

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 9, 2015.

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

-----X  
Chun Yi Huang,  
Plaintiff-Appellant,

-against-

M-1144X  
Index No. 152829/13

MSMB Group, et al.,  
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about August 8, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" March 3, 2015, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 April 9, 2015.

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

-----X  
Daniel Grogul and Maria Grogul,  
Plaintiffs-Respondents,

-against-

M-1145X  
Index No. 300627/09

The Parkchester South Condominium,  
Inc., et al.,  
Defendants-Appellants.

-----X

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

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" March 16, 2015, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 April 9, 2015.

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

-----X

Bank of America, N.A.,  
Plaintiff-Respondent,

-against-

M-1186X  
Index No. 380750/10

Myrna Brown,  
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about February 20, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" March 19, 2015, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 April 9, 2015.

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

-----X  
In the Matter of the Application of  
City Brothers, Inc.,  
Plaintiff-Appellant,

For an Order Pursuant to Article 78 M-677  
of the Civil Practice Law and Rules, Index No. 101324/13

-against-

Business Integrity Commission,  
Respondent-Respondent.  
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 6, 2013,

Now, upon reading and filing the stipulation of the parties hereto, dated February 6, 2015, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the January 2015 Term, is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 9, 2015.

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

-----X

Elie Hirschfeld, individually and  
Elie Hirschfeld and Herbert Rubin,  
as Temporary Limited Guardians of  
Abraham Hirschfeld,  
Plaintiffs-Respondents,

-against-

M-1118  
Index No. 600923/05

Richard C. Czaja, et al.,  
Defendants-Appellants,

-and-

Rachel Hirschfeld,  
Defendant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about January 16, 2014 (mot. seq. no. 002),

Now, upon reading and filing the stipulation of the parties hereto, dated March 12, 2015, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the May 2015 Term, is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 9, 2015.

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,  
Appellant,

-against-

M-542  
Ind. No. 3737/08

Joseph Jones,  
Defendant-Respondent.

-----X

Defendant-respondent having moved for dismissal of the appeal taken from an order of the Supreme Court, Bronx County, entered on or about February 9, 2010,

Now, upon reading and filing the stipulation of the parties hereto, dated February 11, 2015, and due deliberation having been had thereon,

It is ordered that the appeal 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 April 9, 2015.

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

-----X  
Harry E. Sopp, Jr. and Kathi J. Sopp,  
Plaintiffs,

-against-

Ronbet 40th Street LLC and  
Joseph P. Day Realty Corp.,  
Defendants.

M-616  
Index No. 111989/10

-----X  
Joseph P. Day Realty Corp. and  
Ronbet 40th Street LLC,  
Third-Party Plaintiffs,

-against-

First Quality Maintenance, LP,  
Third-Party Defendant.

-----X

Third-party defendant having moved for dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about September 17, 2013,

Now, upon reading and filing the stipulation of the parties hereto, dated March 12, 2015, 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 April 9, 2015.

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

-----X  
Jerry Sobel,  
Plaintiff-Appellant,

-against-

78 West 47th Street,  
Defendant-Respondent.

M-611  
Index No. 103823/10

-----X

Defendant-respondent having moved for dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about January 28, 2014,

Now, upon reading and filing the papers with respect to the motion, including the stipulation of the parties dated February 19, 2015, and due deliberation having been had thereon,

It is ordered that the motion and the 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 April 9, 2015.

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

-----X  
Sary Awad,  
Plaintiff-Respondent,

-against-

M-952  
M-1124X  
Index No. 653623/13

ZM Private Equity Fund II, GP,  
et al.,  
Defendants-Appellants.  
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about April 18, 2014,

And defendants-appellants having moved to consolidated the aforesaid appeal with unspecified appeals and for an enlargement of time to perfect same (M-952),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" March 16, 2015, and due deliberation having been had thereon (M-1124X),

It is ordered that the motion and appeals are deemed withdrawn in accordance with the aforesaid stipulation (M-952/M-1124X).

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 April 9, 2015.

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

-----X  
Utica National Insurance Company,  
as subrogee of Joseph & Ann Curcio,  
Plaintiffs-Appellants,

-against-

C-Tec Electric Corp., et al.,  
Defendants-Respondents.

