

At a 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 29, 2015.

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

-----X  
In Re: 91<sup>st</sup> Street Crane Collapse  
Litigation

-----  
Jack Rizzocasio,  
Plaintiff,

-against-

M-5100  
Index No. 108088/09

The City of New York, and 1765 First  
Associates, LLC,  
Defendants,

Mattone Construction, Co., Ltd.,  
DeMatteis Construction Corporation,  
and New York Crane and Equipment Corp.,  
Defendants.

-----X  
(And Additional Third-Party Actions)

-----X  
In Re: 91<sup>st</sup> Street Crane Collapse  
Litigation

-----  
Daniel Oddo,  
Plaintiff,

-against-

Index No. 111626/08

The City of New York, and 1765 First  
Associates, LLC,  
Defendants,

Mattone Construction, Co., Ltd.,  
DeMatteis Construction Corporation,  
and New York Crane and Equipment Corp.,  
Defendants.

-----X

(M-5100)

December 29, 2015

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about March 6, 2014 (mot. seq. nos. 008, 010),

Now, upon reading and filing the stipulation of the appellant DeMatteis Construction Corp. and the cross appellant Sorbara Construction, dated October 5, 2015, and due deliberation having been had thereon,

It is ordered that the appeals are withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 29, 2015.

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

-----X  
Robert McGuire and Marguerite McGuire,  
Plaintiffs-Respondents,

-against-

M-5946X  
Index No. 800151/11

Gregory Montalbano, M.D., et al.,  
Defendants-Appellants.

-----X

Appeals having been taken from an order of the Supreme Court, New York County, entered on or about April 24, 2015,

Now, after pre-argument conference, and upon reading and filing the stipulation of the parties hereto, "so ordered" November 23, 2015, and due deliberation having been had thereon,

It is ordered that the appeals are withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 29, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
John W. Sweeny, Jr.  
Sallie Manzanet-Daniels  
Barbara R. Kapnick, Justices.

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

-against-  
Jeffrey Smitherman,  
Defendant-Appellant.

**M-5034**  
Case No. 23491C/13

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

-against-  
Jeffrey Smitherman,  
Defendant-Appellant.

**M-5035**  
Case No. 10006C/13

-----X

Defendant having moved by separate motions for an enlargement of time to file notices of appeal taken from judgments of the Supreme Court, Bronx County, rendered on or about May 4, 2015 and on or about June 9, 2015,

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 deeming the respective notices 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 29, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
John W. Sweeny, Jr.  
Sallie Manzanet-Daniels  
Barbara R. Kapnick, Justices.

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

-against-

**M-5037**  
Ind. No. 1410/14

Bryam Rodriguez,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time to file a notice of appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about April 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 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 29, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
John W. Sweeny, Jr.  
Sallie Manzanet-Daniels  
Barbara R. Kapnick, Justices.

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

-against-

**M-5078**  
Case No. 24659C/14

Jose Cruz,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time to file a notice of appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about July 10, 2015,

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 29, 2015.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Sallie Manzanet-Daniels, Justices.

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

-against-

M-5153  
Ind. No. 984/14

Victor Hernandez,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about May 8, 2015,

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 29, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Sallie Manzanet-Daniels, Justices.

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

-against-

**M-5156**  
Ind. No. 173/14

Ulises Ferreira,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time to file a notice of appeal taken from a judgment of the Supreme Court, New York County, rendered on or about June 30, 2015,

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 29, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Sallie Manzanet-Daniels, Justices.

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

-against- M-5069  
Ind. No. 2010/14

Samuel Santana,  
Defendant-Appellant.  
-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal taken from the judgment of the Supreme Court, New York County, rendered on or about July 30, 2015, and for leave to prosecute the appeal as a poor person on the original record and upon a reproduced appellant's brief, 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 deeming the notice of appeal timely filed, and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 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.

Seymour W. James, Jr., Esq., Legal Aid Society, 199 Water Street, 5th Floor, New York, New York 10038, Tel. 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 29, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
David Friedman  
Judith J. Gische  
Barbara R. Kapnick, Justices.

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

-against-

M-4799  
Ind. No. 1757/12

Timothy Lytch,  
Defendant-Appellant.  
-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about December 5, 2014, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of deeming the moving papers a timely filed notice of appeal and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11(b)(2) 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.

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 29, 2015.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Paul G. Feinman, Justices.

-----x

Edwin R. Vasquez,  
Plaintiff-Respondent,

-against-

Marileysi Vasquez,  
Defendant-Appellant.

-----x

M-3820  
M-4229  
Index No. 5286/10

Plaintiff-respondent having moved to dismiss the appeal taken from the order of the Supreme Court, Bronx County, entered on or about March 18, 2014 (M-3820),

And defendant-appellant having moved for an enlargement of time to perfect the appeal (M-4229),

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

It is ordered that the motion to dismiss the appeal is granted unless said appeal is perfected for the June 2016 Term (M-3820). The motion for an enlargement of time to perfect the appeal is granted to the extent of enlarging the time to perfect the appeal to said June 2016 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 29, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
John W. Sweeny, Jr.  
Sallie Manzanet-Daniels  
Barbara R. Kapnick, Justices.

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

Respondent,

-against-

**M-5032**

Ind Nos. 4486/13  
52/14

Fahda Khan,

Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file notices of appeal taken from judgments of the Supreme Court, New York County, rendered on or about December 12, 2014 and on or about February 20, 2015, and for leave to prosecute the appeal as a poor person on the original record and upon a reproduced appellant's brief, 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 deeming the notices of appeal timely filed, and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 reproduced 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, 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 29, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Sallie Manzanet-Daniels, Justices.

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

-against-

**M-5077**  
Ind. No. 3045/12

Sharife Moses,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about January 8, 2015, and for leave to prosecute the appeal as a poor person on the original record and upon a reproduced appellant's brief, 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 deeming the notice of appeal timely filed, and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 reproduced 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, 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 29, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
John W. Sweeny, Jr.  
Sallie Manzanet-Daniels  
Barbara R. Kapnick, Justices.

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

-against-

**M-5079**  
Ind. No. 5419/14

Kedvin Vazquez,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal taken from the judgment of the Supreme Court, New York County, rendered on or about June 30, 2015, and for leave to prosecute the appeal as a poor person on the original record and upon a reproduced appellant's brief, 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 deeming the notice of appeal timely filed, and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 reproduced 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, 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 29, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Sallie Manzanet-Daniels, Justices.

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

-against-

**M-5152**  
Ind. No. 698/14

Demetrius Edwards,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about June 24, 2015, and for leave to prosecute the appeal as a poor person on the original record and upon a reproduced appellant's brief, 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 deeming the notice of appeal timely filed, and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 reproduced 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, 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 29, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Sallie Manzanet-Daniels, Justices.

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

Respondent,

-against-

**M-5276**

Index No. 3955/13

Wendell Belle,

Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about June 17, 2015, and for leave to prosecute the appeal as a poor person on the original record and upon a reproduced appellant's brief, 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 deeming the moving papers a timely filed notice of appeal, and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 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.

Seymour W. James, Jr., Esq., Legal Aid Society, 199 Water Street, 5th Floor, New York, New York 10038, Tel. 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 29, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Sallie Manzanet-Daniels, Justices.

