers to the New York
State Commission on Judicial Conduct.

M-2778

Ind. No. 5768/08

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

-against-

Seth Rubenstein,
Respondent-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 25, 2012,

And respondent-appellant having moved for relief in the nature of an appellate injunction against the use of certain records related to the above-captioned criminal proceeding 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.

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 August 28, 2012.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David Friedman
John W. Sweeny, Jr.
James M. Catterson, Justices.

-----x

The Stillwater Asset Backed Fund, LP,
Plaintiff-Respondent,

-against-

M-2982

Index No. 600464/09

Palace 43, LLC, et al.,
Defendants-Appellants.

-----x

Appeals having been taken to this Court from the order of the Supreme Court, New York County, entered on or about November 15, 2011, and from an amended order of same Court and Justice tn on or about January 20, 2012 (mot. seq. nos. 003, 004, 005), respectively,

And defendants-appellant having moved for an enlargement of time to perfect the aforesaid appeals,

Now, upon reading and filing the papers with respect to the motion, and the correspondence dated July 2, 2012 from Altman Schochet, LLP (Irina Fulman, Esq.), counsel for defendants-appellants, and due deliberation having been had thereon,

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

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 August 28, 2012.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
Karla Moskowitz
Dianne T. Renwick
Helen E. Freedman, Justices.

-----X
Josh Segal, etc., et al.,
Plaintiff-Respondent,

-against-

M-2764
Index No. 102768/07

Paul Cooper, et al.,
Defendants-Appellants.

-----X

Defendants-appellants having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on May 8, 2012 (Appeal No. 7580),

Now, upon reading and filing the papers with respect to the motion and the stipulation between the parties dated July 13, 2012, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn.

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 August 28, 2012.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
Karla Moskowitz
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X

Wilshire Westwood Plaza, LLC,

Plaintiff-Appellant-Respondent,

-against-

M-2362

Index No. 651055/10

UBS Real Estate Securities, Inc.,

Defendant-Respondent-Appellant.

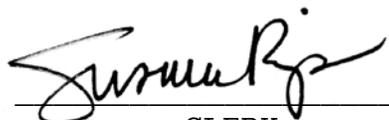
-----X

Plaintiff-appellant-respondent having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on April 12, 2012 (Appeal No. 7296-7297),

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 August 28, 2012.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
James M. Catterson
Karla Moskowitz
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-2351
Ind. No. 3044/09

Marvel Jones,
Defendant-Appellant.

-----X

An order of this Court having been entered on June 30, 2011 (M-2021), inter alia, granting defendant's motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or March 30, 2011, and assigning counsel therefor,

And an order of this Court having been entered on June 14, 2012 (M-2218), amending defendant's notice of appeal and order of assignment to include the judgment rendered on or about September 22, 2010, and extending the poor person relief previously granted to cover same,

And defendant-appellant, through assigned counsel, having moved for a reconstruction hearing to reconstruct the missing minutes of a joint *Wade/Mapp/Dunaway/Huntley* hearing held in Supreme Court, New York County, on September 13, 2010, and for an enlargement of time in which 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 to the extent of remanding the matter to Supreme Court, New York County, for a reconstruction hearing in connection with the missing minutes of a joint *Wade/Mapp/Dunaway/Huntley* hearing held in Supreme Court, New York County, on September 13, 2010 as expeditiously as

possible. Appellant's counsel is directed to serve a copy of this order upon the Clerk of the Supreme Court, New York County, within 10 days from the date of entry hereof, and the Clerk is directed to have the minutes transcribed and delivered to appellant's counsel for inclusion in the record within 30 days of the conclusion of said reconstruction hearing. The time for appellant to perfect the appeal is enlarged to the February 2013 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 August 28, 2012.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
James M. Catterson
Karla Moskowitz
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X
342 E. 67 Realty LLC,
Petitioner-Landlord-Respondent,

-against-

M-2373
Index No. 570756/11

Bernard Jacobs,
Respondent-Tenant-Appellant.