M-958  
Index No. 101502/10

-----X

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

And defendant-respondent Antonello Masonry, Inc., having moved to dismiss the aforesaid appeal,

Now, upon reading and filing the stipulation of the parties hereto, dated March 17, 2015, 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 April 9, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Angela M. Mazzarelli  
David B. Saxe  
Sallie Manzanet-Daniels  
Darcel D. Clark, Justices.

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

-against-

M-917  
Ind. No. 49/07

Miguel E. Joaquin,  
Defendant-Appellant.

-----X

Defendant-appellant, pro se, 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 January 21, 2010, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, including the correspondence from Ramón W. Pagan, Esq., of counsel, dated February 27, 2015, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn in accordance with the aforesaid correspondence. Sua sponte, the notice of appeal, dated December 8, 2010, is deemed timely filed, and the time to perfect the appeal is enlarged to the September 2015 Term.

ENTER:

  
CLERK



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



Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28<sup>th</sup> 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



Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28<sup>th</sup> 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 April 9, 2015.

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,

Appellant,

-against-

M-496  
Ind. No. 5609/10

Roni Smith,

Defendant-Respondent.  
-----X

Defendant-respondent having moved for leave to respond, as a poor person, to the People's appeal from an order of the Supreme Court, New York County, entered on or about December 17, 2014, and for 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 the motion is granted to the extent of (1) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for the People and 8 copies thereof are filed with this Court, and (2) assigning, pursuant to Section 722 of the County Law, Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28<sup>th</sup> Floor, New York, New York 10006, Telephone No. 212-577-2523, as counsel for purposes of responding to the appeal.

It is further ordered that the appeal is adjourned 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 April 9, 2015.

Present - Hon. Luis A. Gonzalez, Presiding Justice,  
Angela M. Mazzairelli  
David B. Saxe  
Sallie Manzanet-Daniels  
Darcel D. Clark, Justices.

-----X  
In the Matter of the Application of  
Lizzette Morales,  
Petitioner,

For a Judgment Pursuant to Article 78 M-978  
of the Civil Practice Law and Rules, M-1054  
Index No. 400004/14  
-against-

New York City Housing Authority,  
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 May 6, 2014,

And respondent having moved for dismissal of the aforesaid proceeding for failure to timely prosecute (M-978),

And petitioner having cross-moved for leave to prosecute the proceeding as a poor person, upon the original record and reproduced petitioner's brief, and for related relief (M-1054),

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

It is ordered that the motion is granted to the extent of dismissing the proceeding unless same is perfected for the September 2015 Term (M-978). The cross motion is granted to the extent of permitting the proceeding to be heard on the original record and upon a reproduced petitioner's brief, on condition that petitioner serves one copy of such brief upon the attorney for the respondent and file 8 copies of such brief, together with the original record, with this Court. Petitioner is permitted to dispense with payment of the required fee for the subpoena and filing of the record, with the time to perfect the proceeding accordingly enlarged to the aforesaid September 2015 Term (M-1054).

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 April 9, 2015.

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-630  
Ind. No. 5848/10

Richard Heisler,  
Defendant-Appellant.

-----X

An order of this Court having been entered on June 7, 2012 (M-2076), inter alia, granting defendant's motion for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about November 10, 2011, and assigning counsel therefor,

And defendant-appellant having moved for an order amending the aforementioned order to include the judgment of resentence of said Court entered on or about February 6, 2015,

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

It is ordered that said motion is granted to the extent of amending the aforementioned order to include the judgment of resentence of said Court entered on or about February 6, 2015, and extending the poor person relief previously granted to cover same.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 9, 2015.

Present - Hon. Luis A. Gonzalez, Justice Presiding,  
Angela M. Mazzairelli  
David B. Saxe  
Sallie Manzanet-Daniels  
Darcel D. Clark, Justices.

-----x  
In the Matter of the Application of  
Steven Banks, as Commissioner of  
Social Services of the City of New York,  
Petitioner-Respondent,

For Appointment of a Guardian of the M-937  
Personal Needs and Property Management, Index No. 401056/13

-against-

Ruth B., A Person Alleged to be  
Incapacitated,  
Respondent-Appellant.

