

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 23, 2014.

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-5472
Ind. No. 1467/08

Franklyn Gonzalez,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about July 18, 2013,

Now, upon reading and filing the stipulation of the parties hereto, dated October 28, 2014, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 December 23, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
Sidonaco, Inc.,
Plaintiff-Respondent,

-against-

M-5483X
Index No. 111533/10

Direct Diamonds Network, Inc.,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about August 12, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" October 29, 2014, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 December 23, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
Ricardo Mendez,
Plaintiff-Appellant,

-against-

M-5668X
Index No. 301166/10

Henock Saint-Jacques, et al.,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about May 2, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" November 13, 2014, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 December 23, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
Kenneth Levin, et al.,
Plaintiffs-Respondents,

-against-

M-5669X
Index No. 108182/11

Mercedes-Benz Manhattan,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 15, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" November 10, 2014, 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 December 23, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
U.S. Bank National Association,
Plaintiff-Appellant,

-against-

M-5770X
Index No. 380504/11

Jorge Louis Rodriguez,
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about August 23, 2013,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" November 14, 2014, 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 December 23, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
Jose Ventura, et al.,
Plaintiffs-Respondents,

-against-

M-5776X
Index No. 110957/08

Garcia Livery Corp., et al.,
Defendants-Appellants.
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 9, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" November 17, 2014, 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 December 23, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
Sanford Wax, et al.,
Plaintiffs-Appellants-Respondents,

-against-

M-5937X
Index No. 653850/12

S. Rothchild & Co., Inc.,
Defendant-Respondent-Appellant.

-----X

An appeal and cross appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 2, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" November 25, 2014, and due deliberation having been had thereon,

It is ordered that the appeal and cross appeal 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 December 23, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzaelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-5499
Ind. No. 4372N/13

Donald Bowman,
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 March 12, 2014, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Seymour W. James, Jr., 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 December 23, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-5500
Ind. No. 1137/13

Wilfredo Cintron,
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 19, 2014, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 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 December 23, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-5501
Ind. No. 5625/12

Benjamin Gaston,
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 3, 2014, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Seymour W. James, Jr., 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 December 23, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-5502
Ind. No. 3645/03

Jaspar Grayson,
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 May 2, 2013, 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 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Seymour W. James, Jr., 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 December 23, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-5503
Ind. No. 4159/12

James McNaught,
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 August 26, 2014, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 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 December 23, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-5505
Ind. No. 3673/13

Andre Taylor,
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 July 29, 2014, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Seymour W. James, Jr., 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 December 23, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzaelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-5506
Ind. No. 2163/12
Case No. 3876C/12

Shane Thomas,
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 23, 2014, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Seymour W. James, Jr., 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 December 23, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzaelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-5507
Ind. No. 5251/11

Gregory Velez,
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, 2014, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 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 December 23, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzaelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-5508
Ind. No. 5124/10

James Williams,
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 July 8, 2014, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 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 December 23, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

Natavia Lowery,
Defendant-Appellant.

M-5311
Ind. Nos. 5850/07
4346/08

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about May 13, 2010, and said appeal having been perfected,

And defendant-appellant having moved to file a corrected brief,

Now, upon reading and filing the stipulation of the parties, dated November 7, 2014, and due deliberation having been had thereon,

It is ordered that the motion 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 December 23, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Dianne T. Renwick
Judith J. Gische, Justices.

-----X
Ruo Mei Cai,
Plaintiff-Respondent,

-against-

M-5033
Index No. 309888/09

Victor Fai Lau,
Defendant-Appellant.
-----X

Defendant-appellant having renewed his motion for leave to prosecute, as a poor person, the appeal from an order of the Supreme Court, New York County, entered on or about June 30, 2014, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that said motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serve one copy of such brief upon the attorney for respondent and file 9 copies of such brief, together with the original record, with this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record. The Clerk of Supreme Court, New York County, is directed to have transcribed the minutes of the proceedings held therein, if any, for inclusion in the record on appeal, with a copy to appellant's counsel, the cost thereof to be charged against the City of New York from funds available therefor and any other fees in connection therewith.

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 December 23, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Richard T. Andrias
Judith J. Gische, Justices.

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

Respondent,

-against-

Jose Aguilar,
Defendant-Appellant.

-----X

Confidential

M-5003

Ind. No. 3131/03

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about June 30, 2004,

And retained counsel for defendant-appellant having moved for an enlargement of time to perfect the aforesaid appeal,

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

Ordered that appellant's time in which to perfect the appeal is enlarged to the May 2015 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 December 23, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzarelli
Sallie Manzanet-Daniels
Judith J. Gische
Darcel D. Clark, Justices.