-----X

Respondent having moved for leave to appeal to this Court from the decision and order of the Appellate Term entered in the office of the Clerk of the Supreme Court, New York County, on or about February 1, 2012, and for a discretionary stay of enforcement of the judgment entered on July 24, 2009, and for related relief,

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

So much of the motion seeking leave to appeal from the Appellate Term is granted. Appellant shall file two copies of the pre-argument statement and a copy of this order with the Clerk of the Appellate Term with proof of service, pursuant to Section 600.17 of the Rules of this Court. The motion to the extent it seeks a discretionary stay is granted to the extent of staying all income executions pending hearing and determination of respondent's appeal, on condition the appeal is perfected on or before November 5, 2012 for the January 2013 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 August 28, 2012.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
James M. Catterson
Karla Moskowitz
Dianne T. Renwick
Sheila Abdus-Salaam, Justices.

-----x
Fiserv Solutions, Inc., etc., et al.,
Plaintiffs-Appellants-Respondents,

-against-

XL Specialty Insurance Company,
Defendant-Respondent-Appellant.

- - - - -
[And another action]

M-2252
M-2316
Index Nos. 601096/09
601217/09

-----x
Defendant-appellant-respondent XL Specialty Insurance Company having moved for clarification of the decision and order of this Court entered on April 5, 2012 (Appeal Nos. 6005-6006) [M-2252],

And plaintiffs-appellants-respondents Fiserv Solutions, Inc., et al. having cross-moved for the aforesaid relief on separate grounds [M-2316],

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-2252) is granted to the extent of amending the final sentence of the aforesaid decision and order of this Court, as follows:

Finally, as we previously held, defendant may **inquire into the procedures and requirements of an insured lender** (see *Fiserv Solutions, Inc. v XL Specialty Ins. Co.*, 84 AD3d 480 [2011]) **and the motion Court correctly held that defendant may deny coverage for a loan not made in accordance therewith.**

The cross motion [M-2316] 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 August 28, 2012.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Helen E. Freedman
Sheila Abdus-Salaam, Justices.

-----X

Jonathan K. Smith, etc.,
Plaintiff-Appellant,

-against-

M-2882
Index No. 652034/10

John A. Catsimatidis,
Defendant-Respondent.

-----X

Defendant-appellant having moved for reargument of the decision and order of this Court entered on May 29, 2012 (Appeal No. 7775),

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 August 28, 2012.

Present - Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Leland G. DeGrasse
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----x
Mark Filstein,

Plaintiff-Respondent,

-against-

M-2994
Index No. 304112/11

Sonia Bromberg,

Defendant-Appellant.
-----x

Defendant-appellant having moved for a stay of proceedings pending hearing and determination of the appeal from the order of the Supreme Court, New York County, entered on or about April 10, 2012 (mot. seq. no. 003),

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties dated July 5, 2012, and due deliberation having been had thereon,

It is ordered that the motion and appeal are deemed 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 August 28, 2012.

Present: Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Leland G. DeGrasse
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
In the Matter of

Ginger Rose M., also known as
Ginger M., a Dependent Child Under
18 Years of Age Pursuant to §384-b
of the Social Services Law of the
State of New York.

M-2809
Docket Nos. B19195/09
B19196/09

- - - - -
SCO Family of Services,
Petitioner-Respondent,

Sabrina Ann M., also known as
Sabrina M.,
Respondent-Appellant.
- - - - -

Rina Mais, Esq.,
Attorney for the Child.

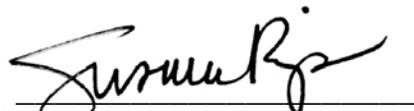
-----X

Petitioner-respondent having moved for dismissal of the appeal taken from the order of the Family Court, Bronx County, entered on or about December 7, 2011 with respect to the child Ginger Rose M., also known as Ginger M.,

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

It is ordered that the motion is granted and the appeal is dismissed.

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 August 28, 2012.

Present - Hon. Rolando T. Acosta, Justice Presiding,
Leland G. DeGrasse
Helen E. Freedman
Rosalyn H. Richter, Justices.

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

-against-

M-2757
Docket No. 17629C/12

Markel Smalls,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about April 3, 2012, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of deeming the moving papers a timely filed notice of appeal and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 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, 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 August 28, 2012.

