

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 14, 2012.

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

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

-against-

M-1965

Docket No. 11884C/09

Angel Lopez,

Defendant.

-----x

Defendant having moved for leave to file a late notice of appeal from the judgment of the Supreme Court, Bronx County, rendered on or about April 3, 2009,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties dated August 2, 2011, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn in accordance with the aforesaid stipulation.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 February 14, 2012.

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

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

-against-

M-2057
Docket No. 7239C/09

Pablo De La Cruz,

Defendant.

-----x

Defendant having moved for leave to file a late notice of appeal from the judgment of the Supreme Court, Bronx County, rendered on or about April 29, 2009,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties dated August 2, 2011, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn in accordance with the aforesaid stipulation.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 February 14, 2012.

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

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

-against-

M-2074

Docket No. 15172C/09

Antonio Liranzo,

Defendant.

-----x

Defendant having moved for leave to file a late notice of appeal from the judgment of the Supreme Court, Bronx County, rendered on or about April 30, 2009,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties dated August 2, 2011, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn in accordance with the aforesaid stipulation.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 February 14, 2012.

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

-----X
Petra CRE CDO 2007-1, Ltd., by and
through Petra Capital Servicer, LLC
as Special Servicer,
Plaintiff-Appellant,

-against-

M-290X
Index No. 600702/09

Morgan 32 Holding, LLC, et al.,
Defendants,

-and-

Atria Builders LLC, 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 15, 2011 (mot. seq. no. 003),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" January 19, 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 February 14, 2012.

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

-----X
Steven Rosenfeld,
Plaintiff-Respondent,

-against-

Centurion Properties, Inc., et al.,
Defendants-Appellants,

Jackson Avenue Development LLC.,
Defendant.

M-5594
Index No. 307401/09

-----X
An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about July 7, 2010,

Now, upon reading and filing of defendant-appellant's Notice of Voluntary Discontinuance, dated November 4, 2011, and due deliberation having been had thereon,

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

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 February 14, 2012.

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

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

Leyda Delgado,
Petitioner,

M-5677
Index No. 401841/10

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

-against-

NYC Department of Housing Preservation
and Development,
Respondent.

-----X

An Article 78 proceeding to review a determination of respondent, having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about December 10, 2010, and said proceeding having been perfected,

Now, upon reading and filing the stipulation of the parties hereto, dated December 14, 2011, and due deliberation having been had thereon,

It is ordered that the proceeding is 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 February 14, 2012.

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

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

-against-

M-157
Case No. 18508C/10

Jean Azor,
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 September 12, 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 February 14, 2012.

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

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

-against- M-166
Ind. No. 1554/10

Francisco Alvarez,
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 December 20, 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, 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 February 14, 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,

-against-

M-168
Ind. No. 3884/10

Hugues D. Akassay,
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 November 17, 2011, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

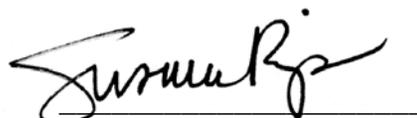
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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.

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 February 14, 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,

-against- M-169
Ind. No. 3655/10

Mark Acevedo,
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 December 19, 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, 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 February 14, 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,

-against-

M-171
Ind. No. 5192/09

Derrell Blue,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about June 13, 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, 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 February 14, 2012.

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

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

-against- M-175
Ind. No. 3505N/08

William Candelario,
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 December 21, 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.

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 February 14, 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,

-against-

M-180
Ind. No. 356/09

Allen Dewitt,
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 November 15, 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 February 14, 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,

-against-

M-183
Case No. 41919C/10

John Fiumara,
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 September 12, 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 February 14, 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,

-against-

M-188
Ind. No. 4683/08

David Galindez,
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 November 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, 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 February 14, 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,

-against-

M-195
Ind. No. 4410/07

Gavin Murray,
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 November 10, 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, 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 February 14, 2012.

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

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

-against-

M-189
Ind. No. 1258/08

Alvaro Michimani, also known as
Alvaro Garcia,
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 November 14, 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, 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 February 14, 2012.

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

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

-against-

M-202
Ind. No. 3633/02

Omar Rivera, also known as
Lewis Cariano, also known as
Carlos Rosa,
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 November 17, 2011, 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 10 reproduced copies of such brief, together with the original record, with 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.

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 February 14, 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,

-against-

M-203
Ind. No. 4595/08

Brandin Santiago,
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 27, 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 February 14, 2012.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzairelli
David B. Saxe
John W. Sweeny, Jr.
Karla Moskowitz, Justices.