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

-against-

M-5301
Ind. No. 3089/13

Anthony E. Smith,
Defendant-Appellant.

-----X

An order of this Court having been entered on May 13, 2014 (M-1141) granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about January 16,, 2014, and assigning Scott A. Rosenberg, Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of successor assigned counsel Seymour W. James, Jr., Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Paul J. Angioletti, Esq., 38 Forest Road, Staten Island, NY 10304, Telephone No. (718)351-5244, 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 December 23, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Rolando T. Acosta
Dianne T. Renwick
Karla Moskowitz, Justices.

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

-against-

M-4949
Ind. No. 6316/08

Simone Morgan,
Defendant-Appellant.
-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about February 19, 2010, and said appeal having been heard and decided by order of this Court entered on October 25, 2012 (Appeal No. 8378),

And defendant-appellant, pro se, having moved to "seal her case,"

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 further proceedings in this matter, before the Supreme Court.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 23, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
David B. Saxe
Rosalyn H. Richter
Paul G. Feinman
Barbara R. Kapnick, Justices.

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

-against-

M-4261
Ind. No. 1592/13

Narainedat Baljit,
Defendant-Appellant.

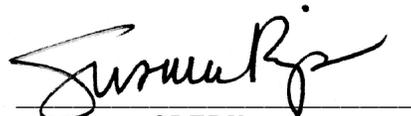
-----X

Defendant-appellant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about June 20, 2014,

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

It is ordered that the motion is granted to the extent of deeming the notice of appeal timely filed.

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 December 23, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Richard T. Andrias
David B. Saxe, Justices.

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

-against-

M-5234
Ind. No. 13770/89

Randolph Jamison,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on October 14, 1999 (Appeal No. 20040), unanimously affirming a judgment of the Supreme Court, New York County (Bonnie Wittner, J.), rendered on September 15, 1993,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate 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 said application 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 December 23, 2014.

Present: Hon. Peter Tom, Justice Presiding,
David Friedman
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick, Justices.

-----X
National Union Fire Insurance
Company of Pittsburgh, PA.,
Plaintiff-Appellant,

-against-

M-5778
Index No. 653666/11

Everest Reinsurance Company, etc.,
Defendant-Respondent.
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about November 10, 2014,

And plaintiff-appellant having moved to stay enforcement of the order being appealed pending hearing and determination of the aforesaid appeal,

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

Ordered that the motion is granted on condition that plaintiff-appellant perfects the appeal on or before February 23, 2015 for the May 2015 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 December 23, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
Dianne T. Renwick
Sallie Manzanet-Daniels
Barbara R. Kapnick, Justices.

-----X
Larry May,
Plaintiff-Respondent,

-against-

M-5690
Index No. 309770/12

Heejun Song,
Defendant-Appellant.
-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about November 15, 2013,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties dated November 24, 2014, 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 December 23, 2014.

Present - Hon. Peter Tom, Justice Presiding,
David Friedman
Dianne T. Renwick
Sallie Manzanet-Daniels
Barbara R. Kapnick, Justices.

-----x
In the Matter of the Application of
South Bronx Unite!, et al.,
Petitioners-Appellants,

For a Judgment Pursuant to Article 78
of the CPLR, etc.,

M-5694
Index No. 260462/12

-against-

New York City Industrial Development
Agency, et al.,
Respondents-Respondents.

-----x
Respondents-respondents having moved for dismissal of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about June 25, 2014,

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 unless the appeal is perfected for the June 2015 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 December 23, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
Dianne T. Renwick
Sallie Manzanet-Daniels
Barbara R. Kapnick, Justices.

-----X

In the Matter of the Application of
Evelyn Green,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78
of the CPLR

-against-

M-5660
Index No. 402345/12

Manhattan Community Board 10, City of
New York,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, New York County, entered on or about July 9, 2013,

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 to perfect the appeal to the May 2015 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 December 23, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
Dianne T. Renwick
Sallie Manzanet-Daniels
Barbara R. Kapnick, Justices.

-----X
Tyrae White, by his Mother and
Guardian, Annette White,
Plaintiff-Respondent,

-against-

M-5692
Index No. 350279/10

New York City Housing Authority,
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about March 5, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the May 2015 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 December 23, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
Dianne T. Renwick
Sallie Manzanet-Daniels
Barbara R. Kapnick, Justices.

-----X

In the Matter of Julio Ignacio, as
Administrator of the Estate of Luz
Fernandez, Decedent,
Plaintiffs,

-against-

New York Health and Hospitals
Corporation, et al.,
Defendants.