Present - Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Leland G. DeGrasse
Helen E. Freedman
Rosalyn H. Richter, Justices.

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

Respondent,

-against-

M-2806
Ind. No. 1585/11

Johan Lasso,

Defendant-Appellant.

-----X

Defendant having renewed the 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 February 8, 2012, 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, 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, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2012.

Present: Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Leland G. DeGrasse
Helen E. Freedman
Rosalyn H. Richter, Justices.

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

M-2929
-against- Ind. No. 4204/11

Angellove Vasquez,
Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about May 23, 2012, 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 August 28, 2012.

Present: Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Leland G. DeGrasse
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-2908

Ind. No. 3343/05

Eileen Galletta,

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 May 4, 2012, for leave to have the appeal heard upon 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, pursuant to CPLR 1101(a), setting forth the amount and sources of funds to post bond and to retain private attorneys for proceedings in the trial court and an explanation as to why such funds are not available to her to prosecute the appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

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 June 14, 2012.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Leland G. DeGrasse
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
Barbara Kulig Hochmuller,
Plaintiff-Appellant,

-against-

M-2991
Index No. 400113/12

New York City Department of Housing,
Defendant-Respondent.
-----X

Plaintiff-appellant renewed her motion for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, entered on or about April 17, 2012, 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.

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 August 28, 2012.

Present - Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Leland G. DeGrasse
Helen E. Freedman
Rosalyn H. Richter, Justices.

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

Respondent,

-against-

M-2893
Ind. No. 6470/04

Anthony Fontanetta,

Defendant-Appellant.

-----x

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about September 16, 2011,

And an order of a Justice of this Court, dated September 22, 2011, having granted defendant a stay of execution of sentence and bail with respect to the aforesaid judgment of the Supreme Court, New York County, rendered on or about September 16, 2011, pending hearing and determination of the aforesaid appeal,

And an order of this Court having been entered on March 15, 2012 (M-379), inter alia, continuing the stay of execution of sentence and bail granted by the order of a Justice of this Court on September 22, 2011, upon the same conditions, and upon condition the appeal be perfected for the September 2012 Term,

And defendant having moved, on consent, for an order further continuing the stay of execution and sentence 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 stay of execution of sentence and bail granted by an order of a Justice of this Court on September 22, 2011 pending hearing and determination of the appeal, on the same terms and conditions, and on further condition that the aforesaid appeal is perfected for the February 2013 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 August 28, 2012.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Leland G. DeGrasse
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
Fan-Dorf Properties, Inc. and
Michael Adamson as Administrator
of the Estate of Randolph Adamson,
Plaintiffs-Appellants,

-against-

M-3095
Index No. 113094/10

Classic Brownstones Unlimited, LLC,
et al.,
Defendants-Respondents.
-----X

Plaintiffs-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 August 30, 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 enlarging the time in which to perfect the appeal to the January 2013 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 August 28, 2012.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Leland G. DeGrasse
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X

In the Matter of the Application of

Hakim Quick, Jr., an Infant by his
Mother and Natural Guardian,
Theresa Wilson,
Petitioner-Respondent,

M-3111
Index No. 350521/10

-against-

The New York City Health and
Hospitals Corporation,
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, Bronx County, entered on or about April 25, 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 enlarging the time in which to perfect the appeal to the December 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 August 28, 2012.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Leland G. DeGrasse
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
OneWest Bank, FSB,
Plaintiff-Respondent,

-against-

M-3156
Index No. 117855/09

Gregory Carey, et al.,
Defendants-Appellants.

-----X

Defendant-appellant Gregory Carey 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 October 7, 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 enlarging the time in which to perfect the appeal to the December 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 August 28, 2012.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Leland G. DeGrasse
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
National Casualty Company, individually,
and as assignee of 212 West
Kingsbridge Ltd., and Howard Buck,
Plaintiffs-Respondents,

-against-

M-3173
Index No. 105494/06

American Home Assurance Company
Defendant,

Chubb Indemnity Insurance Company,
Defendant-Appellant.