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

-against-

**M-5151**  
Ind. No. 1224/13

Walter Watson,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of **resentence** of the Supreme Court, New York County, rendered on or about April 29, 2015, 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 8 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 **resentence**. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Suite 1601, New York, NY 10007, Telephone No. (212) 402-4142, 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 29, 2015.

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-4781  
Ind. No. 597/72

Francis Harrison,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Nunez, J.) entered on or about September 3, 2015, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Nunez as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Robert S. Dean, Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 29, 2015.

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-5302  
Ind. No. 99019/15

Matthew Vitiello,  
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 (Raymond Bruce, J.) entered on or about September 30, 2015, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Bruce as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Richard M. Greenberg, Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 29, 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-5307  
Case No. 54434C/14

Hubert Felder,  
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 (Marvin, J.) entered on or about February 13, 2015, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Marvin as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Robert S. Dean, Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 29, 2015.

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-5368  
Ind. No. 4683/12

Roger Cisneros,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Conviser, J.) entered on or about October 2, 2015, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Cisneros as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Robert S. Dean, Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 29, 2015.

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-5600  
Ind. No. 1738/11

James Wright,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Bonnie K. Wittner, J.) entered on or about October 26, 2015, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Wittner as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Seymour W. James, Jr., Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 29, 2015.

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-5621  
Ind. No. 1271/99

Alfred DiMartini,  
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 (Raymond L. Bruce, J.), entered on or about September 30, 2015, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL § 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Bruce as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Richard M. Greenberg, Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 29, 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-5712  
SCID No. 30107/15

Joseph J. Santana,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, entered on or about September 10, 2015 (Arlene D. Goldberg, J.), for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 10 reproduced copies of such brief, together with the original record, with this Court, and it is further ordered that,

The Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL § 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Goldberg, as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Richard M. Greenberg, Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 29, 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-5845  
Ind. No. 4695/03

Jamal Johnson,  
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 (Steven Lloyd Barrett, J.) entered on or about October 22, 2015, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Barrett as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Seymour W. James, Jr., Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 29, 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-5908  
Ind. No. 99059/14

Juan Rodriguez,  
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 (Bruce, J.) entered on or about November 4, 2015, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Bruce as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Robert S. Dean, Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 29, 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-5909  
Ind. No. 9335/91

Hollis Hosear,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Clott, J.) entered on or about October 30, 2015, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Clott as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Robert S. Dean, Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 29, 2015.

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-5926  
Ind. No. 400/10

Kareem Saxton,  
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 (Joseph Dawson, J.) entered on or about October 16, 2015, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Dawson as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Seymour W. James, Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 29, 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-5968  
Ind. No. 99045/15

Frederick Diaz,  
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 (Bruce, J.) entered on or about November 4, 2015, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Bruce as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Robert S. Dean, Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 29, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
David Friedman  
Judith J. Gische  
Barbara R. Kapnick, Justices.

-----X  
Mamadou L. Dabo,

Plaintiff-Appellant,

-against-

M-4315

Index No. 308176/12

Beatrice O. Sibblies,  
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about July 2, 2015,

And plaintiff-appellant having moved to stay so much of the aforesaid order directing him to deed back his interest in the subject marital residence to defendant-respondent, pending hearing and determination of the appeal,

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

Ordered that the motion is denied. The interim relief granted by a Justice of this Court, dated September 3, 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 December 29, 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

Serenity Victoria M.,  
Leannah Lee M.,  
and Michael David M.

**M-5088**

Docket Nos. B-730/14  
B-731/14  
B-16273/14

Dependent Children Under 18 Years of Age Pursuant to §384-b of the Social Services Law.

- - - - -  
Administration for Children's Services,  
Petitioner-Respondent,

Allison B., also known as  
Allison Rose B.-M.,  
Respondent-Appellant.

- - - - -  
Keith Brown, Esq.,  
Attorney for the Children.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about August 6, 2015, 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, Tennille M. Tatum-Evans, Esq., 260 Convent Avenue, Suite #34, New York, NY 10031, Telephone

No. (347) 645-6660, 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:



CLERK

---

<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 December 29, 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

Jaydein Celso M.,  
and Jeremaih Jeffrey M.,

Dependent Children Under 18 Years of  
Age Pursuant to §384-b of the Social  
Services Law.

**M-5128**  
Docket Nos. B-7765/12  
B-7766/12

-----  
The Children's Aid Society,  
Petitioner-Respondent,

Diana E.,  
Respondent-Appellant.

-----  
Michell Roberts, Esq.,  
Attorney for the Children.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from orders of the Family Court, New York County, both entered on or about August 11, 2015, 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, Tennille M. Tatum-Evans, Esq., 260 Convent Avenue, Suite #34, New York, NY 10031, Telephone No. (347) 645-6660, 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:



---

CLERK

---

<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 December 29, 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

Baby Boy W.,

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

**M-5373**  
Docket No. NN-42965/13

- - - - -  
Commissioner for the Administration for Children's Services,  
Petitioner-Respondent,

Jessica W.,  
Respondent-Appellant.

- - - - -  
Seymour W. James, Jr., Esq.,  
The Legal Aid Society,  
Juvenile Rights Division,  
Attorney for the Child.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about September 10, 2015, 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, Tennille M. Tatum-Evans, Esq., 260 Convent Avenue, Suite #34, New York, NY 10031 Telephone No. (347) 645-6660, 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:



---

CLERK

---

<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 December 29, 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 a Family Offense  
Proceeding Under Article 8 of the  
Family Court Act.

- - - - -  
Kirsten A. G.,  
Petitioner-Appellant,

**M-5136**  
Docket No. O-25799/14

Melvin M. G., Jr.,  
Respondent-Respondent.

- - - - -  
Seymour W. James, Jr., Esq.,  
The Legal Aid Society,  
Juvenile Rights Division,  
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 September 11, 2015, 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, Tennille M. Tatum-Evans, Esq., 260 Convent Avenue, Suite #34, New York, NY 10031, Telephone No. (347) 645-6660, 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.** (See M-5219, decided simultaneously herewith.)

ENTER:



CLERK

---

<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 December 29, 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 a Family Offense Proceeding Under Article 8 of the Family Court Act.

- - - - -

Kirsten A. G.,  
Petitioner-Appellant,

**M-5219**  
Docket No. O-25799/14

Melvin M. G., Jr.,  
Respondent-Respondent.

- - - - -

Seymour W. James, Jr., Esq.,  
The Legal Aid Society,  
Juvenile Rights Division,  
Attorney for the Child.

-----X

Respondent-respondent having moved for leave to respond, as a poor person, to the appeal from the order of the Family Court, Bronx County, entered on or about September 11, 2015, 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, NY 11791, Telephone No. (516) 921-8800, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this Court. (See M-5136, decided simultaneously herewith.)

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 29, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Angela M. Mazzarelli  
John W. Sweeny, Jr.  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,  
Respondent,

-against

**M-4267**

Ind. Nos. 2313/14  
2338/14

Thomas Luckey,  
Defendant-Appellant.