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

-against-

M-5557
Ind. No. 6037/10

Lavonte Thomas,
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 September 30, 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, 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 February 14, 2012.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
David B. Saxe
Karla Moskowitz
Rolando T. Acosta
Helen E. Freedman, Justices.

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

-against-

M-5696
Ind. No. 6501/04

Nathaniel Harrison,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about 6501/04, and said appeal having been perfected,

And respondent having moved for an order dismissing the aforesaid appeal as abandoned,

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 raise the same issues raised herein on appeal. Sua sponte, the appeal is adjourned to the 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 February 14, 2012.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
David Friedman
Karla Moskowitz
Rolando T. Acosta
Rosalyn H. Richter, Justices.

-----X
The People of the State of New York
ex rel. Ronald L. Kuby on behalf of
Gigi Jordan,

Petitioner-Appellant,

-against-

M-219

Index No. 110374/11

Ind. No. 621/10

Darlene Merritt, Warden, Rose M. Singer
Center, Rikers Island Correctional
Facility,

Respondent-Respondent.

-----X
An appeal having been taken from the judgment of the Supreme Court, New York County, entered on or about September 16, 2011, dismissing a writ of habeas corpus and remanding petitioner Gigi Jordan to the custody of Darlene Merritt, Warden, Rose M. Singer Center, Rikers Island Correctional Facility, and said appeal having been perfected,

And petitioner having moved for a preference in the hearing of said appeal and for oral argument,

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 ordering that the appeal not be adjourned from the April 2012 Term, and is otherwise denied without prejudice to applications on or before March 1, 2012 for oral argument in compliance with 22 NYCRR 600.11[f].

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 February 14, 2012.

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

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

Michael Savallo,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78
of the CPLR,

-against-

M-5708
Index No. 107987/10

Raymond Kelly, etc., et al.,
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 February 15, 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 June 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 February 14, 2012.

Present: Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Leland G. DeGrasse
Sheila Abdus-Salaam
Sallie Manzanet-Daniels, Justices.

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

Respondent,

-against-

M-5774
Ind. No. 3987/10

Jose Pina,

Defendant-Appellant.

-----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 March 2, 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 deeming the moving papers a timely filed notice of 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 February 14, 2012.

Present: Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Leland G. DeGrasse
Sheila Abdus-Salaam
Sallie Manzanet-Daniels, Justices.

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

-against-

M-5684
Ind. No. 2486/07

Wesley Carter,
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 (Gregory Carro, J.) entered on or about November 18, 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 Carro as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, 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 February 14, 2012.

Present - Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Leland G. DeGrasse
Sheila Abdus-Salaam
Sallie Manzanet-Daniels, Justices.

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

-against-

M-5846
Ind. No. 448/11

Kenneth Quantano,
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 October 27, 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 February 14, 2012.

Present: Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick
Nelson S. Román, Justices.

-----X

In the Matter of

Shatavia Jeffeysa J.,
also known as Shatavia J.,
also known as Shatavia M.,

M-5758
Docket No. B12943/09

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

- - - - -
Little Flower Children and Family Services
Petitioners-Respondents,

Jeffrey J.,
Respondent-Appellant,

Sheila M.,
Respondent-Appellant.

- - - - -

Jessica I. Cuadrado, Esq.,
Attorney for the Subject Child,
Shatavia Jeffeysa J., also known
as Shatavia J., also known as
Shatavia M.

-----X

Respondent-appellant father, Jeffrey J., 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 April 6, 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, Geoffrey P. Berman, Esq., 2005 Palmer Avenue, #176, Larchmont, NY 10538, Telephone No. (914) 834-3053, 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 February 14, 2012.

Present: Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick
Nelson S. Román, Justices.

-----X
In the Matter of

Jasir-Keiomura H.,
Jyeh-Keiyonce H.,
and Jeremy H.,

M-280

Docket Nos. NN42598/10
NN42600/10
NN42602/10

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

Administration for Children's
Services of the City of New York,
Petitioner-Respondent,

Logann K.,
Respondent-Appellant.

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

-----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 December 8, 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, Dora M. Lassinger, Esq., 6 Howland Road, East Rockaway, NY 11518, Telephone No. (516) 887-8987, 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 February 14, 2012.

Present: Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick
Nelson S. Román, Justices.

-----X

In the Matter of

Diavonni G.,

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

M-5559
Docket No. NN55797/09

Administration for Children's
Services of the City of New York,
Petitioner-Respondent,

Vanessa G.,
Respondent-Appellant.

