

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 19, 2015.

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

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

-against-

Juan Colon,
Defendant-Appellant.

M-128
Ind. Nos. 5914/99
382/00
366/01

-----X

An appeal having been taken from a judgment of **resentence** of the Supreme Court, Bronx County, rendered on or about February 25, 2013,

Now, upon reading and filing the stipulation of the parties hereto, dated December 20, 2013, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 19, 2015.

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

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

-against-

M-349
Ind. No. 6067/10

Laurence Harvey,
Defendant-Appellant.

-----X

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

Now, upon reading and filing the stipulation of the parties hereto, dated January 21, 2015, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 19, 2015.

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

-----X
Cooper Square Realty, Inc.,
Plaintiff-Appellant,

-against-

M-450X
Index No. 653269/12

6 East 43rd Street Management Corp.,
and 6 East 43rd Street Corp.,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about August 7, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" January 29, 2015, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 19, 2015.

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

-----X
Kathleen McGrath,
Plaintiff-Respondent,

-against-

M-459X
Index No. 805308/12

Dr. Robert Winegarten, et al.,
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about October 3, 2014,

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

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 19, 2015.

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

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

-against-

M-460
Ind. No. 3791/13

Lamont Loan,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about March 20, 2014,

Now, upon reading and filing the stipulation of the parties hereto, dated January 30, 2015, and due deliberation having been had thereon,

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 19, 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-

Donald Braxton, also known as
Heyward Swindel,
Defendant-Appellant.

M-3367
Ind. Nos. 5686N/12
5351/11

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about February 5, 2013,

And defendant-appellant having submitted correspondence deemed a motion requesting that the aforesaid appeal be withdrawn,

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

It is ordered that the motion is granted and the appeal is withdrawn in accordance with the aforesaid correspondence.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 19, 2015.

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

-----X
Sara Kinberg,
Plaintiff-Appellant,

-against-

M-33
Index No. 1628/06

Yoram Kinberg,
Defendant-Respondent.
-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about July 22, 2013,

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

Now, upon reading and filing the correspondence for plaintiff-appellant dated January 16, 2015, and due deliberation having been had thereon,

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 19, 2015.

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

-----X
OneBeacon America Insurance Company,
Plaintiff-Appellant,

-against-

M-367
Index No. 651193/11

Colgate-Palmolive Company,
Defendant-Respondent,

Liberty Mutual Insurance Company,
Defendant.

(And other actions)

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about November 5, 2013,

Now, upon reading and filing the stipulation of the parties hereto, dated January 20, 2015, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the June 2012 Term, is withdrawn in accordance with the aforesaid stipulation.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 19, 2015.

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

-----X
Alma Garnett, as Liquidating Trustee
of Boylan International, Inc.,
Plaintiff-Appellant,

-against-

M-252
Index No. 114079/08

Fox, Horan & Camerini, LLP,
Defendant-Respondent.

-----X

Appeals having been taken from an order of the Supreme Court, New York County, entered on or about April 9, 2013 and May 30, 2013, respectively,

Now, upon reading and filing the stipulation of the parties hereto, dated July 8, 2014, and due deliberation having been had thereon,

It is ordered that the appeals, previously perfected for the May 2014 Term, are withdrawn in accordance with the aforesaid stipulation.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 19, 2015.

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

-----X
Louise Jones,
Plaintiff-Respondent,

-against-

M-354
Index No. 13052/07

Steven Wildstein, et al.,
Defendants-Appellants.
-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about August 9, 2013,

Now, upon reading and filing the stipulation of the parties hereto, dated January 23, 2015, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the September 2014 Term, is withdrawn in accordance with the aforesaid stipulation.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 19, 2015.

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

-----X
Stuart B. Newman and Joyce Newman,

Plaintiffs-Appellants,

-against-

M-5556
Index No. 22845/06

Villanova Heights, Inc., et al.,

Defendants-Respondents.
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about July 19, 2013,

Now, upon reading and filing the stipulation of the parties hereto, dated August 28, 2014, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the September 2014 Term, is withdrawn in accordance with the aforesaid stipulation.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 19, 2015.

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

-----X
Arie Genger,
Plaintiff-Appellant,

-against-

M-194
Index No. 104249/07

Sagi Genger and Dalia Genger,
Defendants-Respondents,

Orly Genger,
Non-Party Appellant.
-----X

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

Now, upon reading and filing the stipulation of the parties hereto, dated December 30, 2014, and due deliberation having been had thereon,

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 19, 2015.