-----X

An order of this Court having been entered on August 11, 2015 (M-3124) 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 February 24, 2015, and assigning Robert S. Dean, 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 assigned counsel Robert S. Dean, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Marianne Karas, Esq., 980 Broadway - Suite 324, Thornwood, New York 10594, Telephone No. (914) 434-5935, 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 29, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Angela M. Mazzarelli  
John W. Sweeny, Jr.  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

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

Respondent,

**M-4268**

Ind. No. 1541/12

-against-

Alonzo Johnson,  
Defendant-Appellant.

-----X

An order of this Court having been entered on August 11, 2015 (M-3120) granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about April 20, 2015, and assigning Robert S. Dean, 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 assigned counsel Robert S. Dean, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Leonard J. Levenson, Esq., 225 Broadway, New York, NY 10007, Telephone No. (212) 732-0522, 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 29, 2015.

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,

**M-4807**

Ind. No. 2664/12  
Case No. 43118C/12

-against-

George Liggins,  
Defendant-Appellant.

-----X

An order of this Court having been entered on January 6, 2015 (M-5855) granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about March 3, 2014,

And assigned counsel, Seymour W. James, Jr., Esq., having moved for an order to be relieved as counsel for defendant and to substitute other counsel to prosecute defendant's 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 striking the designation of 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, NY 10005, Telephone No. (212)577-2523, as such counsel. The poor person relief previously granted is continued, and appellant's time 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 29, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
David Friedman  
Judith J. Gische  
Barbara R. Kapnick, Justices.

-----X

The People of the State of New York,  
Respondent,

**M-4622**

Ind. No. 2950/13

-against-

Shavaler Johnson,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about June 23, 2015, 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 denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth the amount and sources of funds utilized to post the \$6,000 cash bail in the Supreme Court, the disposition thereof, indicating whether or not bail has been posted pursuant to an order of a Justice of this Court dated June 23, 2015, and if so, setting forth the amount posted, the source(s) of that amount and the disposition thereof, and setting forth, in detail, the source(s) of her income and property, including the \$8,500 in assets set forth in defendant's 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 December 29, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
David Friedman  
Judith J. Gische  
Barbara R. Kapnick, Justices.

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

-against-

M-4648  
Ind. No. 2112N/13

Jose Ulloa,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about April 8, 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 denied, with leave to renew, upon defendant's submission of a detailed notarized affidavit, in compliance with CPLR 1101(a), setting forth the terms of defendant's retainer agreement with trial counsel, Paul Brenner, Esq., the amount and sources of funds for trial counsel's fee and an explanation as to why similar funds are not available to prosecute this appeal. (The application shall include an affidavit detailing the source[s] of all funds utilized by defendant.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 29, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
David Friedman  
Judith J. Gische  
Barbara R. Kapnick, Justices.

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

-against-

**M-4651**

Ind. No. 4187/14

Richard Vasquez,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about May 13, 2015, 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 denied, with leave to renew, upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth the amount and sources of funds utilized to post the \$25,000 bail in the Supreme Court, the disposition thereof, and an explanation as to why similar funds are not available to prosecute the appeal. (The application shall include an affidavit detailing the source[s] of all funds utilized by defendant.)

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 29, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
David Friedman  
Judith J. Gische  
Barbara R. Kapnick, Justices.

-----X  
Skiboky Stora,  
Plaintiff-Appellant,

For a Judgment Pursuant to Article 78 **M-4759**  
of the Civil Practice Law and Rules, Index No. 117071/08

-against-

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

Plaintiff-appellant 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 September 10, 2015, 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 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 29, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
David Friedman  
Judith J. Gische  
Barbara R. Kapnick, Justices.

-----X  
Elizabeth Kee,

Plaintiff-Appellant,

-against-

M-4705  
Index No. 157288/14

Norfolk Development LLC, et al.,

Defendants-Respondents.

-----X

Plaintiff-appellant 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 November 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 enlarging the time to perfect the appeal to the May 2016 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 29, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Sallie Manzanet-Daniels, Justices.

-----X  
Oversea Chinese Mission,  
Plaintiff-Appellant,

Guideone Insurance Company,  
Plaintiff,

-against-

M-5387  
Index No. 113480/04

Well-Come Holdings, Inc., et al.,  
Defendants-Respondents.

-----X

Plaintiff-appellant Oversea Chinese Mission 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 December 12, 2014 (mot. seq. no. 014),

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 2016 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 29, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
David Friedman  
Judith J. Gische  
Barbara R. Kapnick, Justices.

-----X  
Christian Varon,

Plaintiff-Appellant,

-against-

M-4827  
Index No. 154592/13

Country-Wide Insurance Company,

Defendant-Respondent.  
-----X

Plaintiff-appellant 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 August 29, 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 2016 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 29, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
David Friedman  
Judith J. Gische  
Barbara R. Kapnick, Justices.

-----X  
In Re: New York City Asbestos Litigation:  
-----X

Ralph North,  
Plaintiff-Respondent,

-against-

**M-4910**

Index No. 190114/13

National Grid Generation, LLC.,  
Defendant-Appellant.  
-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, entered on or about January 28, 2015,

And defendant-appellant having moved for leave to omit a certain portion of Court Exhibit 5 from the record on appeal and to enlarge the time to perfect the appeal,

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

Ordered that the motion is granted to the extent of granting defendant-appellant leave to omit the unavailable portion of the document as Court Exhibit 5 from the record on appeal, and enlarge the time to perfect the appeal to the May 2016 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 29, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
David Friedman  
Diane T. Renwick  
Karla Moskowitz, Justices.

-----X  
John Garabo,  
Plaintiff-Appellant,

-against-

**M-4984**

Index No. 4249/12

Lauren Garabo,  
Defendant-Respondent.

-----X

A appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about April 10, 2015,

And plaintiff-appellant having moved for an enlargement of time to perfect the aforesaid appeal and for a continuation of the stay of enforcement of the order appealed as it directs plaintiff to pay attorneys' fees to defendant, as set forth in an order of this Court entered on August 11, 2015,

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

It is ordered that the motion is granted to the extent of continuing the stay of enforcement of plaintiff's requirement to pay attorneys' fees, as set forth in the order entered on April 10, 2015, pending hearing and determination of the appeal, on condition that plaintiff perfects for the May 2016 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 29, 2015.

PRESENT - Hon: Luis A. Gonzalez, Presiding Justice,  
Angela M. Mazzarelli  
John W. Sweeny, Jr.  
Richard T. Andrias, Justices.

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

-against-

M-5296  
Ind. No. 12241/92

Diane Word,  
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on September 27, 2007, unanimously affirming the judgment of the Supreme Court, New York County (Harold Beeler, J.), rendered on or about November 9, 1999,

And an order of this Court having been entered on April 24, 2014 (M-135), denying defendant's application for a writ of error coram nobis,

And an order of this Court having been entered on July 2, 2015 (M-1475/M-1558/M-1702), inter alia, denying defendant-appellant leave to reopen the aforesaid appeal, and to relieve assigned counsel,

And defendant-appellant pro se having renewed her motion to relieve assigned counsel Richard M. Weinstein, Esq., and substitute Kerry Jamison, Esq., as counsel on defendant's appeal, and for leave to reopen 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 29, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Angela M. Mazzarelli  
Karla Moskowitz  
Barbara R. Kapnick, Justices.