M-5437

M-5448

Index No. 23535/04

-----X

Cablevision Systems New York City
Corporation,
Third-Party Plaintiff,

-against-

Corbel Communications, Inc.,
Third-Party Defendant-Appellant.

Third-Party

Index No. 85101/06

-----X

Corbel Communications, Inc.,
Second Third-Party Plaintiff.

-against-

All County Communications, Inc.,
Second Third-Party Defendant-Appellant.

-----X

Appeals having been taken from an order of the Supreme Court, New York County, entered on or about January 21, 2014,

And third-party defendant-appellant Corbel Communications, Inc. having moved for an enlargement of time to perfect their respective appeal from the aforesaid order (M-5427),

And second third-party defendant-appellant All County Communications, Inc. having moved for an enlargement of time to perfect their respective appeal from the aforesaid order (M-5427),

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

It is ordered that the motions are granted to the extent of enlarging the time to perfect the respective appeals to the May 2015 Term. The Clerk of the Court is directed to calendar the appeals for hearing together on the same date for said Term (M-5437/M-5448).

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 December 23, 2014.

Present: Hon. Peter Tom, Justice Presiding,
David Friedman
Diane T. Renwick
Sallie Manzanet-Daniels
Barbara R. Kapnick, Justices.

-----X

Patrick H. Barclay, also known as
Independent Anchor,
Plaintiff-Appellant,

M-5645

Index No. 401104/12

-against-

Citibank, N.A.,
Defendant-Respondent.

-----X

Plaintiff-appellant pro se having moved for leave to prosecute, as a poor person, the appeal from an order of the Supreme Court, New York County, entered on or about July 8, 2014, for leave to have the appeal heard upon the original record and upon an over-sized and handwritten 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, to the extent it seeks leave to submit an oversized brief is denied, without prejudice to plaintiff-appellant pro se submitting a letter application to the Clerk of this Court, such letter to include a copy of the proposed handwritten brief. So much of the motion which seeks poor person relief 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 December 23, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
Richard T. Andrias
Paul G. Feinman
Barbara R. Kapnick, Justices.

-----X
Paul Galloway,
Plaintiff-Appellant,

-against-

M-5196
Index No. 151287/13

Stephen Lance Wittels, et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about January 6, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the September 2015 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 December 23, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
Karla Moskowitz
Judith J. Gische
Darcel D. Clark, Justices.

-----X

Eric Alexander,
Plaintiff-Respondent,

-against-

M-5519
Index No. 304255/09

Hany Alexander,
Defendant-Appellant.

-----X

Defendant-appellant pro se having moved for reargument of the decision and order of this Court entered on April 8, 2014 (Appeal No. 11999),

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 December 23, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
Sallie Manzanet-Daniels
Barbara R. Kapnick, Justices.

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

-against-

M-5640
Ind. No. 4483/10

Steffon Bridges,
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, Bronx County, rendered on or about September 16, 2013,

And defendant-appellant having moved for a an enlargement of time to perfect 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 enlarging the time to perfect the appeal to the May 2015 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 December 23, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Richard T. Andrias
Karla Moskowitz
Judith J. Gische, Justices.

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

-against-

M-4912
Ind. No. 5220/12

Sean Davis,
Defendant-Appellant.

-----X

Defendant having renewed his 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 January 28, 2014, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Seymour W. James, Jr., 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 December 23, 2014.

Present: Hon. Peter Tom, Justice Presiding,
Diane T. Renwick
Karla Moskowitz
Rosalyn H. Richter
Barbara R. Kapnick, Justices.

-----X
Barbara Stewart,
Plaintiff-Appellant-Respondent,

-against-

M-4828

Index No. 350054/07

William Stewart,
Defendant-Respondent-Appellant.

-----X

Appeals and cross appeals having been taken from the order of Supreme Court, New York County, entered on or about January 14, 2014 and from the Judgment of Divorce of the same Court and Justice, entered on or about April 30, 2014,

And plaintiff-appellant-respondent having moved for an enlargement of time to perfect the appeal taken from the order entered on or about January 14, 2014,

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 aforesaid appeals and cross appeals as an appeal and cross appeal taken from the Judgment of Divorce entered on April 30, 2014, bringing up for review the aforesaid order of the Supreme Court entered on or about January 14, 2014 (CPLR 5501(a) [1]). The parties are directed to perfect the appeal and cross appeal from said judgment on a joint record on appeal on or before February 23, 2015 for the May 2015 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 December 23, 2014,

PRESENT: Hon. Peter Tom, Justice Presiding,
Karla Moskowitz
Leland G. DeGrasse
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

-----X
James Shield, et al.,
Plaintiffs-Respondents,

-against-

M-3675
Index Nos. 100620/07
590608/08

First Avenue Builders LLC, et al.,
Defendants-Appellants,

Worthington S.p.A.,
Defendant.