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

-----X
Michael York,
Plaintiff-Respondent-Appellant,

-against-

M-6163
Index No. 110416/07

311 West 11th Street, LLC, et al.,
Defendants-Respondents,

Thames Builders, Inc.,
Defendant-Appellant-Respondent.

-----X
Thames Builders, Inc.,
Third-Party Plaintiff-Appellant-
Respondent,

-against-

Third-Party
Index No. 590653/08

Sound Refrigeration and Air Conditioning,
Inc.,
Third-Party Defendant-Respondent-
Appellant.

-----X

An appeal and cross appeals having been taken from the orders of the Supreme Court, New York County, entered on or about September 17, 2013 (mot. seq. nos. 007-009),

Now, upon reading and filing the stipulation of the parties hereto, dated November 25, 2014, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the November 2014 Term, and the cross 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 February 19, 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

Kaliek G.,

M-5124

A Person Alleged to Be a Juvenile
Delinquent,

Docket No. D-23822/12

Respondent-Appellant.
-----X

Respondent-appellant having moved for leave to prosecute the appeal from the order of the Family Court, Bronx County, entered on or about December 6, 2013, as a poor person, for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Section 35 of the Judiciary Law and Section 1120 of the Family Court Act, Thomas R. Villecco, Esq., 366 North Broadway, Suite #410, Jericho, NY 11753, Telephone No. (516) 942-4221, as counsel, for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the State of New York from funds available therefor¹; **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) directing appellant to perfect this appeal in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 19, 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

Skylean A. P.,

A Child Under Eighteen Years of Age
Alleged to be Neglected Under
Article 10 of the Family Court Act.

- - - - -
Administration for Children's Services, M-4322
Petitioner-Respondent, Docket No. NN-30955/10

Jeremiah S.,
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from the Order of Fact-Finding of the Family Court, Bronx County, entered on or about October 20, 2013, and from the Order of Disposition of said Court entered on or about August 6, 2014, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Richard L. Herzfeld, Esq., 104 West 40th Street, 20th Floor, New York, NY 10018, Telephone No. 212-818-9019, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;**

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

(3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:

A handwritten signature in black ink, appearing to read "Susan R. Jones", written in a cursive style.

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 19, 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

Isaiah S.,

A Child Under Eighteen Years of Age
Alleged to be Neglected Under
Article 10 of the Family Court Act.

Administration for Children's Services,
Petitioner-Respondent,

M-4321
Docket No. NA-18389/13

Jeremiah S.,
Respondent-Appellant.

Larry S. Bachner, Esq.,
Attorney for the Child.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Family Court, Bronx County, entered on or about August 6, 2014, and from the Order of Disposition of said Court entered on or about August 12, 2014, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Richard L. Herzfeld, Esq., 104 West 40th Street, 20th Floor, New York, NY 10018, Telephone No. 212-818-9019, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;**

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

(3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** (See M-4484, decided simultaneously herewith.)

ENTER:

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

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 19, 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

Isaiah S.,

A Child Under Eighteen Years of Age
Alleged to be Neglected Under
Article 10 of the Family Court Act.

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

M-4484
Docket No. NA-18389/13

Jeremiah S.,
Respondent-Appellant.

- - - - -
Larry S. Bachner, Esq.,
Attorney for the Child.

-----X

Edward I. Arfie, Esq., court attorney for the subject child, having moved on the child's behalf for leave to respond, as a poor person, to the appeal from the order of the Family Court, Bronx County, entered on or about August 6, 2014, and from the Order of Disposition of said Court entered on or about August 12, 2014, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Larry S. Bachner, Esq., 153-01 Jamaica Avenue, Suite 201, Jamaica, NY 11432, Telephone No. 917-378-0176, as counsel for purposes of responding to the appeal; (2) permitting Cmovant 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 respondent-appellant and 8 copies thereof are filed with this Court. (See M-4321, 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 February 19, 2015.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Rolando T. Acosta
David B. Saxe
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