-----x  
An appeal having been taken to this Court from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about February 26, 2014, and said appeal having been perfected,

And petitioner-respondent having moved for dismissal 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 April 9, 2015.

PRESENT - Hon. Peter Tom, Justice Presiding,  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Richard T. Andrias, Justices.

-----X

The People of the State of New York,  
ex rel. Robert Briere on behalf of  
Jose Nunez,  
Petitioner-Appellant,

-against-

M-835  
Index No. 450193/15

Joseph Ponte, etc.,  
Respondent-Respondent.

-----X

Petitioner-appellant having moved to be admitted to bail pending hearing and determination of the appeal from the judgment of the Supreme Court, New York County, entered on or about February 17, 2015, to expedite the appeal, and for leave to prosecute said appeal as a poor person, and assignment of counsel, and related relief,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties dated March 27, 2015, and due deliberation having been had thereon,

It is ordered that, in accordance with the aforesaid stipulation of the parties, dated March 27, 2015, petitioner's appeal from the aforesaid judgment is deemed withdrawn.

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 9, 2015.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
David B. Saxe  
Sallie Manzanet-Daniels  
Barbara R. Kapnick, Justices.

-----X  
Elba Acevedo,  
Plaintiff-Appellant,

-against-

M-782  
Index No. 307552/09

Morris Park Nursing Home,  
Defendant-Respondent.

-----X

Defendant-respondent having moved for dismissal of the appeal taken from an order of the Supreme Court, Bronx County, entered on or about July 30, 2013, for failure to timely prosecute,

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 April 9, 2015.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
David B. Saxe  
Sallie Manzanet-Daniels  
Barbara R. Kapnick, Justices.

-----X  
Valentine Mason,  
Plaintiff-Appellant,

-against-

M-799  
Index No. 306260/13

Elias Zias and NYU Medical Center,  
Defendants-Respondents.

-----X

Defendants-respondents having moved for dismissal of the appeal taken from an order of the Supreme Court, Bronx County, entered on or about April 17, 2014, for failure to timely perfect,

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

It is ordered that the motion is 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 April 9, 2015.

Present: Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
David B. Saxe  
Sallie Manzanet-Daniels  
Barbara R. Kapnick, Justices.

-----X

In the Matter of the Application of  
Steven W. Schlissel, Esq.,  
Petitioner-Respondent,

For the Appointment of a Guardian of the  
Personal Needs and Property Management of

Janet Cox-Rearick Hitchcock ("Waldman"),  
An Adjudicated Incapacitated Person,  
Respondent-Respondent,

Louis Waldman,  
Non-Party Respondent-Appellant,

Miriam Davidson, Esq.,  
Non-Party-Appellant.

-----X

**M-203**

**M-790**

**M-791**

Index No. 500017/13

An appeal having been taken by non-party appellant,  
Miriam Davidson, Esq., from the order and judgment (one paper)  
of the Supreme Court, New York County, entered on or about  
December 12, 2014,

And appeals having been taken by respondent-appellant,  
Louis Waldman, from the order of Supreme Court, New York County,  
entered on or about November 20, 2014, from the order and  
judgment (one paper) of said Court entered on or about December  
12, 2014, and from the order of said Court entered on or about  
January 7, 2015,

And non-party respondent-appellant having moved for a  
stay of the aforesaid orders pending hearing and disposition of  
the aforesaid appeals; and for an order unsealing the transcript  
of a certain conference and for related relief (M-203),

And petitioner having cross-moved for dismissal of the aforesaid appeals taken by respondent-appellant Louis Waldman (M-790),

And respondent-appellant AIP having moved for the aforesaid dismissal relief (M-791),

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

Ordered that the motion (M-203) is granted to the extent of staying so much of the order and judgment entered on or about December 12, 2014, which holds non-party appellant Miriam Davidson, Esq. in contempt, pending hearing and determination of her appeal, and otherwise denied. The cross motions are granted and the appeals taken by non-party respondent-appellant Louis Waldman are dismissed (M-790 and M-791).