-----X

Chaudry Noor,

Plaintiff-Respondent,

**M-4203**

Index No. 102899/07

-against-

The City of New York, et al.,

Defendants-Appellants.

-----X

Defendants-appellants having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on July 28, 2015 (Appeal No. 15080),

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 29, 2015,

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Barbara R. Kapnick, Justices.

-----X  
Miranda Ganaj, et al.,  
Plaintiffs-Appellants,

-against-

**M-4758**  
Index No. 303203/08

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

Plaintiff-appellant, Miranda Ganaj, having moved pro se for reconsideration/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 July 28, 2015 (Appeal No. 15072), and for related relief,

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

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 29, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Angela M. Mazzarelli  
David B. Saxe  
Rosalyn H. Richter, Justices.

-----X  
In re Richard Kusyk, et al.,  
Petitioners-Respondents,

-against-

**M-5389**

Index No. 112036/11

New York City Department of Buildings,  
et al.,  
Respondents-Respondents,

Green 333 Corp.,  
Respondent-Appellant.

-----X

Respondent-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 July 14, 2015 (Appeal Nos. 13164-13165),

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 29, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
John W. Sweeny, Jr.  
Dianne T. Renwick  
David B. Saxe  
Paul G. Feinman, Justices.

-----X

In re the State of New York,  
Petitioner-Respondent,

-against-

M-5041  
Index No. 30012/11

Kenneth W.,  
Respondent-Appellant.

-----X

Petitioner-respondent having moved for reargument of the decision and order of this Court entered on September 29, 2015 (Appeal No. 15614), and for a stay of proceedings pending disposition of the motion,

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 reargument, is denied. The interim stay granted by the order of a Justice of this Court dated October 9, 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 December 29, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
John W. Sweeny, Jr.  
Dianne T. Renwick  
David B. Saxe  
Paul G. Feinman, Justices.

-----X

Michael I. Knopf, et al.,  
Plaintiffs-Appellants,

-against-

M-5459  
M-5942  
Index Nos. 113227/09  
15074/11

Michael Hayden Sanford, et al.,  
Defendants-Respondents.

-----X

(And another action)

-----X

Plaintiffs-appellants having moved for reargument of the decision and order of this Court entered on October 6, 2015 (Appeal No. 15613) [M-5459],

And defendants-respondents having cross-moved for vacatur of a certain interim order by a Justice of this Court dated October 22, 2015 [M-5942],

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 for reargument is denied (M-5459). The cross motion for vacatur of the interim order dated October 22, 2015 is denied (M-5942).

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 29, 2015.

PRESENT - Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
Karla Moskowitz  
Barbara R. Kapnick, Justices.

-----X

In the Matter of

Segundo L.,

A Person Alleged to be a Juvenile  
Delinquent,

M-4399  
Docket No. D-10247/14

Respondent-Appellant.

-----X

An appeal having been taken from the order of the Family Court, Bronx County, entered on or about December 19, 2014,

An respondent-appellant having moved for leave to withdraw 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 appeal 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 December 29, 2015.

Present: Hon. Peter Tom, Justice Presiding,  
Diane T. Renwick  
Richard T. Andrias  
Karla Moskowitz  
Sallie Manzanet-Daniels, Justices.

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

-against-

**M-4404**

Ind. No. 2602/11

Jesus Taveras, also known as Jesus Cepin  
Tavares,  
Defendant-Appellant.

-----X

An order of this Court having been entered on October 29, 2013 (M-4311) assigning Richard M. Greenberg, Esq., as counsel to prosecute defendant's appeal from the judgment of the Supreme Court, New York County, rendered on or about November 15, 2012,

And defendant-appellant having moved to relieve assigned counsel, Richard M. Greenberg, Esq., or, in the alternative, to dismiss 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 deeming the appeal 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 December 29, 2015.

Present: Hon. Peter Tom, Justice Presiding,  
Diane T. Renwick  
Richard T. Andrias  
Karla Moskowitz  
Sallie Manzanet-Daniels, Justices.

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

-against-

**M-4403**

Ind. Nos. 3311N/12  
1160N/12

Roberto Gonzalez,  
Defendant-Appellant.

-----X

Orders of this Court having been entered on February 11, 2014 (M-5223) and on May 1, 2014 (M-1176), inter alia, deeming the notice of appeal as timely filed, granting poor person relief and assigning Richard M. Greenberg, Esq., as counsel to prosecute defendant's appeal from the judgment of the Supreme Court, New York County, rendered on or about February 22, 2013,

And defendant-appellant having moved to relieve assigned counsel, Richard M. Greenberg, Esq., or, in the alternative, to dismiss 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 deeming the appeal 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 December 29, 2015.

Present: Hon. Peter Tom, Justice Presiding,  
David Friedman  
Richard T. Andrias  
Judith J. Gische  
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-4882**  
Index No. 450089/15

-against-

Joseph Ponte, Commissioner, New York  
City Department of Corrections,  
Respondent-Respondent,  
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about January 28, 2015, which dismissed a habeas corpus proceeding,

And petitioner-appellant having moved to withdraw 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 said motion is granted and the appeal 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 December 29, 2015.

Present: Hon. Peter Tom, Justice Presiding,  
David Friedman  
Richard T. Andrias  
Judith J. Gische  
Barbara R. Kapnick, Justices.

-----X  
In the Matter of the Application of  
Royce Corley,  
Plaintiff-Appellant,

For a Judgment Pursuant to Article 78 of the Civil Practice Law and Rules, **M-4519**  
Index No. 250636/14

-against-

New York City Department of Corrections,  
et al.,  
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, entered on or about November 18, 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 the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the 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 the Supreme Court, Bronx County, is directed to have transcribed the minutes of the proceedings held therein, 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.

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 29, 2015.

Present: Hon. Peter Tom, Justice Presiding,  
David Friedman  
Richard T. Andrias  
Judith J. Gische  
Barbara R. Kapnick, Justices.

-----X

Theodore Brooks,

Plaintiff-Appellant,

**M-4704**

Index No. 114543/11

-against-

City of New York, et al.,

Defendants-Respondents.

-----X

Plaintiff-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 March 12, 2015, 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 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 29, 2015.

Present: Hon. Peter Tom, Justice Presiding,  
Diane T. Renwick  
Richard T. Andrias  
Karla Moskowitz  
Sallie Manzanet-Daniels, Justices.

-----X  
Gramercy Park Residence Corp.,  
Plaintiff-Respondent-Appellant,

-against-

**M-4865**

Index No. 603071/02

Elaine Ellman,  
Defendant-Appellant-Respondent.

-----X

An appeal and cross appeal having been taken from an order of the Supreme Court, New York County, entered on or about July 14, 2014,

And the above-named parties having jointly moved for an enlargement of time to perfect the appeal and cross appeal,

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

It is ordered that the motion is granted to the extent of enlarging defendant-appellant-respondent's time to perfect her appeal to the May 2016 Term. Insofar as plaintiff-respondent-appellant seeks an enlargement of time to perfect plaintiff-respondent-appellant's cross appeal, the motion is deemed withdrawn in accordance with the correspondence of counsel dated October 22, 2015, and sua sponte, the cross appeal 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 December 29, 2015.