-----x
Lauren Appel Gottlieb,
Plaintiff-Respondent,

-against-

Michael Gottlieb,
Defendant-Appellant.
-----x

M-6280
M-205
Index No. 314079/10

Separate appeals having been taken by the defendant from the order of the Supreme Court, New York County, entered on or about December 23, 2013, and from a judgment of the same Court and Justice, entered on or about May 12, 2014, respectively, and said appeals having been perfected,

And plaintiff-respondent having moved for an order "dismissing" certain affirmative relief requested by defendant-appellant in the appellant's brief, and for related relief (M-6280),

And defendant-appellant having cross-moved for an order amending the caption in connection with the aforesaid appeals, and for other relief (M-205),

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

It is ordered that the motion and cross motion are denied, without prejudice to plaintiff-respondent addressing the issues in her respondent's brief, and without prejudice to defendant-appellant addressing the issues raised in his cross motion in the reply brief, if so advised. The Clerk is directed to maintain the appeal on this Court's calendar for the May 2015 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 19, 2015.

PRESENT: Hon. Peter Tom, Justice Presiding,
David B. Saxe
Sallie Manzanet-Daniels
Judith J. Gische
Darcel D. Clark, Justices.

-----X
Seth Mitchell, CFA,
Plaintiff-Appellant,

-against-

M-189
Index No. 150622/13

NYU, et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant, pro se, having moved for leave to prosecute, as a poor person, the appeal from an order of the Supreme Court, New York County, entered on or about January 14, 2014, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that said motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 19, 2015.

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

-----X
In the Matter of Pearl Duncan,
Petitioner-Appellant,

For an Order Pursuant to Article 78
of the CPLR,

-against-

M-4908
Index No. 401105/13

NYC Department of Housing Preservation
and Development,
Respondent-Respondent.

-----X

Petitioner-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 October 24, 2013, 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 denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 19, 2015.

PRESENT - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Leland G. DeGrasse
Barbara R. Kapnick, Justices.

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

-against-

M-5222
Ind. No. 461/08

Bernard Gumbs, also known as
Thomas Williams,
Defendant-Appellant.

-----x

An order of this Court having been entered on September 18, 2014 (M-2156), striking the designation of assigned counsel Robert S. Dean, Esq. and substituting Richard M. Greenberg, Esq., Office of the Appellate Defender, as assigned counsel for purposes of prosecuting, as a poor person, defendant's appeal from the judgment of the Supreme Court, Bronx County, rendered on or about April 9, 2013,

And defendant having moved for substitution of retained counsel Green & Willstatter (Theodore S. Green, of counsel) for assigned counsel and for limited poor person 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 striking the designation of Richard M. Greenberg, Esq., as counsel to prosecute defendant's 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 serve one copy of such brief upon the District Attorney of said county and file 8 reproduced copies of such brief, together with the original record, with this Court. The time to perfect the appeal is enlarged to the June 2015 Term. The motion is otherwise denied, as unnecessary.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 19, 2015.

PRESENT: Hon. Peter Tom, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Karla Moskowitz
Paul G. Feinman, Justices.

-----X
People ex rel. Raymond Mayrant,
Petitioner,

-against-

M-6351
Ind. Nos. 101056/14

Warden, Antonio Cuin,
Respondent.

-----X

A purported appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about October 23, 2013,

And petitioner, pro se, having moved for leave to prosecute the purported appeal as a poor person, and for permission to file a notice of appeal,

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

It is ordered that the motion is denied and, sua sponte, the purported appeal is dismissed.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 19, 2015.

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

-----X
SUK Incorporated, et al.,
Plaintiffs-Respondents,

-against-

M-5900
Index No. 155192/13

Flushing Workers Center, et al.,
Defendants-Appellants.
-----X

Defendants-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 February 4, 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 June 2015 Term.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 19, 2015.

PRESENT: Hon. Peter Tom, Justice Presiding,
David B. Saxe
Sallie Manzanet-Daniels
Judith J. Gische
Darcel D. Clark, Justices.

-----X
Shafi Rivera,
Plaintiff-Appellant,

-against-

M-219
Index No. 304455/13

Corrections Officer L. Banks, etc.,
et al.,
Defendant-Respondent.

-----X

Appeals having been taken from the orders of the Supreme Court, Bronx County, entered on or about January 6, 2014 and March 3, 2014, respectively,

And an order of this Court having been entered on December 9, 2014 (M-5441), inter alia, consolidating the aforesaid appeals, and enlarging the time to perfect the consolidated appeals to the April 2015 Term, and related relief,

And plaintiff-appellant having moved for an enlargement of time in which to perfect the consolidated 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 consolidated appeal to the June 2015 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 19, 2015.