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 April 9, 2015.

Present: Hon. Peter Tom, Justice Presiding,  
Diane T. Renwick  
Leland G. DeGrasse  
Sallie Manzanet-Daniels  
Darcel D. Clark, Justices.

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

-against-

**M-710**  
Ind. No. 4302/13

Richard Brown,  
Defendant-Appellant.

-----X

Defendant having renewed the motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about June 25, 2014, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is 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.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, 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 April 9, 2015.

Present: Hon. Peter Tom, Justice Presiding,  
David B. Saxe  
Paul G. Feinman  
Darcel D. Clark  
Barbara R. Kapnick, Justices.

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

-----  
Amaury Alfonso N.,  
Petitioner-Appellant,

**M-5434**  
Docket No. V-12925-09/14K

-against-

Zaida Iris R.,  
Respondent-Respondent.

-----  
Meredith Homsher, Esq.,  
Attorney for the Child.

-----X  
Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about October 9, 2014, 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, Randall Carmel, Esq., 53 Jackson Avenue, Syosset, New York 11791, Telephone No. (516) 921-8800, 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 therefor;<sup>1</sup> **within 30 days (FCS 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 the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



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CLERK

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<sup>1</sup>Service 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 April 9, 2015.

Present - Hon. Peter Tom, Justice Presiding,  
John W. Sweeny, Jr.  
Richard T. Andrias  
Rosalyn H. Richter, Justices.

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

-against-

M-783  
SCI No. 66965C/09

Leonardo Coronado,  
Defendant-Appellant.  
-----x

An appeal having been taken to this Court from the judgment of the Supreme Court, Bronx County, rendered on or about October 11, 2011,

And defendant-appellant having moved for summary reversal of the judgment of conviction, and dismissal of the accusatory instrument,

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

It is ordered that the motion is granted to the extent of remanding the matter to the Supreme Court, Bronx County, for a reconstruction of the items listed as Exhibits 2 through 8 in the correspondence from the Legal Aid Society (Nancy E. Little, of counsel) dated September 19, 2014, and attached to the moving papers, as expeditiously as possible. Defendant's counsel is directed to serve a copy of this order upon the Clerk of said Court and the Chief Court Reporter within 10 days after the date of entry hereof, and the Clerk is directed to have the minutes of the proceedings transcribed and delivered to appellant's counsel, for inclusion in the record on appeal, within 30 days of the conclusion of said reconstruction hearing. The motion is otherwise denied, without prejudice to arguments upon hearing of the appeal. Sua sponte, time to perfect appeal enlarged to the November 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 April 9, 2015.

Present: Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
David B. Saxe  
Sallie Manzanet-Daniels  
Barbara R. Kapnick, Justices.

-----X  
In the Matter of the Application of  
Tapsiru Kamara,  
Petitioner-Respondent,

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

-against-

**M-753**  
**M-759**  
Index No. 154329/13

East River Landing,  
Respondent,

Department of Housing Preservation  
and Development of the City of New York,  
Respondent-Appellant,

1199 Housing Corp.,  
Respondent-Appellant.

-----X

Separate appeals having been taken from the order of the Supreme Court, New York County, dated February 20, 2014 and entered on or about February 21, 2014,

And respondents-appellants having moved, by separate motions, for an enlargement of time to perfect their respective appeals,

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 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 April 9, 2015.

Present: Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
David B. Saxe  
Sallie Manzanet-Daniels  
Barbara R. Kapnick, Justices.

-----X  
Mark L. Weiss,  
Plaintiff-Respondent,

-against-

**M-788**  
Index No. 21372/12

The City of New York, New York City  
Department of Correction, New York  
City Department of Environmental  
Protection,  
Defendants-Appellants,

The New Fulton Fish Market Cooperative  
at Hunts Point, Inc., et al.,  
Defendants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about January 23, 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 April 9, 2015.

Present: Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
David B. Saxe  
Sallie Manzanet-Daniels  
Barbara R. Kapnick, Justices.