-----X

Defendant-appellant having moved for a further enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about June 1, 2011 (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 December 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 August 28, 2012.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Leland G. DeGrasse
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
Rebecca Alfaro,
Petitioner-Appellant,

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

-against-

M-3185
Index No. 108053/10

Marth K. Hirst, as Commissioner
of the Department of Citywide
Administrative Services and the
City of New York,
Respondents-Respondents.

-----X

Petitioner-appellant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, New York County, entered on or about August 22, 2012,

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 December 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 August 28, 2012.

Present: Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Leland G. DeGrasse
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X

Lenora Collazo,

Plaintiff-Respondent,

-against-

M-3191

Index No. 300070/08

Riverbay Co-op and Riverbay Corporation,

Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, Bronx County, entered on or about January 31, 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 enlarging the time in which to perfect the appeal to the December 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 August 28, 2012.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Leland G. DeGrasse
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
Emilienne Jean-Louis and
Monlouis Jean-Louis,
Plaintiffs-Respondents,

-against-

M-3192
Index No. 103447/09

Eighth Avenue Sky, LLC, and
Marosu Realty Corporation,
Defendants,

-and-

John T. Construction Inc.,
Defendant-Appellant.

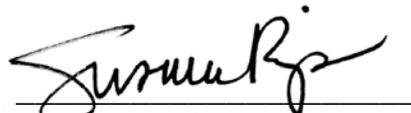
-----X

Defendant-appellant having moved for a further enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about March 31, 2011 (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 January 2013 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 August 28, 2012.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Leland G. DeGrasse
Helen E. Freedman
Rosalyn H. Richter, Justices.

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

-against-

M-3210
Ind. No. 4512/02

Steve Darbasie,
Defendant-Appellant.

-----X

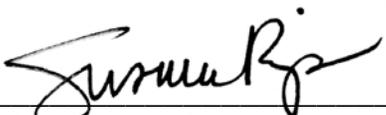
An order of this Court having been entered on April 26, 2012 (M-1498), granting defendant an extension of time to file a pro se supplemental brief in connection with the appeal from a judgment of the Supreme Court, New York County, rendered on or about June 12, 2003,

And defendant having moved for an extension of time in which to file the 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 for the January 2013 Term, to which Term the appeal is adjourned. 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 August 28, 2012.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Leland G. DeGrasse
Helen E. Freedman
Rosalyn H. Richter, Justices.

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

-against-

M-3180
Ind. No. 29/00

Ralph Alicea,
Defendant-Appellant.

-----X

Defendant having moved for a further enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, New York County, rendered on or about February 20, 2004,

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 2013 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 August 28, 2012.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Leland G. DeGrasse
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
Mark S. Taylor and Nina Z. Parks-Taylor,
Plaintiffs-Appellants-Respondents, M-3223
M-3437
-against- Index No. 119108/06

Paskoff & Tamber, LLP, et al.,
Defendants-Respondents-Appellants.

(And a third-party action)

-----X

An order of this Court having been entered on July 7, 2011 (M-2050) consolidating plaintiffs-appellants-respondents appeals taken from orders of the Supreme Court, New York County, entered on or about October 7, 2010 (mot. seq. no. 011) and on or about April 7, 2011 (mot. seq. no. 012), respectively,

And an order of this Court having been entered on September 29, 2011 (M-3051) consolidating the defendants-respondents-appellants' appeals from orders of the Supreme Court, New York County, entered on or about April 7, 2011 (mot. seq. no. 012) and April 22, 2011, (mot. seq. no. 014), respectively, with the aforesaid appeals taken from orders of the Supreme Court, New York County, entered on or about October 7, 2010 (mot. seq. no. 011) and on or about April 7, 2011 (mot. seq. no. 012), respectively,

And defendants-respondents-appellants having moved for a further enlargement of time in which to perfect the consolidated appeals (M-3223), for a stay of the trial on damages, and for related relief,

And third-party defendant-respondent Laurie B. Goldheim having cross moved to dismiss defendants-respondents-appellants' appeal from so much of the order appealed entered on or about April 7, 2011 as granted her motion to dismiss the third-party action (M-3437),

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 only to the extent of enlarging the time in which to perfect the consolidated appeals to the December 2012 Term, with no further enlargements to be granted and otherwise denied (M-3223),

The cross motion is accordingly granted to the extent of dismissing the appeal from the aforesaid order entered on or about April 7, 2011 as against defendant-respondent Goldheim, unless perfected for said December 2012 Term (M-3437).