- - - - -

Worthington S.p.A.,
Third-Party Plaintiff,

-against-

MC & O Masonry, Inc.,
Third-Party Defendant-Respondent.

-----X

Third-party defendant-respondent having moved for reargument/modification of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on June 19, 2014 (Appeal No. 12829),

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 December 23, 2014,

PRESENT: Hon. Angela M. Mazzarelli Justice Presiding,
David Friedman
David B. Saxe
Paul G. Feinman, Justices.

-----X
Nancy Waldbaum Nimkoff,
Plaintiff-Respondent,

-against-

M-5592
Index No. 350768/02

Ronald A. Nimkoff,
Defendant-Appellant.

-----X

Defendant-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on September 18, 2014 (Appeal Nos. 12780-12781N-12782N),

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 December 23, 2014.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
Dianne T. Renwick
Richard T. Andrias
Rosalyn H. Richter
Paul G. Feinman, Justices.

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

-against-

M-4328
Ind. No. 6051/11

William Fabre,
Defendant-Appellant.

-----X

An order of this Court having been entered on June 5, 2014 (M-2096) assigning Robert S. Dean, Esq., as counsel to prosecute defendant's appeal from the judgment of the Supreme Court, New York County, rendered on or about February 28, 2014; and a motion having been made to relieve such counsel, and for other relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Robert S. Dean, Esq., as counsel to prosecute defendant's appeal. 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.

The part of the motion that seeks assignment of retained counsel Andrew Mancilla, Esq. is denied as unnecessary.

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 December 23, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Dianne T. Renwick
Richard T. Andrias
David B. Saxe
Barbara R. Kapnick, Justices.

-----X

In the Matter of the Application of
Danny Rossi,
Petitioner-Respondent,

-against-

M-5581
Index No. 100565/13

The New York City Department of Health
and Mental Hygiene,
Respondent-Appellant,

For an Order or Judgment Pursuant to
Article 78 of the Civil Practice Law
and Rules.

-----X

In the Matter of the Application of
Elizabeth A. Rossi,
Petitioner-Respondent,

-against-

Index No. 100562/13

The New York City Department of Health
and Mental Hygiene,
Respondent-Appellant,

For an Order or Judgment Pursuant to
Article 78 of the Civil Practice Law
and Rules.

-----X

In The Matter of the Application of
Richard Rivera,
Petitioner-Respondent,

-against-

Index No. 100563/13

The New York City Department of Health
and Mental Hygiene,
Respondent-Appellant,

For an Order or Judgment Pursuant to
Article 78 of the Civil Practice Law
and Rules.

-----X

-----X
 In the Matter of the Application of
 Rebah Belkebir,
 Petitioner-Respondent,

-against-

Index No. 100564/13

The New York City Department of Health
 and Mental Hygiene,
 Respondent-Appellant,

For an Order or Judgment Pursuant to
 Article 78 of the Civil Practice Law
 and Rules.

-----X

Appeals having been taken by the respondent-appellant
 Department of Health and Mental Hygiene taken from (four) orders of
 the Supreme Court, New York County, each entered on or about
 September 10, 2014, in the above-captioned actions,

And an order of this Court having been entered on August 14,
 2014, consolidating the aforesaid appeals and enlarging the time to
 perfect same to the January 2015 Term (M-3338)

And respondent-appellant having moved for an enlargement of
 time to perfect 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 to the extent of
 enlarging the time to perfect the consolidated appeals to the May 2015
 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 December 23, 2014,

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

-----X
Assos Construction Corp.,
Plaintiff-Respondent-Appellant,

-against-

M-5104
Index No. 103573/11

1141 Realty LLC,
Defendant-Appellant-Respondent.

-----X

Defendant-appellant-respondent having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on September 30, 2014 (Appeal Nos. 13054-13055),

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 December 23, 2014.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

-----X
In the Matter of the Application of
Nayci Contracting Associates, LLC,
and Mehmet Nayci,
Petitioners,

M-5659
Index No. 106851/10

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

-against-

New York City Department of Consumer
Affairs, and Janet Ricevuto,
Respondents.

-----X
An Article 78 proceeding to review a determination of
respondents having been transferred to this Court, pursuant
to CPLR 7804(g), by order of the Supreme Court, New York County,
entered on or about May 10, 2011,

And petitioners having moved for an enlargement of time
to perfect the aforesaid proceeding,

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

It is ordered that the motion is granted to the extent
of enlarging the time to perfect the proceeding to the June
2015 Term, with leave to seek further enlargements if necessary.