-----X  
The People of the State of New York,  
by Eric T. Schneiderman, Attorney  
General of the State of New York:

-----  
John C. Liu, Comptroller of the City  
of New York, et al.,

**M-780**

Index No. 114735/09

State of New York, ex rel. FX Analytics,  
Plaintiffs-Appellants,

-against-

The Bank of New York Mellon Corporation,  
et al.,  
Defendants-Respondents.

-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect their appeals taken from the order of the Supreme Court, New York County, entered on or about August 6, 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 for plaintiffs-appellants to perfect their appeals to the October 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 April 9, 2015.

PRESENT: Hon. Peter Tom, Justice Presiding,  
John W. Sweeny, Jr.  
Richard T. Andrias  
Leland G. DeGrasse, Justices.

-----X  
The People of the State of New York  
ex rel. Bobby Johnson,  
Petitioner,

M-60

-against-

Warden, Anna M. Kross Center,  
Respondent.

-----X

The above-named petitioner having moved for, inter alia, a writ of habeas corpus to be issued from 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 be and the same hereby is granted to the extent of issuing the writ, and

It is further ordered that the habeas corpus proceeding herein be transferred to and be heard before a Justice of the Supreme Court of the State of New York, Bronx County, 851 Grand Concourse, Bronx, New York 10451, forthwith, and

It is further ordered that service by mail of a copy of this writ of habeas corpus, petition and supporting papers, by the Clerk of this Court, contemporaneous with the entry hereof, upon the Warden at Anna M. Kross Center, 18-18 Hazen Street, East Elmhurst, New York 11370; the Attorney General of the State of New York, 120 Broadway, New York, New York 10271; and the District Attorney of Bronx County, 198 East 161st Street, Bronx, New York 10451, be deemed due and sufficient notice.

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 April 9, 2015.

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

-----X

The People of the State of New York,  
Respondent,

-against-

**M-5889**

Ind. No. 5082/11

Theodore Parris, also known as  
Theodore Paris,  
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about December 20, 2012,

And an order of this Court having been entered on June 13, 2013 (M-1634), granting defendant leave to prosecute the aforesaid appeal as a poor person and assigning Audrey A. Thomas, Esq., as counsel for the purpose of prosecuting said appeal,

And defendant-appellant pro se having moved to relieve assigned counsel and assigning new counsel on the appeal,

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

Ordered that the motion is denied.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 9, 2015.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Leland G. DeGrasse  
Paul G. Feinman  
Judith J. Gische, Justices.

-----X

Tadco Construction Corp.,  
Plaintiff-Appellant,

-against-

M-812  
Index No. 600040/07

Dormitory Authority of the State  
of New York,  
Defendant-Respondent.

-----X

Consolidated appeals having been taken to this Court by plaintiff from orders of the Supreme Court, New York County, entered on or about June 19, 2012 and January 9, 2013, respectively,

And plaintiff-appellant having moved for an enlargement of time to perfect the consolidated appeals,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the consolidated appeals to the October 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 April 9, 2015.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Leland G. DeGrasse  
Paul G. Feinman  
Judith J. Gische, Justices.

-----x  
Edward Walls, et al.,  
Plaintiffs-Respondents,

M-683

-against-

Index No. 108890/11

Turner Construction Company, et al.,  
Defendants-Appellants.

- - - - -  
Turner Construction Company, et al.,  
Third-Party Plaintiffs-Appellants,

-against-

Index No. 590035/12

Five Star Electric Corp., et al.,  
Third-Party Defendants-Respondents.  
-----x

Defendants/third-party plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about April 28, 2014 (mot. seq. nos. 002, 003),

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the October 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 April 9, 2015.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Leland G. DeGrasse  
Paul G. Feinman  
Judith J. Gische, Justices.

-----x  
In the Matter of the Application of  
Ibrahim Donmez,  
Petitioner-Respondent,

For a Judgment under Article 78 of  
the CPLR,

M-849  
Index No. 400412/14

-against-

Department of Consumer Affairs, et al.,  
Respondents-Appellants.  
-----x

Respondents-appellants having moved for an enlargement of time to perfect the appeal from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about June 20, 2014 (mot. seq. no. 002),

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the October 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 April 9, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
Sallie Manzanet-Daniels  
Darcel D. Clark  
Barbara R. Kapnick, Justices.