Betsy Kramer, Esq., Lawyers for
Children,
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 November 15, 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, Geoffrey Berman, Esq., 2005 Palmer Avenue, #176, Larchmont, NY 10538, Telephone No. (914) 834-3053, 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 February 14, 2012.

Present - Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick
Nelson S. Román, Justices.

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

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

M-142
Index No. 4067211/07
SCID No. 30061/08

-against-

Floyd Y.,
Respondent-Appellant.

-----x
Petitioner-respondent having moved for an order adjourning the appeal from order of the Supreme Court, New York County, entered July 7, 2010, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the correspondence from Matthew W. Grieco, Esq., counsel for petitioner-respondent, and due deliberation having been had thereon,

It is ordered that the motion is 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 February 14, 2012.

Present: Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Leland G. DeGrasse
Sheila Abdus-Salaam
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-5745

Ind. No. 3643/09

Brandon Lewis,
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about April 23, 2010,

And defendant-appellant having moved for reversal of the aforesaid judgment or, in the alternative, for an order remanding this matter to Supreme Court, New York County, for a hearing to reconstruction certain minutes of the voir dire and trial proceedings, and for an enlargement of time in which to perfect said appeal,

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

Ordered that the motion is granted to the extent of remanding this matter to Supreme Court, New York County, for a hearing to reconstruct the minutes of the voir dire and trial proceedings held from March 18, 2010 to March 29, 2010, as set forth in detail in paragraph 5 of the affidavit of Claudia S. Trupp, Esq., submitted in support of the motion. The time in which to perfect the appeal is enlarged to the June 2012 Term. The motion is otherwise 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 February 14, 2012.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Leland G. DeGrasse
Rosalyn H. Richter
Sheila Abdus-Salaam, Justices.

-----X

Thi of Illinois at Brentwood LLC,
et al.,

Plaintiffs-Appellants,

-against-

M-5660

Index No. 651735/11

Cam-Brentwood, LLC, et al.,
Defendants-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about December 2, 2011,

And plaintiffs-appellants having moved for a stay of the aforesaid order, 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 staying the aforesaid order on condition the appeal is perfected on or before March 19, 2012 for the June 2012 Term, and otherwise 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 February 14, 1012.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Leland G. DeGrasse
Rosalyn H. Richter
Sheila Abdus-Salaam, Justices.

-----x
In the Matter of the Application of
Metropolitan New York Synod of the
Evangelical Lutheran Church in
America,
Petitioner-Respondent,

-against-

M-110
Index No. 107556/11

Rev. Norman David, et al.,
Objectors-Appellants.

For leave to transfer certain of its
real property pursuant to § 12 of
the Religious Corporations Law.

-----x
Petitioner-respondent having moved for dismissal of the
appeal from the order of the Supreme Court, New York County,
entered on or about October 20, 2011,

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

It is ordered that the motion is 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 February 14, 2012.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
James M. Catterson
Dianne T. Renwick
Helen E. Freedman, Justices.

-----x
Johnson Devadas, et al.,

Plaintiffs-Respondents,

-against-

M-4301
Index No. 107637/07

Kevin Niksarli, M.D., et al.,

Defendants-Appellants.
-----x

Defendants-appellants having moved, inter alia, for a stay of all proceedings pending hearing and determination of the appeal from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about August 12, 2011,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties dated December 5, 2011, and due deliberation having been had thereon,

It is ordered that the motion is 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 February 14, 2012.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
James M. Catterson
Rolando T. Acosta
Nelson S. Román, Justices.

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

Respondent,

-against-

M-5771
Ind. No. 1675/09

Keston Brown,

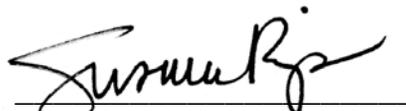
Defendant-Appellant.
-----X

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 January 10, 2011, 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, in compliance with CPLR 1101(a), setting forth the terms of defendant's retainer agreement with trial counsel, Patrick Watts, Esq., the amount and sources of funds for trial counsel's fee and an explanation as to why similar funds are not available to prosecute this appeal. (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 February 14, 2012.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
Karla Moskowitz
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----X
Katz Park Avenue Corp.,
Plaintiff-Respondent,

-against-

M-239
Index No. 104524/05

Bianca Jagger, "John Doe" and "Jane Doe",
Defendants-Appellants.