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 December 23, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

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

-against-

M-5570
Ind. No. 199/11

Renato Seabra,
Defendant-Appellant.

-----X

Defendant-appellant having moved for a an enlargement of time to perfect the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about December 21, 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 to perfect the aforesaid appeal to the May 2015 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 December 23, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

-----X

In the Matter of the Application of
Carol Puerto,
Petitioner-Respondent-Appellant,

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

-against-

M-5638
Index No. 402224/11

Robert Doar, as Commissioner of the
New York City Human Resources
Administration, et al.,
Respondents-Appellants-Respondents.

-----X

Appeals and a cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about April 25, 2013, and the direct appeals having been consolidated to the extent, inter alia, of permitting the direct appeals to be prosecuted upon 9 copies of the record and one set each of appellants points by the municipal and state appellants ([M-696] entered August 29, 2014) and the state appellant having perfected their direct appeal,

And the municipal appellant-respondent having moved for an enlargement of time to perfect its respective 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 enlarging the time to perfect the municipal appellant-respondent's appeal to the May 2015 Term; adjourning the perfected appeal to said Term and enlarging the time to perfect the cross-appeal to said May 2015 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 December 23, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

-----X
Roseann Cilente, et al.,
Plaintiffs-Appellants-Respondents,

-against-

M-5815
Index No. 600313/08

Phoenix Life Insurance Company, et al.,
Defendants-Respondents-
Cross-Appellants.

-----X

Defendants-respondents-cross-appellants having moved for an enlargement of time to perfect the appeal and cross appeals taken from an order of the Supreme Court, New York County, entered on or about January 9, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal and cross appeals to the May 2015 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 December 23, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

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

-against-

M-5639
Ind. No. 1097/08

Israel Feliciano,
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to file a pro se supplemental brief in connection with an appeal from a judgment of the Supreme Court, Bronx County, rendered on or about November 10, 2010, for a copy of the trial transcripts and for an enlargement of time in which to file said pro se supplemental brief, 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 to the extent of directing defendant to serve and file 9 copies of his pro se supplemental brief on or before March 23, 2015 for the June 2015 Term, to which Term the appeal is adjourned. The Clerk of the Court is directed to forward to the Warden at the State correctional facility wherein defendant is incarcerated a transcript of the minutes relating to defendant's appeal, said transcript to be made available to appellant and returned by appellant to this Court when submitting the pro se supplemental brief hereto. The appeal will not be heard unless and until all material furnished to appellant has been returned.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 23, 2014.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Leland G. DeGrasse
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

-----X
In the Matter of the Application of
Issa Kohler-Hausmann,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78
of the CPLR,

M-5844
Index No. 100759/13

-against-
New York City Police Department, etc.,
et al.,
Respondents-Respondents.

-----X

An appeal having been taken to this Court by the above-named petitioner from the judgment of the Supreme Court, New York County, entered on or about January 17, 2014, and said appeal having been perfected,

And The Associated Press, Daily News, L.P., The New York Times Company and Propublica having moved for leave to file a brief amicus curiae in connection with the aforesaid appeal,

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

It is ordered that the motion is granted, and movants are directed to forthwith file an additional nine copies of said brief with the Clerk of the Court.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 23, 2014.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Leland G. DeGrasse
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

-----x
In the Matter of the Application of
Isabella City Carting Corp., et al.,
Petitioners-Appellants,

For a Judgment Pursuant to Article 78
of the CPLR,

M-5338
Index No. 260003/14

-against-

The New York City Business Integrity
Commission,
Respondent-Respondent.

-----x

An appeal having been taken to this Court from the order and judgment (one paper) of the Supreme Court, Bronx County, entered on or about October 16, 2014,

And petitioners-appellants having moved in the nature of a preliminary appellate injunction pursuant to CPLR 5518 reinstating a stay of petitioners license revocation, so as to allow petitioner to stay in business and conduct business as usual, pending hearing and determination of the aforesaid appeal, and for other relief,

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

It is ordered that the motion is denied.

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 December 23, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Richard T. Andrias
Judith J. Gische
Darcel D. Clark, Justices.

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

-against-

M-4696
Ind. No. 3179/11

Roberto Rodriguez,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on April 17, 2014 (Appeal No. 12225), unanimously affirming a judgment of the Supreme Court, New York County (Jill Konviser, J.), rendered on January 20, 2012,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate 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 said application 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 December 23, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

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

-against-

M-5189
Ind. No. 40/13

Lynmarie Schachtel, also known as
Lyn-Marie Schachtel,
Defendant-Appellant.