PRESENT: Hon. Peter Tom, Justice Presiding,
David B. Saxe
Sallie Manzanet-Daniels
Judith J. Gische
Darcel D. Clark, Justices.

-----X
The People of the State of New York,
by Eric T. Schneiderman, etc.,
Petitioner-Respondent-Appellant/
Appellant-Respondent,

-against-

M-90
Index No. 451463/13

The Trump Entrepreneur Initiative LLC,
formerly known as Trump University
LLC, et al.,
Respondents-Appellants-Respondents/
Respondents-Appellants.

-----X

Appeals and cross appeals having been taken from the orders of the Supreme Court, New York County, entered on or about January 31, 2014 and October 15, 2014 (mot. seq. no. 004), respectively,

And petitioner-respondent-appellant having moved for an enlargement of time in which to perfect its appeal from the order entered on or about January 31, 2014,

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

Sua sponte, the respective appeals and cross appeals from the orders entered January 31, 2014 and October 15, 2014 are consolidated, and appellants are permitted to prosecute their respective appeals upon 9 copies of one record and one set of appellants' points covering the appeals.

It is further ordered that the motion is granted to the extent of enlarging the time to perfect the consolidated appeals and cross appeals to the June 2015 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 19, 2015.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Darcel D. Clark
Barbara R. Kapnick, Justices.

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

-against-

M-5365
Ind. No. 5692/08

Robert Davoren,
Defendant-Appellant.

-----X

Assigned counsel having moved for an order dismissing defendant's appeal from the judgment of the Supreme Court, New York County, rendered on or about November 17, 2009, without prejudice to reinstatement at such time appellant again becomes amenable to the jurisdiction of this Court,

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

It is ordered that the motion is granted to the extent of 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 February 19, 2015.

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

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

-against-

M-5656
Ind. No. 2096/12

Lucero Seberiano,
Defendant-Appellant.

-----X

Assigned counsel having moved for an order dismissing defendant's appeal from the judgment of the Supreme Court, Bronx County, rendered on or about July 26, 2013, without prejudice to reinstatement at such time appellant again becomes amenable to the jurisdiction of this Court,

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

It is ordered that the motion is granted to the extent of 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 February 19, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Leland G. DeGrasse
Sallie Manzanet-Daniels, Justices.

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

-against-

M-6243
Ind. No. 2115/12

Dshell Hill,
Defendant-Appellant.

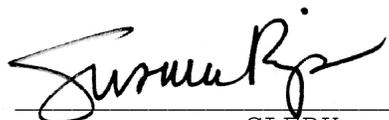
-----X

Defendant-appellant having moved to withdraw the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about July 8, 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 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 February 19, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Paul G. Feinman
Barbara R. Kapnick, Justices.

-----X
BMW Financial Services NA, LLC, etc.,
Petitioner-Respondent,

-against-

M-154
Index No. 159680/13

A1 NY Collision Inc.,
Respondent-Appellant.

-----X

Respondent-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 March 14, 2014 (mot. seq. no. 002),

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the June 2015 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 19, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
David B. Saxe
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of the Application of
John Nevarez,
Petitioner-Appellant,

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

M-6108
Index No. 400240/13

-against-

Barbara J. Fiala, Commissioner,
Department of Motor Vehicles,
Respondent-Respondent.

-----X
Petitioner-appellant, pro se, having renewed his motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, entered on or about March 14, 2013, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that said motion is granted only to the extent of enlarging the time to perfect the appeal to the June 2015 Term, with no further enlargements to be granted, and otherwise denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 19, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Paul G. Feinman
Barbara R. Kapnick, Justices.

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

Sandra M. Prowley, Esq.,

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

M-222
Index No. 91706/11

Eric L. Pearson also known as
Eric Pearson

An Incapacitated Person
-----X

Sandra M. Prowley, Esq. having moved for an order staying a sanctions hearing pending hearing and determination of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about December 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 denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 19, 2015.

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

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

-against-

M-5347
Ind. Nos. 2344N/11
3493N/11

Salvador Fernandez,
Defendant-Appellant.

-----X

Defendant having renewed his motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about February 26, 2014, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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 February 19, 2015.