Present: Hon. Peter Tom, Justice Presiding,  
David Friedman  
Richard T. Andrias  
Judith J. Gische  
Barbara R. Kapnick, Justices.

-----X  
In Re: New York City Asbestos Litigation  
-----X

Anthony Lucadamo, as Administrator for  
the Estate of Michael A. Lucadamo,  
Plaintiffs-Respondents,

-against-

**M-4895**

Index No. 116293/04

A.O. Smith Water Products Co., et al.,  
Defendants,

Crane Co.,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about July 1, 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 September 2016 Term, with leave to seek further enlargements if necessary. (See M-4908 and M-4909, decided simultaneously herewith.)

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 29, 2015.

Present: Hon. Peter Tom, Justice Presiding,  
David Friedman  
Richard T. Andrias  
Judith J. Gische  
Barbara R. Kapnick, Justices.

-----X  
In Re: New York City Asbestos Litigation  
-----X

Piero Crescenzi and Angela Crescenzi,  
Plaintiffs-Respondents,

-against-

**M-4908**  
Index No. 190270/12

Azrock Industries, a Division of Domco,  
Inc., et al.,  
Defendants,

Crane Co.,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about December 13, 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 September 2016 Term, with leave to seek further enlargements if necessary. (See M-4909 and M-4895, decided simultaneously herewith.)

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 29, 2015.

Present: Hon. Peter Tom, Justice Presiding,  
David Friedman  
Richard T. Andrias  
Judith J. Gische  
Barbara R. Kapnick, Justices.

-----X  
In Re: New York City Asbestos Litigation  
-----X

Michele Torbitt, as Executrix for the  
Estate of James Joseph Duplessis,  
Plaintiffs-Respondents,

-against-

**M-4909**

Index No. 105959/03

A.O. Smith Water Products Co., et al.,  
Defendants,

Crane Co.,  
Defendant-Appellant.

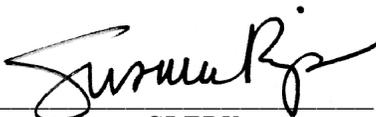
-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about July 31, 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 September 2016 Term, with leave to seek further enlargements if necessary. (See M-4908 and M-4895, decided simultaneously herewith.)

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 29, 2015.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Angela M. Mazzarelli  
Rosalyn H. Richter  
Judith J. Gische, Justices.

-----X  
NewOak Capital, LLC and NewOak  
Capital Markets LLC,  
Plaintiffs-Respondents,

-against-

M-5941  
Index No. 161478/14

Brean Strategic Advisors, LLC,  
et al.,  
Defendants-Appellants.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about July 29, 2015, and said appeal having been perfected,

And defendants-appellants having moved for leave to supplement the record on appeal with a certain stipulation, or in the alternative to file a supplemental brief adding a point which refers to said stipulation,

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 defendants-appellants to supplement the record with said stipulation, as an appendix to their reply brief.

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 29, 2015.

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

-----X

Luis Yumbla,  
Plaintiff-Respondent,

-against-

M-4616  
Index No. 305731/12

778 Park Avenue Building Corporation,  
et al.,  
Defendants-Appellants.

-----X

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

Now, upon reading and filing the motion by defendants-appellants to withdraw said appeal, and due deliberation having been had thereon,

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

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 29, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
Karla Moskowitz  
Rosalyn H. Richter, Justices.

-----X  
Amanda Karlsson,  
Plaintiff-Respondent,

-against-

Conny Karlsson,  
Defendant-Appellant.  
-----X

**CONFIDENTIAL**

M-5630

Index No. 314224/13

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 March 30, 2015,

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 2016 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 29, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
David B. Saxe  
Karla Moskowitz  
Judith J. Gische, Justices.

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

-against-

M-4621  
Ind. No. 7376/94

Javier Santos,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about October 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 to the extent of enlarging the time to perfect the appeal to the May 2016 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 29, 2015.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Diane T. Renwick  
David B. Saxe  
Karla Moskowitz, Justices.

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

-----  
Charmaine D.M.C.,

Petitioner-Appellant,

-against-

Larry D.M.,

Respondent-Respondent.  
-----X

**M-4695**

Docket Nos.  
F-24872-06/10F/G/H/J  
F-24872-06/12J  
F-24872-06/13K

Petitioner-appellant having renewed her motion (see M-1795[6/9/15]) for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about July 9, 2014, and for assignment of counsel, a free copy of the transcript, for an enlargement of time to perfect the appeal, and for related relief,

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

Ordered that the motion is granted only to the extent of enlarging the time to perfect the appeal to the May 2016 Term. So much of the motion which seeks poor person relief and the assignment of 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 29, 2015.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Karla Moskowitz  
Rosalyn H. Richter  
Paul G. Feinman, Justices.

-----X

Dana Escoffier,  
Plaintiff-Appellant,

-against-

Sokolski & Zekaria, P.C.,  
Defendant-Respondent.

-----X

**M-4814**

Index No. 401986/13

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 July 24, 2014,

And an order of this Court having been entered on September 1, 2015 (M-2723) denying plaintiff-appellant's motion for reconsideration of the orders of this Court entered on January 6, 2015 (M-5157), inter alia, denying plaintiff-appellant's motion for poor person relief; and by order of this Court entered March 26, 2015 (M-345), denying renewal of the motion for poor person relief,

And plaintiff-appellant having moved for renewal or clarification of the aforesaid orders of this Court, and for an enlargement of time to perfect the appeal,

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

Ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the May 2016 Term, and otherwise denied.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 29, 2015.

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

-----X  
S.B.H. Realty Inc.,

Plaintiff-Appellant,

-against-

M-4682

M-5106

Index No. 22600/13E

Eden Capital Group, Inc., et al.,  
Defendants-Respondents-Appellants.

-----X

An appeal and cross appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about October 6, 2014,

And plaintiff-appellant having moved for an enlargement of time to perfect the aforesaid appeal (M-4682), and defendants-respondents-appellants having cross-moved for the same relief (M-5106),

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 and cross motion are granted to the extent of enlarging the time to perfect the appeal and cross appeal to the May 2016 Term (M-4682/M-5106).

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 29, 2015.

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

-----X

In the Matter of the Application of

Maria L. Gonzalez,  
Petitioner,

For a Judgment Pursuant to Article 78 M-4867  
of the Civil Practice Law and Rules, Index No. 401386/13

-against-

New York City Housing Authority,  
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 September 3, 2014, to review a determination of respondent,

And respondent having moved to dismiss 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 unless the proceeding is perfected on or before February 22, 2016 for the May 2016 Term. Sua sponte, the time to perfect the proceeding is enlarged to said May 2016 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 29, 2015.

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

-----X  
QBE Insurance Corporation,  
Plaintiff,

-against-

M-4680  
Index No. 600412/10

Maloof, Lebowitz, Connahan & Oleske, P.C.,  
et al.,  
Defendants-Respondents.

-----X  
Maloof, Lebowitz, Connahan & Oleske, P.C.,  
et al.,  
Third-Party Plaintiffs,

-against-

Index No. 11590715/11

Claims Service Bureau and Newman Fitch  
Altheim Myers, P.C., also known as Newman  
Myers Kreines Gross Harris, P.C.,  
Third-Party Defendants-Appellants.