ENTER:

A handwritten signature in black ink, appearing to read "Susan R. Jones", written over a horizontal line.

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 August 28, 2012.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Leland G. DeGrasse
Helen E. Freedman
Rosalyn H. Richter, Justices.

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

-against-

M-3296
Ind. No. 8470/90

Juan Morales,
Defendant-Appellant.

-----X

An order of this Court having been entered on May 3, 2011 (M-825), inter alia, granting defendant leave to prosecute, as a poor person, the appeal from a judgment of **resentence** of the Supreme Court, New York County, rendered on or about November 5, 2010, and assigning Steven Banks, Esq., as counsel to prosecute the appeal,

And defendant-appellant having moved pro se for an order relieving said counsel, and for related relief,

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

It is ordered that the motion is denied.

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 August 28, 2012.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Leland G. DeGrasse
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
Maria Figueroa,
Plaintiff-Appellant,

-against-

M-3380
Index No. 23062/04

The New York City Board of
Education,
Defendant-Respondent.

-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about October 19, 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 enlarging the time in which to perfect the appeal to the January 2013 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 August 28, 2012.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Leland G. DeGrasse
Helen E. Freedman
Rosalyn H. Richter, Justices.

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

-against-

M-3168
Ind. No. 2681/07

David Hutchings,
Defendant-Appellant.

-----X

An order of this Court having been entered on May 27, 2012 (M-2015), granting defendant leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about March 10, 2012, and assigning Steven Banks, Esq., as counsel to prosecute the appeal,

And defendant-appellant, pro se, having moved to relieve said assigned 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 Steven Banks, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, 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 record, whichever is later.

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 August 28, 2012.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Leland G. DeGrasse
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
Jacob Ginsburg,
Plaintiff-Appellant,

-against-

M-3153
Index No. 600630/08

Douglas Dussel Pritchard, also
known as Douglas D. Pritchard,
also known as Douglas P. Pritchard,
et al.,
Respondents-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the consolidated appeals from orders of the Supreme Court, New York County, entered on or about December 2, 2009 (mot. seq. no. 004) and on or about June 7, 2011 (mot. seq. no. 005), 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 consolidated appeals to the December 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 August 28, 2012.

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

-----X
Daniel Collin,
Plaintiff-Appellant,

-against-

M-3535
M-3722
Index No. 601652/09

Philip Tanen and Douglas Elliman
Realty, LLC, doing business as
Prudential Douglas Elliman Real
Estate,
Defendants-Respondents.

-----X
(And a third-party action)
-----X

Defendants-respondents having moved for dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about April 12, 2011 (mot. seq. no. 004) [M-3535],

And plaintiff-appellant having cross-moved for sanctions and for related relief [M-3722],

Now, upon reading and filing the papers with respect to the motion and cross motion including the correspondence from Michael S. Cole, Esq. dated October 25, 2011, and due deliberation having been had thereon,

It is ordered that the motions are deemed withdrawn, the appeal having been previously withdrawn. (See M-4560X, entered on December 8, 2011.)

ENTER:


CLERK

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

BEFORE: Hon. Luis A. Gonzalez,
Presiding Justice.

-----X

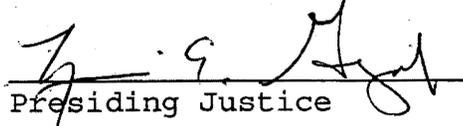
The People of the State of New York,	:	M - 3221
- against -	:	CERTIFICATE DENYING LEAVE
Jacob Stewart a/k/a	:	
Sharmon Howell	:	Indictment No. 8587/99

-----X

I, Luis A. Gonzalez, the Presiding Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Section 460.15 of the Criminal Procedure Law, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about January 4, 2012, is hereby denied. That portion of defendant's motion seeking poor person relief and assignment of counsel is denied as academic.