-----X

Defendant having renewed his 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 April 9, 2014, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 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 December 23, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
Karla Moskowitz
Rosalyn H. Richter
Darcel D. Clark, Justices.

-----X
Liam Stapleton,
Plaintiff-Respondent,

-against-

M-5351
Index No. 150344/14

493 Rest Inc., doing business as Mercury
Bar East,
Defendant-Appellant.

-----X

Plaintiff-respondent having moved for dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about May 16, 2014,

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 December 23, 2014.

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

-----X
Destiny Gonzalez Avila, by her Mother
and Natural Guardian Soraya Avila, and
Soraya Avila, Individually,
Plaintiff-Appellant,

-against-

M-4570
Index No. 401719/04

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

-----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 1, 2014 (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 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 December 23, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,
Karla Moskowitz
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

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

-against-

M-5322
Ind. No. 4326/10

Melvin Caceres,
Defendant-Appellant.

-----X

Appellate counsel for defendant-appellant having moved for an order dismissing defendant's appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about March 8, 2013, without prejudice to reinstatement at such time appellant becomes amenable to the jurisdiction of this Court,

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

It is ordered that the motion is granted to the extent of dismissing the appeal without prejudice.

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 December 23, 2014.

PRESENT - Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Richard T. Andrias
Karla Moskowitz
Sallie Manzanet-Daniels, Justices.

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

-against-

M-4367
Ind. No. 6138/11

Thein E. Stewart,
Defendant-Appellant.

-----X

An order of this Court having been entered on June 27, 2013 (M-2377) granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about March 27, 2013, and assigning Steven Banks, Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of successor assigned counsel Seymour W. James, Jr., 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, 120 Wall Street, 28th Floor, New York, New York 10005, 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

CORRECTED ORDER - April 11, 2016

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 23, 2014.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Richard T. Andrias
Sallie Manzanet-Daniels, Justices.

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

-against-

M-5259
Ind. No. 2972/08

Antonio Rodriguez,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on July 7, 2011 (Appeal No. 5506), unanimously affirming a judgment of the Supreme Court, New York County (Bonnie Wittner, J.), rendered on February 9, 2010,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate 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 said application 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 December 23, 2014.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Leland G. DeGrasse
Darcel D. Clark
Barbara R. Kapnick, Justices.

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

-against-

M-5595
Ind. No. 5971/09

Edward Demirdjian,
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to file a pro se supplemental brief in connection with an appeal from a judgment of the Supreme Court, New York County, rendered on or about April 23, 2013, for a copy of the trial transcripts and for an enlargement of time in which to file said pro se supplemental brief,

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

It is ordered that the motion is granted to the extent of directing defendant to serve and file 9 copies of his pro se supplemental brief on or before March 23, 2015 for the June 2015 Term, to which Term the appeal is adjourned. The Clerk of the Court is directed to forward to the Warden at the State correctional facility wherein defendant is incarcerated a transcript of the minutes relating to defendant's appeal, said transcript to be made available to appellant and returned by appellant to this Court when submitting the pro se supplemental brief hereto. The appeal will not be heard unless and until all material furnished to appellant has been returned.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 23, 2014.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Leland G. DeGrasse
Darcel D. Clark
Barbara R. Kapnick, Justices.

-----X

In the Matter of the Application of
Tony Barrow,
Petitioner-Appellant,

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

M-5337
M-5626
Index No. 402352/12

-against-

New York City Housing Authority,
Respondent-Respondent.

-----X

An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about June 25, 2013, to review a determination of respondent,

And respondent having moved to dismiss the proceeding for failure to timely perfect (M-5337),

And petitioner-appellant pro se having moved for an enlargement of time to perfect the aforesaid proceeding, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief, (M-5626),

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

It is ordered that the motion to dismiss the proceeding is granted to the extent of dismissing the proceeding unless perfected on or before February 23, 2015 for the May 2015 Term (M-5337).

It is further order that the motion for poor person relief is granted to the extent of permitting the proceeding to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serve one copy of such brief upon the attorney for respondent and file 9 copies of such brief, together with the original record, with this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record. The time to perfect the proceeding is enlarged to on or before February 23, 2015 the May 2015 Term (M-5626).

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 December 23, 2014.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Leland G. DeGrasse
Darcel D. Clark
Barbara R. Kapnick, Justices.