-----X

An appeal having been taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about October 5, 2010, and said appeal having been perfected,

And plaintiff-respondent having moved for an order dismissing the aforesaid appeal or, in the alternative, striking certain portions of defendants' brief, or 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 without prejudice to plaintiff-respondent raising arguments directly on the appeal, which is to be maintained on this Court's calendar for the 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 February 14, 2012.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
In the Matter of the Application of
Ingrid Jno-Charles,
Petitioner-Appellant,

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

-against-

M-104
Index No. 402238/10

New York City Housing Authority,
Respondent-Respondent.
-----X

Petitioner-appellant having moved for an enlargement of time in which to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about January 13, 2011,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to on or before March 19, 2012 for the June 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 February 14, 2012.

PRESENT: Hon. David B. Saxe, Justice Presiding,
David Friedman
James M. Catterson
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

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

-against-

M-28
Ind. No. 829/08

Nathan Sams,
Defendant-Appellant.

-----X

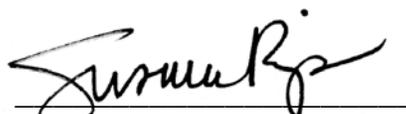
An order of this Court having been entered on September 22, 2011 (M-3498), inter alia, granting defendant leave to file a pro se supplemental brief in connection with the appeal from the judgment of the Supreme Court, New York County, rendered on or about March 31, 2009,

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 on or before July 9, 2012 for the September 2012 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 February 14, 2012.

PRESENT: Hon. David B. Saxe, Justice Presiding,
David Friedman
James M. Catterson
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of
G.K. Las Vegas Limited Partnership,
Petitioner-Appellant,

-against-

M-5719
Index No. 652486/11

Boies, Schiller & Flexner LLP,
Respondent-Respondent.

-----X

Respondent-respondent having moved for an order expediting the appeal taken from the order of the Supreme Court, New York County, entered on or about November 22, 2011, and for related 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.

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 February 14, 2012.

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

- - - - -
Sandra N.,
Petitioner/Intervenor-Appellant,

M-4842
Docket No. B3732/11
B25556/09

-against-

Administration for Children's Services
and Shanikqua N.,
Respondents-Respondents.

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

- - - - -
Sandra N.,
Petitioner/Intervenor-Appellant,

Docket Nos.
V-24498-02/09
V-12854-56/11

-against-

Administration for Children's Services
and Shanikqua N.,
Respondents-Respondents.

-----X

An order of this Court having been entered on September 27, 2011 (M-3787) granting petitioner/intervenor-appellant leave to prosecute the appeal(s) from the order of the Family Court, New York County, entered on or about July 22, 2011 (under Docket Nos. V24498/09 and V24502/09), assignment of appellate counsel, a free copy of the transcript, and related relief,

And petitioner/intervenor-appellant having moved for an order granting leave to prosecute the appeals from three orders of the Family Court, New York County, entered on or about September 14, 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 that the poor person relief and the assignment of Randall Carmel, Esq. previously granted by order of this Court on September 27, 2011 (M-3787) shall apply to all of the above docket numbers.

ENTER:



CLERK

PM ORDERS

ENTERED ON

FEBRUARY 14, 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 February 14, 2012.

Present - Hon. Peter Tom, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Karla Moskowitz
Leland G. DeGrasse, Justices.

-----x
Balestriere PLLC,

Plaintiff-Respondent,

-against-

Banxcorp and Norbert Mehl,

Defendants-Appellants.
-----x

M-311
Index No. 650919/10

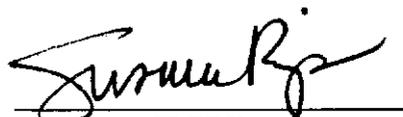
An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about February 16, 2011 (mot. seq. nos. 001, 002), and said appeal having been perfected,

And defendants-appellants having moved for a stay of all discovery proceedings 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 staying discovery proceedings, including depositions, 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 February 14, 2012.

Present: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Leland G. DeGrasse
Nelson S. Román, Justices.

-----X
Cedarwoods CRE CDO II, Ltd., et al.,
Plaintiffs-Appellants,

-against-

M-44
Index No. 653624/11

Galante Holdings, Inc., et al.,
Defendants-Respondents.

-----X

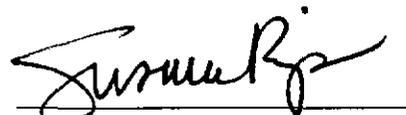
An appeal having been taken from the order of the Supreme Court, New York County, entered on or about January 4, 2012,

And plaintiffs-appellants having moved to stay the sale of a certain loan 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 interim relief and provisions therein granted by an order of Justice of this Court dated January 5, 2012, and upon the condition that plaintiffs perfect their appeal on or before March 19, 2012 for the June 2012 Term. Upon failure to so perfect, defendants-respondents may move on notice to vacate the aforesaid stay.