-----X  
Paramount Leasehold, L.P.,  
Plaintiff-Respondent-Appellant,

-against-

43rd Street Deli, Inc., doing business  
as Bella Vita Pizzeria,  
Defendant-Appellant-Respondent.

M-1122  
M-1222  
Index No. 653668/11

-----X

Appeals having been taken from an order of the Supreme Court, New York county, entered on or about February 5, 2014,

And defendant-appellant-respondent having moved for an enlargement of time to perfect their appeal from the aforesaid order (M-1122),

And plaintiff-respondent-appellant having cross-moved for the same relief (M-1222),

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 appeal and cross appeal to the October 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 April 9, 2015.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Leland G. DeGrasse  
Paul G. Feinman  
Judith J. Gische, Justices.

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

-against-

M-763  
M-804  
Index No. 23535/04

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

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

-against-

Index No. 85101/06

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

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

-against-

Index No. 85392/86

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-804),

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-763),

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 October 2015 Term. The Clerk of the Court is directed to calendar the appeals for hearing together on the same date for said Term, if so perfected.

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 April 9, 2015.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Leland G. DeGrasse  
Paul G. Feinman  
Judith J. Gische, Justices.

-----x

Michael Kadosh, etc., et al.,  
Plaintiff-Respondent,

M-972

-against-

Index No. 651834/10

David Kadosh, et al.,  
Defendants-Appellants.

- - - - -

David Kadosh, etc., et al.,  
Third-Party Plaintiffs-Appellants,

-against-

Index No. 590830/11

M.E.K. Enterprises, Ltd.,  
Third-Party Defendant-Respondent.

-----x

An appeal having been taken to this Court by defendants/  
third-party plaintiffs-appellants from the order of the Supreme  
Court, New York County, entered on or about February 26, 2015,

And defendants/third-party plaintiffs-appellants having  
moved for a stay of all 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 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 April 9, 2015.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Leland G. DeGrasse  
Paul G. Feinman  
Judith J. Gische, Justices.

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

Tiffany C.,  
Petitioner-Respondent,

M-736  
Docket No. V-23857-13/14B

-against-

Michael C., Jr.,  
Respondent-Appellant.

-----x  
An appeal having been taken to this Court from the order of the Family Court, Bronx County, entered on or about February 19, 2015 which, inter alia, modified the order of custody and visitation,

And respondent-appellant having moved, pursuant to CPLR 5519, for a stay that portion of the order with respect to petitioner-respondent's relocation, 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 April 9, 2015.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Leland G. DeGrasse  
Paul G. Feinman  
Judith J. Gische, Justices.

-----X  
The People of the State of New York  
ex rel. Donald Phinazee,  
Petitioner,

-against-

M-889  
Ind. No. 5573/13

New York State Department of  
Corrections,  
Respondent(s).

-----X

The above-named petitioner having applied for, inter alia, a writ of habeas corpus to be issued from 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 application is granted to the extent of transferring the proceeding to the Appellate Division, Third Department, for disposition.

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 April 9, 2015.

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

-----X  
Nicholas Restituyo,

Plaintiff-Appellant,

-against-

East 174<sup>th</sup> Street, Inc., et al.,

Defendants-Respondents.  
-----X

**M-272**

Index No. 307768/10

Plaintiff-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 December 16, 2014 (Appeal No. 13804),

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 April 9, 2015.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Leland G. DeGrasse  
Paul G. Feinman  
Judith J. Gische, Justices.

-----x  
Beatrice Investments, LLC, et al.,

Plaintiffs-Respondents,

-against-

940 8<sup>th</sup> Avenue LLC, et al.,

Defendants-Appellants.  
-----x

M-70  
Index No. 654052/13

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

And defendants-appellants having moved for a stay of the aforesaid 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 denied, and the interim relief granted by order of a Justice of this Court dated January 6, 2015, is vacated.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 9, 2015.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Leland G. DeGrasse  
Paul G. Feinman  
Judith J. Gische, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-832  
Ind. No. 2536/12

Mitchell T. Taebel,

Defendant-Appellant.