-----x
Lloyd A. Gelwan,

Plaintiff-Appellant,

-against-

M-5223

Index No. 653656/13

Youni Gems Corporation, et al.,
Defendants-Respondents,

-and-

Sabharwal & Associates,
Nominal Defendant-Appellant.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about August 12, 2014,

And plaintiff-appellant pro se having moved a stay of enforcement of the order pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is granted on condition plaintiff perfects the appeal on or before February 23, 2015 for the May 2015 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 December 23, 2014.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Rosalyn H. Richter
Darcel D. Clark, Justices.

-----X
Doron Storfer,

Defendant-Appellant,

-against-

Katarina Storfer,

Plaintiff-Respondent.
-----X

M-5717

Index No. 350237/07

Defendant-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about January 13, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to on or before February 2, 2015 for the April 2015 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 December 23, 2014.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Rosalyn H. Richter
Darcel D. Clark, Justices.

-----x
In the Matter of the Application of
344 Restaurant Group LLC.,
Petitioner-Appellant,

For a Review Pursuant to Article 78
of the CPLR,

M-5707
Index No. 100927/14

-against-

New York State Liquor Authority,
Respondent-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 November 6, 2014,

And petitioner-appellant having moved for a stay of revocation of its license pending hearing and determination of the aforesaid proceeding,

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

It is ordered that the motion is granted on condition the proceeding is perfected on or before February 2, 2015 for the April 2015 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 December 23, 2014.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,
Richard T. Andrias
David B. Saxe
Leland G. DeGrasse
Judith J. Gische, Justices.

-----X
In the Matter of the Application of
Conti of New York, LLC,
Petitioner-Appellant,

For an Order Pursuant to Article 75 **M-5646**
of the Civil Practice Law and Rules, Index No. 652901/14

-against-

TC Electric, LLC and Welkin Mechanical,
LLC,
Respondents-Respondents.

-----X
An appeal having been taken from an order of the Supreme Court, New York County, entered on or about October 29, 2014,

And petitioner-appellant having moved for an order staying arbitration pending hearing and determination of the aforesaid appeal,

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

Ordered that the motion is granted on condition that the appeal is perfected on or before February 2, 2015 for the April 2015 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 December 23, 2014.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Richard T. Andrias
David B. Saxe
Leland G. DeGrasse
Judith J. Gische, Justices.

-----x
Brigitta Joachim,

Plaintiff-Respondent,

-against-

AMC Multi-Cinema, Inc., et al.,

Defendants-Appellants.
-----x

M-5490
Index No. 101417/12

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about July 8, 2014 (mot seq no. 004), and said appeal having been perfected,

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

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

It is ordered that the motion is 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 December 23, 2014.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Leland G. DeGrasse
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

-----X
Andejo Corp., doing business as Seaport
Watch Company, et al.,
Plaintiffs-Appellants,

-against-

South Street Seaport Limited
Partnership, et al.,
Defendants-Respondents.

M-5102
M-5564
Index No. 603707/04

-----X

An appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about November 14, 2013, and said appeal having been perfected,

And defendants-respondents having moved to dismiss the appeal (M-5102),

And plaintiff-appellant Fulton Market Retail Fish Inc. doing business as Simply Seafood having cross-moved for an enlargement of time to perfect their appeal (M-5564),

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

It is ordered that the motion to dismiss the appeal is granted to the extent of granting defendants-respondents leave to file a supplemental record on appeal including certain missing trial transcripts, at its own expense, if so advised, deeming certain pages, 1733, 2387-2388, 2660-2662, 2408, 2598-2706 and 3614 - 3629 struck from the record from the printed record and otherwise denied (M-5102),

It is further order that the cross motion is denied, as unnecessary. The Clerk of the Court is directed to maintain the appeal on this Court's calendar for the March 2015 Term (M-5564).

ENTER:

A handwritten signature in black ink, appearing to read "Susan R. Jones". The signature is written in a cursive style with a prominent initial "S".

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 23, 2014.

Present - Hon. Rolando T. Acosta, Justice Presiding,
Karla Moskowitz
Rosalyn H. Richter
Paul G. Feinman
Darcel D. Clark, Justices.

-----x
Noel Goddard,

Petitioner-Appellant,

-against-

City University of New York, etc.,

Respondent-Respondent.
-----x

M-5772
Index No. 100885/13

Petitioner-appellant having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, New York County, entered on or about December 19, 2013,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the May 2015 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 December 23, 2014.

Present - Hon. Rolando T. Acosta, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

-----x
The People of the State of New York
ex rel. Salvador Fernandez,
Relator-Appellant,

-against-

M-3818
Index Nos. 402107/13

Warden, etc.,
Respondent.