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

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

-against-

M-5348
Ind. No. 48/05

Gustavo Morales,
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 17, 2014, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief,

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of resentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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 February 19, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Leland G. DeGrasse
Rosalyn H. Richter, Justices.

-----X
In the Matter of the Application of
Betty Rasnick,
Petitioner,

For a Judgment Pursuant to Article 78
of the CPLR,

-against-

M-77
Index No. 400295/13

New York City Housing Authority,
Respondent.

-----X

An Article 78 proceeding to review a determination of respondent having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about December 6, 2013,

And petitioner-appellant pro se having moved for an order staying certain eviction proceedings pending hearing and determination of the aforesaid proceeding,

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

It is ordered that the motion is denied, and the interim relief granted by an order of a Justice of this Court dated January 7, 2015, is hereby 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 February 19, 2015.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Karla Moskowitz
Paul G. Feinman
Barbara R. Kapnick, Justices.

-----X
Alex Ortiz,

Petitioner-Appellant,

-against-

M-63
Index No. 400863/14

Records Access, Appeals Officer,
Jonathan David,
Respondents.

-----X

Petitioner-appellant, pro se, having moved for leave to prosecute, as a poor person, the appeal from an order of the Supreme Court, New York County, entered on or about November 7, 2014, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that said motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 19, 2015.

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

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

Elizabeth C.,
Petitioner-Appellant,

M-5688
Docket No. V-20732/13

-against-

Maja Aja B.,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for leave to appeal to this Court from an order of the Family Court, Bronx County, entered on or about October 3, 2013 and for leave to prosecute, as a poor person, the aforesaid appeal, 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 denied in its entirety.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 19, 2015.

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

-----X
Jaquan Layne,
Plaintiff,

-against-

The City of New York,
Defendant.

M-5510
Index No. 400823/13

-----X

Plaintiff-appellant having moved for an enlargement of time in which to file a notice of appeal from an order of the Supreme Court, New York County, entered on or about July 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 denied, as unnecessary (see CPLR 5513[a]).

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 19, 2015.

PRESENT - Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Paul G. Feinman
Darcel D. Clark
Barbara R. Kapnick, Justices.

-----X

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

Lawrence C.,
Petitioner-Respondent,

-against-

Anthea P.,
Respondent-Appellant.

Carol L. Kahn, Esq.,
Attorney for the Children.

M-187
Docket Nos. V-12847/48/07/130
V-12847-48/07/13Q
V-12847-48/07/13R
V-12847-48/07/13S
V-12847-48/07/14T
V-12847-48/07/14U

-----X

Attorney for the children Alexander M. Carlin, Esq. having moved for leave to respond, as a poor person, to the appeal from the order of the Family Court, New York County, entered on or about August 25, 2014, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Carol L. Kahn, Esq., 225 Broadway Suite 1510, New York, NY 10007, Telephone No. (212) 227-0206, 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 respondent-appellant and 8 copies thereof are filed with this Court.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 19, 2015.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Paul G. Feinman
Darcel D. Clark
Barbara R. Kapnick, Justices.

-----X
Raymond Obiotta,
Plaintiff-Appellant,

-against-

Dukes System Corp., et al.,
Defendants-Respondents.

M-6376
Index No. 309033/09

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about January 2, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to on or before March 23, 2015 for the June 2015 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 19, 2015.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Paul G. Feinman
Darcel D. Clark
Barbara R. Kapnick, Justices.

-----X
The People of the State of New York
ex rel. Antonio D. Gomez,
Petitioner,

-against-

Warden Duffy, Warden of Rikers Island,
Respondent.

M-5
Ind. Nos. 03129/14
02650/14

-----X

The above-named petitioner having moved for, inter alia, a writ of habeas corpus to be issued from this Court,

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

It is ordered that the application for the writ is hereby granted, and

It is further ordered that the matter is transferred to the Ex Parte Office of the Supreme Court at 60 Centre Street, New York, New York 10007 for the issuance of said writ and service by mail upon the respective parties.