-----X

An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, rendered on or about May 10, 2013, and said appeal having been perfected,

And defendant-appellant having moved for leave to file a pro se supplemental brief 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 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 April 9, 2015.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Richard T. Andrias  
Sallie Manzanet-Daniels  
Barbara R. Kapnick, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

George Olson,  
Defendant-Appellant.

-----X

**M-5410**

Ind. No. 1972/10  
SCI. 4617/10

A decision and order of this Court having been entered on April 1, 2014 (Appeal No. 12125-12125A), unanimously affirming the judgment of the Supreme Court, New York County (Berkman, J.), rendered on October 27, 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 April 9, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Karla Moskowitz  
Rosalyn H. Richter  
Barbara R. Kapnick, Justices.

-----X  
Patricia Coston,  
Plaintiff-Appellant,

-against-

M-779  
Index No. 115163/10

Kawasar Haque, 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 22, 2014, for failure to timely perfect,

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

It is ordered that the motion is 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 April 9, 2015.

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

-----X  
In the Matter of the Application of  
Isabel Videa,  
Petitioner,

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

M-979  
Index No. 400525/13

-against-

New York City Housing Authority,  
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 September 27, 2013,

And respondent having moved for dismissal of the aforesaid proceeding for failure to timely prosecute,

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 and the proceeding 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 April 9, 2015.

Present: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Karla Moskowitz  
Rosalyn H. Richter  
Barbara R. Kapnick, Justices.

-----X  
The People of the State of New York  
ex rel. Philip Rauch, Esq., on behalf  
of Dawaud Moore,

Petitioner-Appellant,

M-508  
Index No. 450089/15

-against-

Joseph Ponte, Commissioner, New York  
City Department of Correction,  
Respondent-Respondent.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, entered on or about January 28, 2015, which denied and dismissed petitioner's petition for a writ of habeas corpus, and for leave to have the appeal heard upon the original record and a reproduced appellant's brief, for the assignment of Seymour W. James, Jr., Esq., Legal Aid Society, as counsel on the appeal, for petitioner to be released on recognizance, for an expedited 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 said motion is granted to the extent of permitting petitioner to prosecute the appeal 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 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court. Seymour W. James, Jr., Esq., The Legal Aid Society, 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for purposes of prosecuting the appeal. The Clerk is directed to maintain the appeal on for the September 2015 Term, if so perfected. The remainder of the motion which seeks, inter alia, petitioner's release on his recognizance or an expedited hearing of the appeal, 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 April 9, 2015.

Present: Hon. David Friedman, Justice Presiding,  
Sallie Manzanet-Daniels  
Paul G. Feinman  
Barbara R. Kapnick, Justices.

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

-against-

**M-4695**

Index No. 44560C/05

Lawrence Perez,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about July 15, 2008,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the October 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 April 9, 2015.

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

-----x

Willis Woo,  
Plaintiff-Appellant,

-against-

M-652  
M-1027

Index No. 105541/08

United Nations International School,  
et al.,  
Defendants-Respondents.

-----x

An order of this Court having been entered on January 6, 2015 (M-4845), denying defendants-respondents' motion for dismissal of the appeal from the order of the Supreme Court, New York County, entered on or about July 15, 2013 (mot. seq. no. 008), with leave to renew upon proof of service of the moving papers upon plaintiff-appellant's counsel,

And defendants-respondents having renewed the motion to dismiss the aforesaid appeal (M-652),

And plaintiff-appellant having cross-moved for an enlargement of time to perfect the aforesaid appeal (M-1027),

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

It is ordered that the motion to dismiss the appeal is granted unless the appeal is perfected for the September 2015 Term (M-652). The cross motion is granted to the extent of enlarging the time to perfect the appeal to said September 2015 Term (M-1027).

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 April 9, 2015.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Richard T. Andrias  
Leland G. DeGrasse  
Judith J. Gische, Justices.

-----X  
Richard Moreno,  
Plaintiff-Appellant,

-against-

Cord Meyer Development, LLC,  
Ann Taylor, Incorporation and  
Embree Construction Group, LLC,  
Defendants-Respondents.