-----X  
Claims Service Bureau of New York, Inc.,  
Third-Party Plaintiff-Appellant,

-against-

Index No. 590885/13

Rockville Risk Management Associates, Inc.,  
Third-Party Defendant.

-----X

Defendants-appellants/third-party plaintiffs-appellants  
Maloof, Lebowitz, Connahan & Oleske, P.C., having moved for  
dismissal of the appeal taken from an order of the Supreme Court,  
New York County, entered on or about May 14, 2015,

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 2016 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 29, 2015.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Diane T. Renwick  
David B. Saxe  
Karla Moskowitz, Justices.

-----X  
Patterson Belknap Webb & Tyler, LLP,  
Plaintiff-Respondent,

-against-

Barbara Stewart,  
Defendant-Appellant.  
-----X

**M-4897**

**M-5022**

Index No. 158524/12

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

And defendant-appellant having moved for an order declaring that plaintiff-appellant's notice of entry of the underlying order is invalid, that defendant's notice of appeal is timely, and enlarging the time to perfect said appeal (M-4897),

And plaintiff-respondent having cross-moved for an order dismissing the aforesaid appeal (M-5022),

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 defendant-appellant's motion is granted to the extent of enlarging the time to perfect the appeal to the May 2016 Term. Insofar as the motion and cross motion seek relief with respect to the issue of whether defendant's appeal was timely, the motions are denied, without prejudice to the parties briefing the issue on appeal.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 29, 2015.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Diane T. Renwick  
David B. Saxe  
Karla Moskowitz, Justices.

-----X  
Benjamin Dixon,

Plaintiff-Appellant,

-against-

**M-4050**

Index No. 159846/14

105 West 75<sup>th</sup> Street LLC, et al.,  
Defendants-Respondents.

-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about April 13, 2015 and on or about August 11, 2015,

And plaintiff-appellant having moved for consolidation of the aforesaid orders and a stay of same and all Housing Court proceedings, attorneys fees in Supreme Court and Housing Court pending hearing and determination of the appeals, and 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 consolidating the aforesaid appeals and permitting plaintiff-appellant to prosecute the consolidated appeals upon 9 copies of one record and of one set of appellant's points covering the appeals. So much of the motion which seeks the aforesaid stays, and other relief is denied. The interim relief granted by order of a Justice of this Court, dated September 8, 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 December 29, 2015.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Diane T. Renwick  
David B. Saxe  
Karla Moskowitz, Justices.

-----X  
Tower National Insurance Company,  
Plaintiff-Respondent,

-against-

**M-4588**

Index No. 651306/13

JVA Industries, Inc.,  
Defendant,

Taconic Builders, Inc.,  
Defendant-Appellant,

W2001Z/15CPW Holdings LLC, et al.,  
Defendants.

-----X

Appeals having been taken from the orders and judgments (one paper) of the Supreme Court, New York County, entered on or about April 14, 2015 and July 22, 2015,

And plaintiff-respondent having moved for an order striking defendant-appellant's notices of appeal, and for related relief,

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

Ordered that the motion is denied with leave to renew upon proof of service of the motion upon Taconic's counsel, Jon E. Newman of Melcer Newman, PLLC, at 111 John Street, Suite 1500, New York, NY 10038.

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 29, 2015.

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

-----X

In the Matter of the Application of

State Division of Human Rights,  
Petitioner,

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

M-4813  
Index No. 450543/13

-against-

Milan Maintenance Inc., et al.,  
Respondents.

-----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 September 26, 2013, to review a determination of respondents, and said proceeding having been perfected,

And petitioner having moved pursuant to CPLR §§ 407 and 603 to sever this special proceeding as against respondent Christopher M. Martirano, who is deceased, and restoring the matter to this Court's calendar as against the remaining respondents,

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 severing the matter as against respondent Christopher M. Martirano and restoring the matter as against the remaining respondents for this Court's May 2016 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 29, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
David B. Saxe  
Karla Moskowitz, Justices.

-----X  
In the Matter of the Application of  
Carol Jordan,  
Petitioner,

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

M-5520  
Index No. 401896/13

-against-

New York City Administration for  
Children's Services, and The Children's  
Village,  
Respondents.

-----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 January 3, 2014, to review a determination of respondents, and said proceeding having been perfected,

And respondent having moved to dismiss the aforesaid proceeding or in the alternative to adjourn same to the April 2016 Term,

Now, upon reading and filing the papers with respect to the motions, 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 December 29, 2015.

Present: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Diane T. Renwick  
Richard T. Andrias  
Karla Moskowitz, Justices.

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

-against-

**M-5043**  
Ind. No. 2944/11

Jamal Cox,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from an order of **resentence** of the Supreme Court, New York County, entered on or about September 8, 2015, 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 9 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 **resentence**. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 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. Sua sponte, defendant-appellant's perfected appeal from the judgment of said Court rendered February 8, 2012 (Cal. No. 1958) is hereby adjourned to the May 2016 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 29, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Dianne T. Renwick  
Richard T. Andrias  
Karla Moskowitz, Justices.

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

-against-

M-4981  
Ind. No. 5672/14

Donovan Lopez,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about July 9, 2015, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of deeming the notice of appeal as timely filed and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 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.

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 29, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Dianne T. Renwick  
Richard T. Andrias  
Karla Moskowitz, Justices.

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

-against-

M-5042  
Index No. 589/12

John Draper,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal from a judgment of the Supreme Court, New York County, rendered on or about March 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 to the extent of enlarging the time to perfect the appeal to the May 2016 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 29, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Dianne T. Renwick  
Richard T. Andrias  
Karla Moskowitz, Justices.

-----X  
Nalanee Narine and Deonarine Narine,  
Plaintiffs-Appellants,

-against-

M-4629  
Index No. 101035/10

Metropolitan Transportation Authority,  
et al.,  
Defendants-Respondents.

-----X

Plaintiffs-appellants 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 December 3, 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 2016 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 29, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Dianne T. Renwick  
Richard T. Andrias  
Karla Moskowitz, Justices.

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

The State of New York,  
Petitioner-Appellant,

For Civil Management Pursuant to  
Mental Hygiene Law Article 10

M-4960  
Index No. 101413/14

-against-

Jerome A.,  
Respondent-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered September 8, 2015,

And petitioner-appellant having moved to stay the aforesaid order, pending hearing and determination of the appeal taken therefrom,

Now, upon reading and filing the papers with respect to the motion, including the stipulation between the parties dated September 18, 2015, and due deliberation having been had thereon,

It is ordered that the motion is granted on condition the appeal is perfected for the May 2016 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 29, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Dianne T. Renwick  
Richard T. Andrias  
Karla Moskowitz, Justices.

-----X

Nanette Basden,  
Plaintiff-Appellant,

-against-

M-4904  
Index No. 22051/13E

Liberty Lines Transit, Inc., et al.,  
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for a stay of all proceedings pending hearing and determination of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about September 15, 2015,

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 appeal is perfected for the May 2016 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 29, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
David B. Saxe  
Karla Moskowitz, Justices.