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 February 14, 2012.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
Karla Moskowitz
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of

Oluwashola, P.,

A Dependent Child Under 14 Years
of Age Alleged to be Abused and/or
Neglected Under Article 10 of the
Family Court Act.

M-291
Docket No. NN-06064/11

Corporation Counsel of the City of
New York,
Petitioner-Appellant,

Emma T.,
Respondent-Respondent.

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

-----X

An appeal having been taken from the order of the Family Court, New York County, entered on or about November 2, 2011, and said appeal having been perfected,

And respondent-respondent having moved for leave to respond, as a poor person, to the aforesaid appeal, for the assignment of 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 (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Tennille M. Tatum-Evans, Esq., 260 Convent Avenue, Suite #34, New York, NY 10031, Tel. No. (347) 645-6660, as attorney for purposes of responding to the appeal; (2) permitting movants 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. Sua sponte, the appeal is adjourned to the 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 February 14, 2012.

PRESENT: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
James M. Catterson
Rosalyn H. Richter
Sheila Abdus-Salaam, Justices.

-----X
James Toth,
Plaintiff-Appellant,

-against-

M-5632
M-5733
Index No. 104047/08

Lisa Spellman,
Defendant-Respondent.

-----X

An appeal having been taken from orders of the Supreme Court, New York County, entered on or about December 30, 2009 and July 12, 2011 (mot. seq. no. 007), respectively, and said appeal having been perfected,

And plaintiff-appellant having moved for an order to settle or supplement the record on appeal, and for other related relief (M-5632),

And defendant-respondent having cross-moved to dismiss the aforesaid appeals, to strike certain portions of the brief and record on appeal, for costs and sanctions and for other related relief (M-5733),

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 denied in its entirety (M-5632). The cross motion is granted to the extent of striking the appeal, currently on for the April 2012 Term, from the calendar to the extent of striking plaintiff-appellant's brief, without prejudice to plaintiff refiling, without further fee, a proper brief omitting any reference or argument related to the plaintiff's Notice to Admit, presently included the factual recitation and Argument Point I of plaintiff's current brief on or before March 19, 2012 for the June 2012 Term, to which Term the appeal is adjourned. Plaintiff shall be allowed to proceed

on the printed record currently on file with this Court, except that plaintiff is directed forthwith to excise pages 557-594 of the current record, and to file a supplemental record containing the items listed in the letter dated December 9, 2011 to Joseph J. Mainiero, Esq., attached as Exh. G to the affirmation of Attorney Mainiero submitted in support of motion M-5632. The respondent's brief and supplemental record are to comply with CPLR 5526 and Rule 600.10. The cross motion is otherwise denied, without prejudice to argument in the respondent's brief, concerning, inter alia, fees, costs and sanctions.

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 February 14, 2012.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
Karla Moskowitz
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----x
Cornelius James and Sharlene James,
Plaintiffs-Respondents, M-5851
M-5854

-against-

Ann Farhood and Nicholas Farhood, Index No. 20797/06
Defendants-Appellants/
Defendants-Appellants-Respondents,

-and-

Garfield Huguley,
Defendant-Respondent/
Defendant-Respondent-Appellant.

Anwar Main,
Plaintiff-Respondent,

-against-

Garfield Huguley, Index No. 251212/08
Defendant-Respondent/
Defendant-Respondent-Appellant,

-and-

Nicholas Farhood and Ann Farhood,
Defendants-Appellants/
Defendants-Appellants-Respondents.
-----x

Appeals having been taken to this Court by the Farhood defendants from the order of the Supreme Court, Bronx County, entered on or about March 24, 2011, and from the order and judgment (one paper) of said Court entered on or about March 30, 2011, respectively; and defendant Huguley having taken a cross appeal from the order and judgment (one paper) entered on or about March 30, 2011,

And the Farhood defendants having moved (M-5851) for an enlargement of time to perfect their appeals,

And defendant Huguley having cross-moved (M-5854) for an enlargement of time to perfect the cross appeal,

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 to perfect the appeals and cross appeal to the June 2012 Term. Sua sponte, the appeals and cross appeal are consolidated, and appellants are permitted to prosecute the consolidated appeals upon 9 copies of one joint record and one set of appellant's points covering the appeals and cross appeal. The attention of the parties is directed to 22 NYCRR § 600.11.

ENTER:


CLERK