Dated: New York, New York
August 6, 2012

ENTERED AUG 28 2012


Presiding Justice

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

BEFORE: Hon. Sallie Manzanet-Daniels
Justice of the Appellate Division

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

M-3435
Ind. Nos. 6300/05,
2304/06, 5723/06

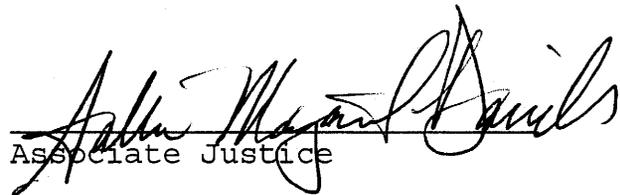
-against-

CERTIFICATE
DENYING LEAVE

Aziz Shadid,

Defendant.
-----X

I, Sallie Manzanet-Daniels, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about January 26, 2012, is hereby denied.


Associate Justice

Dated: August 15, 2012
New York, New York

ENTERED: AUG 28 2012

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

BEFORE: Hon. Sallie Manzanet-Daniels
Justice of the Appellate Division

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

M-3514
Ind. No. 8576/94

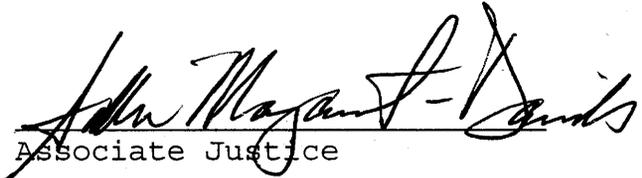
-against-

CERTIFICATE
GRANTING LEAVE

Rosa Martinez,

Defendant.
-----X

I, Sallie Manzanet-Daniels, a Justice of the Appellate Division, First Judicial Department, do hereby certify that in the proceedings herein questions of law or fact are involved which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is hereby granted to the above-named defendant to appeal to the Appellate Division, First Judicial Department, from the order of the Supreme Court, New York County, entered on or about June 1, 2012, is hereby granted.


Associate Justice

Dated: August 15, 2012
New York, New York

ENTERED: AUG 28 2012

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

BEFORE: Hon. Sallie Manzanet-Daniels
Justice of the Appellate Division

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

M-3559
Ind. No. 89/75

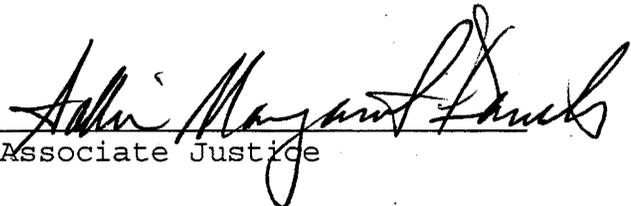
-against-

CERTIFICATE
GRANTING LEAVE

Hopeton Gooden,

Defendant.
-----X

I, Sallie Manzanet-Daniels, a Justice of the Appellate Division, First Judicial Department, do hereby certify that in the proceedings herein questions of law or fact are involved which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is hereby granted to the above-named defendant to appeal to the Appellate Division, First Judicial Department, from the order of the Supreme Court, Bronx County, entered on or about January 11, 2012, is hereby granted.


Associate Justice

Dated: August 15, 2012
New York, New York

ENTERED: AUG 28 2012

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

BEFORE: Hon. Rosalyn H. Richter
Justice of the Appellate Division

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

M-2993
Ind. No. 4842/00

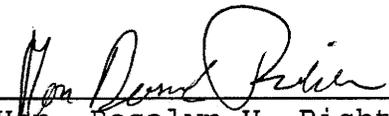
-against-

CERTIFICATE
DENYING LEAVE

Anthony Stallings,

Defendant.
-----X

I, Rosalyn H. Richter, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, and upon the application 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, entered on or about March 16, 2010 is hereby denied.



Hon. Rosalyn H. Richter

Dated: August 8, 2012
New York, New York

ENTERED: **AUG 28 2012**