-----X  
Pac Fung Feather Co., Ltd.  
Plaintiff/Counterclaim Defendant/  
Respondent,

-against-

M-5804  
Index No. 600865/10

Porthault NA Ltd.,  
Defendant/Counterclaim Plaintiff/  
Appellant.

-----X  
Porthault NA Ltd.,  
Third-Party Plaintiff/Appellant,

-against-

Third-Party  
Index No. 590549/10

Davide Fanelli,  
Third-Party Defendant/Respondent,

-and-

Luca Lucarelli,  
Third-Party Defendant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 23, 2011, and said appeal having been perfected,

And plaintiff/counterclaim defendant/respondent, Pac Fung Feather Co., Ltd., and third-party defendant/respondent Davide Fanelli having moved jointly to enlarge the record on appeal to include certain motion papers, and to adjourn the appeal,

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

Ordered that the motion is granted to the extent of taking judicial notice of said motion papers and otherwise denied.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 29, 2015.

Present: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Diane T. Renwick  
Richard T. Andrias  
Karla Moskowitz, Justices.

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

- - - - -  
Marybeth DeF., Docket No. F-9295-13/13A  
Petitioner-Respondent-Appellant,

-against-

Herbert C.,  
Respondent-Appellant-Respondent.

-----X

An appeal and cross appeal having been taken from an order of the Family Court, New York County, entered on or about May 11, 2015,

And respondent-appellant-respondent having moved for leave to proceed with this appeal and cross appeal without inclusion of the transcripts of the Family Court proceedings in the record on appeal,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties filed December 22, 2015, and due deliberation having been had thereon, it is

Ordered that the appeal and cross appeal are withdrawn in accordance with the aforesaid stipulation. The motion are denied, as moot.

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 29, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
David B. Saxe  
Karla Moskowitz, Justices.

-----X  
In the Matter of the Application of  
Michael P. Thomas,  
Petitioner-Respondent,

Letitia James, Public Advocate for the  
City of New York, and Class Size Matters,  
Petitioners-Intervenors,

M-5898  
Index No. 100538/14

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

-against-

New York City Department of Education  
and Carmen Farina, Chancellor of the  
New York City Department of Education,  
Respondents-Appellants,

The Council of School Supervisors and  
Administrators,  
Proposed Amicus Curiae.

-----X

An appeal having been taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about April 23, 2015, and said appeal having been perfected,

And The Council of School Supervisors and Administrators 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 to the extent of deeming the 9 copies of the brief filed with the moving papers as 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 29, 2015.

PRESENT - Hon. David Friedman, Justice Presiding,  
Richard T. Andrias  
David B. Saxe  
Judith J. Gische  
Barbara R. Kapnick, Justices.

-----X  
Women's Interart Center, Inc.,  
Plaintiff-Appellant,

-against-

New York City Economic Development  
Corporation, et al.,

M-5786  
M-5887  
Index Nos. 113088/07  
109017/07

Defendants-Respondents.  
-----

Women's Interart Center, Inc.,  
Plaintiff-Appellant,

-against-

Clinton Housing Development Fund Corp.,  
Defendant-Respondent.  
-----X

Plaintiff-appellant having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on October 8, 2015 (Appeal No. 15826) [M-5887],

And plaintiff-appellant having also moved, by a separate motion, for a stay of a warrant of eviction (M-5786) pending its motion for reargument of or in the in the alternative, leave to appeal to the Court of Appeals (M-5787),

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 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 29, 2015.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,  
Rolando T. Acosta  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,  
Respondent,

**M-4666**

Ind. No. 2889/12

-against-

Jarod Skinner,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about September 17, 2013, 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 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Suite 1601, New York, NY 10007, Telephone No. (212) 402-4142, 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 29, 2015.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,  
Diane T. Renwick  
David B. Saxe  
Judith J. Gische, Justices.

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

-against- **M-4552**  
Ind. No. 2289/13

Reinaldo Santiago,  
Defendant-Appellant.  
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about May 21, 2015, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, for the assignment of Aaron M. Goldsmith, Esq. as counsel on said appeal, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 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.

Aaron M. Goldsmith, Esq., 225 Broadway, Suite 715, New York, NY 10007, Telephone No. (914) 588-2679, 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 29, 2015.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,  
Diane T. Renwick  
David B. Saxe  
Judith J. Gische, Justices.

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

-against- **M-4551**  
Ind. No. 1245/96

Terry Pressley,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Pickholz, J.), entered on or about February 23, 2015, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

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

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 29, 2015.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,  
Diane T. Renwick  
David B. Saxe  
Judith J. Gische, Justices.

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

-against- M-4548  
Ind. No. 2797/13

Harold Paulino,  
Defendant-Appellant.  
-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about May 28, 2015, and for leave to prosecute the appeal as a poor person on the original record and upon a reproduced appellant's brief, 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 deeming the notice of appeal timely filed, and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 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.

Seymour W. James, Jr., Esq., Legal Aid Society, 199 Water Street, 5th Floor, New York, New York 10038, Tel. 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 29, 2015.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,  
Diane T. Renwick  
David B. Saxe  
Judith J. Gische, Justices.

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

-against- **M-4549**  
Ind. No. 4078/14

Jeffrey Askew,  
Defendant-Appellant.  
-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about May 28, 2015, and for leave to prosecute the appeal as a poor person on the original record and upon a reproduced appellant's brief, 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 deeming the notice of appeal timely filed, and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 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.

Seymour W. James, Jr., Esq., Legal Aid Society, 199 Water Street, 5th Floor, New York, New York 10038, Tel. 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 29, 2015.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Rolando T. Acosta  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X  
Deborah Adler, as Administratrix of  
the Estate of Sol Adler,  
Plaintiff-Appellant,

-against-

M-4829  
Index No. 159339/14

The 92nd Street Young Men's and  
Young Women's Hebrew Association,  
Defendant-Respondent.

-----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 February 3, 2015,

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 April 2016 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 29, 2015.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Rolando T. Acosta  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X  
In the Matter of the Application of  
Broadway Bretton, Inc.,  
Petitioner-Appellant,

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

-against-

M-4951  
Index No. 100222/14

New York State Division of Housing  
and Community Renewal,  
Respondent-Respondent,

Bretton Hall Tenants Association,  
Respondent-Intervenor.

-----X  
Petitioner-appellant having moved for an enlargement of time to perfect the appeal from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about December 22, 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 2016 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 29, 2015.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Rolando T. Acosta  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X  
Rachid El Jafli,  
Plaintiff-Appellant,

-against-

M-4677  
Index No. 156529/13

Enterprise Rent-A-Car, 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 November 7, 2014, and for a stay of all proceedings, pending hearing and determination of said appeal,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the May 2016 Term and otherwise denied.

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 29, 2015.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Rolando T. Acosta  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X  
Mary Anne Fletcher,  
Plaintiff-Appellant,

-against-

M-4826  
Index No. 114698/07

Boies Schiller & Flexner LLP, et al.,  
Defendants-Respondents.