-----x

Relator-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, entered on or about January 6, 2014, which dismissed a habeas corpus proceeding, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for the assignment of counsel,

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

It is ordered that said motion is granted and it is directed that the appeal be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the Attorney General of the State of New York and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

Sua sponte, the time to perfect the appeal is enlarged to the June 2015 Term. The motion to the extent it seeks assignment of appellate counsel 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 December 23, 2014.

Present - Hon. Rolando T. Acosta, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

-----x
The People of the State of New York
ex rel. Angel Ocasio,
Relator-Appellant,

-against-

M-3894
Index Nos. 400551/14

Warden, etc.,
Respondent.

-----x

Relator-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, entered on or about May 13, 2014, which dismissed a habeas corpus proceeding, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for the assignment of counsel,

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

It is ordered that said motion is granted and it is directed that the appeal be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the Attorney General of the State of New York and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The motion to the extent it seeks assignment of appellant counsel 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 December 23, 2014,

PRESENT: Hon. Karla Moskowitz, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Darcel D. Clark
Barbara R. Kapnick, Justices.

-----X
Art and Fashion Group
Corporation, et al.,
Plaintiffs-Appellants-Respondents,

-against-

M-4833
Index No. 650364/11

Cyclops Production, Inc., et al.,
Defendants-Respondents-Appellants.

-----X

Defendants-respondents-appellants Albert Watson, Elizabeth Watson and Michael Jurkovic having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on August 28, 2014 (Appeal No. 12075),

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

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-4753
Ind. No. 12723/91

-against-

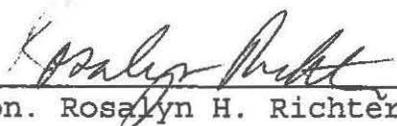
CERTIFICATE
DENYING LEAVE

Jamel Eaddy,

Defendant.

-----X

I, Rosalyn H. Richter, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon the 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 July 25, 2014, is hereby denied.



Hon. Rosalyn H. Richter

Dated: November 18, 2014
New York, New York

ENTERED: **DEC 23 2014**

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

BEFORE: Hon. Judith J. Gische
Justice of the Appellate Division

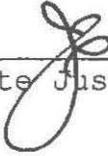
-----X
The People of the State of New York, M-5186
Ind. No. 2686/13

-against-

CERTIFICATE
DENYING LEAVE

Rashean Jackson,
Defendant.

-----X
I, Judith J. Gische, 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 dated August 27, 2014 of the
Supreme Court, New York County (Melissa Jackson, J.), is hereby
denied.



Associate Justice

Dated: November 14, 2014
New York, New York

ENTERED: **DEC 23 2014**

P.M ORDERS
FOR
DECEMBER
16, 2014

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 23, 2014.

Present: Hon. Rolando T. Acosta, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

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

-against- **M-5546**
Ind. No. 2308/08

Ross Campbell,
Defendant-Appellant.
-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, rendered on or about November 23, 2010, and said appeal having been perfected,

And an order of this Court having been entered on October 9, 2014 (M-3558), deeming defendant's motion to replace his "Proposed Supplemental Brief" as withdrawn,

And defendant-appellant having moved for reargument of the aforesaid order of this Court entered on October 9, 2014 (M-3558),

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 for reargument is granted, and upon reargument, the previously filed copies of the "Proposed Supplemental Brief", prepared by defendant's counsel, Paul Kerson, Esq., are deemed timely filed for the May 2015 Term, to which Term the appeal is adjourned, and, sua sponte, it is directed that all submitted briefs, including said "Proposed Supplemental Brief", prepared by said defendant's counsel, dated April 3, 2014, and a 57 page brief filed by assigned counsel, Robert S. Dean, Esq., are to remain "as is" for said May 2015 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 December 23, 2014.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Richard T. Andrias
Karla Moskowitz
Rosalyn H. Richter, Justices.

-----x
John Seward Johnson, Jr., etc., et al.,
Plaintiffs-Respondents-Appellants,

-against-

M-5781
Index No. 652075/11

Proskauer Rose LLP, et al.,
Defendants-Appellants-Respondents,

-and-

Ira Akselrad,
Defendant-Respondent.

- - - - -
[And other actions]

-----x
An appeal and cross appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about January 29, 2014, and said appeal and cross appeal having been perfected,

And plaintiffs-respondents-appellants having moved for leave to file a supplemental brief in connection with the appeal and cross appeal, and for an adjournment of 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, to the extent it seeks adjournment of oral argument, is denied as unnecessary, said relief having been granted by the interim order of a Justice of this Court dated November 18, 2014. The motion, to the extent it seeks leave to file a supplemental brief, is denied.

ENTER:



CLERK