M-866  
M-1185  
Index No. 309871/10

-----X

Defendants-respondents having moved for dismissal of the appeal taken from an order of the Supreme Court, Bronx County, entered on or about December 23, 2013 (M-866),

And plaintiff-appellant having cross-moved for an enlargement of time to perfect the aforesaid appeal (M-1185),

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

It is ordered that the motion is granted to the extent of dismissing the appeal unless perfected on or before July 13, 2015 for the September 2015 Term (M-866). The cross motion is granted to the extent of enlarging the time to perfect the appeal to the September 2015 Term (M-1185).

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 April 9, 2015.

PRESENT - Hon: John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Richard T. Andrias  
Leland G. DeGrasse  
Judith J. Gische, Justices.

-----X

Platinum Equity Advisors, LLC,  
Plaintiff-Appellant,

-against-

M-954  
Index No. 653709/13

SDI, Inc.,  
Defendant-Respondent,

TD Bank, N.A.,  
Defendant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about July 28, 2014 (mot. seq. no. 010), and said appeal having been perfected,

And plaintiff-appellant having moved for this Court to take judicial notice of defendant "TD Bank, N.A.'s Memorandum of Law in Support of its Motion to Dismiss [Index No. 653709/13]", attached as Exhibit E to the moving papers,

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

It is ordered that the motion is granted to the extent of taking judicial notice of the aforesaid defendant TD Bank, N.A.'s Memorandum of Law in Support of its Motion to Dismiss the complaint, and plaintiff-appellant is directed to promptly file 9 copies of the memorandum of law, as an exhibit, in the form attached as Exhibit E to the moving papers.

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 April 9, 2015.

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

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

-against-

M-4705  
Ind. No. 4451/07

Victor Perez,  
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on September 27, 2011 (Appeal No. 5578), unanimously affirming a judgment of the Supreme Court, Bronx County (James Kindler, J.), rendered on May 11, 2009,

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 April 9, 2015.

Present - Hon. Rolando T. Acosta, Justice Presiding,  
Karla Moskowitz  
Rosalyn H. Richter  
Barbara R. Kapnick, Justices.

-----x

The People of the State of New York,

Respondent,

-against-

M-898

Ind. No. 4098/12

Carlo Guirdanella,

Defendant-Appellant.

-----x

Defendant-appellant having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, New York County, rendered on or about 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 appeal to the October 2015 Term.

ENTER:

  
CLERK

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

BEFORE: Hon. Richard T. Andrias,  
Associate Justice

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

M-749  
Ind. No. 10208/96

-against-

CERTIFICATE  
DENYING LEAVE

Dexter Washington, also known as  
Eze Alimase

Defendant.  
-----X

I, Richard T. Andrias, 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 Section 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, (Edward McLaughlin, J.), entered on or about December 9, 2014, which denied defendant's motion pursuant to CPL 440.10, is hereby denied.

Dated: New York, New York  
March 25, 2015

**ENTERED**  
APR 09 2015

  
Justice of the Appellate Division

P.M ORDERS  
FOR APRIL  
09, 2015

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 9, 2015.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
Sallie Manzanet-Daniels  
Darcel D. Clark  
Barbara R. Kapnick, Justices.

-----x  
Carlos Quiroz,  
Plaintiff-Respondent,

-against-

M-855  
Index No. 109944/11

Wells Reit II - 222 East 41<sup>st</sup> Street,  
LLC, et al.,  
Defendants,

Hunter Roberts Construction Group,  
L.L.C.,  
Defendant-Respondent,

-and-

Adco Electrical Corp.,  
Defendant-Appellant.

- - - - -  
[and other actions]

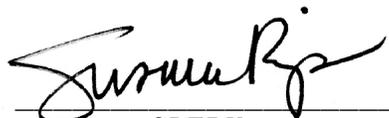
-----x  
And appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about December 18, 2013, and said appeal having been perfected,

And defendant-appellant Adco Electrical Corp. having moved for a stay of trial herein pending hearing and determination of the appeal,

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

It is ordered that the motion is granted.

ENTER:

  
CLERK