-----X

Separate appeals having been taken from the order of the Supreme Court, New York County, entered on or about September 26, 2013 and from the judgment of the same Court and Justice, entered on or about August 25, 2014,

And an order of this Court having been entered on February 26, 2015 (M-6115) having consolidated the aforesaid appeals,

And the plaintiff-appellant having moved for 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 May 2016 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 29, 2015.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Rolando T. Acosta  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

In Re: HSBC Bank USA, N.A. Checking  
Account Overdraft Litigation

M-4590  
Index No. 650562/11

-----X

Proposed intervenors-appellants having moved for a stay of all proceedings pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about September 17, 2015,

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 29, 2015.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,  
Diane T. Renwick  
David B. Saxe  
Judith J. Gische, Justices.

-----X  
In Re: New York City Asbestos Litigation  
-----X

Laraine Sweberg, as Executrix for the  
Estate of Ivan Sweberg, and Laraine  
Sweberg, Individually,  
Plaintiff-Respondent,

**M-4591**

Index No. 190017/13

-against-

ABB, Inc., as successor in interest to  
ITE Circuit Breakers, Inc., et al.,  
Defendants,

Crane Co.,  
Defendant-Appellant.

-----X

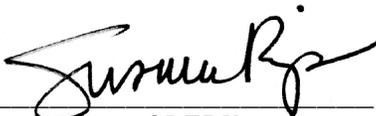
Appeals having been taken from orders of the Supreme Court, New York County, entered on or about January 20, 2015 and on or about March 11, 2015, respectively,

And defendant-appellant having moved for consolidation of the aforesaid 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 consolidating the aforesaid appeals, permitting defendant-appellant to prosecute said appeals upon 9 copies of one record and of one set of appellant's points covering said appeals.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 29, 2015.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,  
Diane T. Renwick  
David B. Saxe  
Judith J. Gische, Justices.

-----X

The People of the State of New York  
ex rel. Dexter Washington, also known  
as Eze Alimase,  
Petitioner,

**M-4570**  
Ind. No. 10208/96

-against-

Kathleen G. Gerbing, Superintendent,  
Otisville Correctional Facility,

Respondent.

-----X

The above-named petitioner having moved for a writ of habeas corpus to be issued from this Court, for poor person relief 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 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 29, 2015.

Present - Hon. Rolando T. Acosta, Justice Presiding,  
Richard T. Andrias  
Sallie Manzanet-Daniels  
Barbara R. Kapnick, Justices.

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

Respondent,

-against-

M-5889  
Ind. No. 312/13

Kyle Harleston,

Defendant-Appellant.  
-----x

Consolidated appeals having been taken to this Court from the judgment of the Supreme Court, New York County rendered on or about March 5, 2014, and from the order of said Court entered on or about April 1, 2015,

And defendant-appellant having moved for preference in hearing of the consolidated appeals, 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

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

BEFORE: Hon. Peter Tom  
Justice of the Appellate Division

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

Respondent,

M-4857  
Ind. No. 10107/95

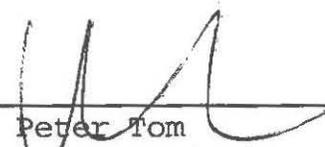
-against-

Theophile Daniel Mario Julien a/k/a  
Mario Julien,

CERTIFICATE  
DENYING LEAVE

Defendant.  
-----X

I, Peter Tom, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about December 19, 2013 is hereby denied.

  
\_\_\_\_\_  
Hon. Peter Tom  
Associate Justice

Dated: December 2, 2015  
New York, New York

**ENTERED**

DEC 29 2015

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

BEFORE: Hon. DAVID FRIEDMAN  
Justice of the Appellate Division

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

M-2453  
Ind. No. 1350/13

-against-

CERTIFICATE  
DENYING LEAVE

Tyreik Gilford,  
Defendant.  
-----X

I, DAVID FRIEDMAN, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application 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, entered on or about January 8, 2015, which denied defendant's motion to set aside the verdict (CPL 330.30), is hereby denied on the ground that this Court is not authorized to grant permission to appeal from the aforesaid order (see CPL 450.15).

Dated: New York, New York  
December 10, 2015



DAVID FRIEDMAN  
Justice of the Appellate Division

ENTERED

DEC 29 2015

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

BEFORE: Hon. Rolando T. Acosta  
Justice of the Appellate Division

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

M - 5102  
Ind. No. 2798/13

-against-

CERTIFICATE  
DENYING LEAVE

Christopher Neal,

Defendant.

-----X

I, Rolando T. Acosta, 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 orders of the Supreme Court, New York County, entered on or about June 19, 2015, is hereby denied. Defendant's remaining requests for relief are hereby rejected as moot.



Hon. Rolando T. Acosta  
Associate Justice

Dated: November 24, 2015  
New York, New York

ENTERED: DEC 29 2015

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

BEFORE: Hon. Dianne T. Renwick  
Justice of the Appellate Division

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

M - 5769

Ind. No. 6117/02

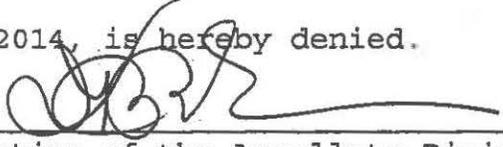
-against-

ORDER DENYING LEAVE  
UPON RENEWAL

James Pettus,

Defendant.

-----X  
I, Dianne T. Renwick, a Justice of the Appellate Division,  
First Judicial Department, do hereby certify that, upon  
application made by the above-named defendant for renewal  
of the order of a Justice of this Court (M-6023), entered on  
January 22, 2015, which denied his motion for a certificate  
pursuant to Criminal Procedure Law, section 460.15, and new  
facts not offered on the prior motion that would change the prior  
determination, permission for renewal of the denial of leave to  
appeal from the order of the Supreme Court, New York County,  
entered on or about August 8, 2014, is hereby denied.

  
Justice of the Appellate Division  
Hon. Dianne T. Renwick

Dated: December 7, 2015  
New York, New York

**ENTERED**

DEC 29 2015

f

STATE OF NEW YORK  
APPELLATE DIVISION : FIRST DEPARTMENT

BEFORE: Hon. David B. Saxe  
Justice of the Appellate Division

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

M-5384  
NY Co. Ind No.  
3714/13

-against-

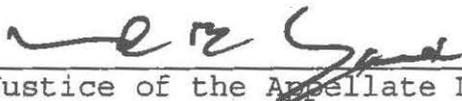
CERTIFICATE  
DENYING LEAVE

Arnold Diaz,

Defendant.

-----X  
I, David B. Saxe, 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, entered on  
or about August 26, 2015 is hereby denied.

Dated: November 30, 2015  
New York, New York

  
Justice of the Appellate Division

**ENTERED**

DEC 29 2015

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

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

Respondent,

-against-

Tulsie Singh,

Defendant-Appellant.  
-----X

M-5526  
Ind. No. 1224/12

ORDER DENYING  
STAY OF EXECUTION OF  
JUDGMENT OF  
CONVICTION  
AFTER APPEAL TAKEN

An appeal having been taken to this Court by the above-named defendant-appellant from the judgment of the Supreme Court, Bronx County, rendered on or about September 25, 2015, and defendant-appellant having moved, pursuant to CPL 460.50(1) to stay the execution of the judgment of conviction pending the 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 be and the same hereby is denied.

  
Justice of the Appellate Division

Dated: December 1, 2015  
New York, New York

ENTERED

DEC 29 2015