The motion is otherwise 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-5515
Ind. No. 4151/96

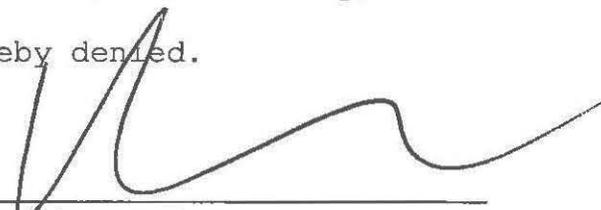
-against-

Allen Wiggins,

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, Bronx County, entered on or about September 29, 2014 is hereby denied.



Hon. Peter Tom
Associate Justice

Dated: February 5, 2014
New York, New York

ENTERED

FEB 19 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-5128
Ind. No. 2656/10

-against-

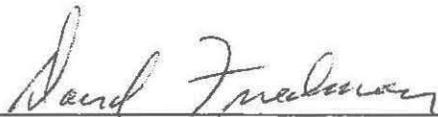
CERTIFICATE
DENYING LEAVE

Johnie Walker,
Defendant.

-----X

I, DAVID FRIEDMAN, 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 September 4, 2014, is hereby denied.

Dated: New York, New York
February 2, 2015



DAVID FRIEDMAN
Justice of the Appellate Division

ENTERED

FEB 19 2015

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

BEFORE: Hon. Karla Moskowitz
Justice of the Appellate Division

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

M-4333
Ind. No. 3587/07
Ind. No. 3247/11
Ind. No. 3605/12

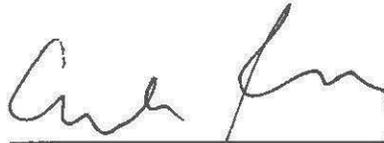
-against-

CERTIFICATE
DENYING LEAVE

John Neil,

Defendant.
-----X

I, Karla Moskowitz, 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 that ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from: 1) the order of the Supreme Court, Bronx County, entered on or about April 21, 2014; and 2) the order of the Supreme Court, Bronx County, entered on or about April 28, 2014, is hereby denied.



Hon. Karla Moskowitz
Associate Justice

Dated: February 2, 2015
New York, New York

ENTERED: FEB 19 2015

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

BEFORE: Hon. Karla Moskowitz
Justice of the Appellate Division

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

M-5057
Ind. No. 0339/04

-against-

CERTIFICATE
DENYING RENEWAL

Michael Williams,

Defendant.
-----X

I, Karla Moskowitz, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon renewal of an application made by the above-named defendant for a certificate pursuant to Criminal Procedure Law section 450.10, said application having been denied by Certificate (M-2381) entered August 14, 2014, and upon the record and proceedings herein, there is no question of law or fact presented that ought to be reviewed by the Appellate Division, First Judicial Department, and permission to renew the application is hereby denied.



Hon. Karla Moskowitz
Associate Justice

Dated: *February 2*, 2015
New York, New York

ENTERED: FEB 19 2015

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 19, 2015.

Present - Hon. Peter Tom, Justice Presiding,
David Friedman
Richard T. Andrias
Leland G. DeGrasse
Judith J. Gische, Justices.

-----x
In the Matter of

Darren S., M-115

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

- - - - -
Administration for Children's Services, Docket No. NN-31392/12
Petitioner-Respondent,

Darren S.,
Respondent-Appellant.

- - - - -
Daniel Katz, Esq.,
Attorney for the Child.

- - - - -
In the Matter of a Neglect Proceeding Under Article 8 of the Family Court Act.

- - - - -
Shyqueena C.,
Petitioner-Respondent,

Docket No. O-23569/12

-against-

Darren S.,
Respondent-Appellant.

- - - - -
Daniel Katz., Esq.,
Attorney for the Child.

-----x

Appeals having been taken to this Court from the Order of Fact-Finding and Order of Disposition of the Family Court, Bronx County, entered on or about March 3, 2014 and June 27, 2014 (Docket No. NN-31392/12), and from the order of said Court entered on or about March 3, 2014 (Docket No. O-23569/12),

And order of this Court having been entered on October 14, 2014 (M-3534)[Docket No. 31392/12], inter alia, granting respondent-appellant's motion for leave to prosecute the appeal from the Order of Fact-Finding and Order of Disposition of the Family Court entered on or about March 3, 2014 and June 27, 2014 as a poor person, and assigning Bruce A. Young, Esq., as counsel to prosecute the appeal,

And respondent-appellant having moved for an order relieving assigned counsel and assigning Randall Carmel, Esq. as counsel to prosecute both appeals, for consolidation of the aforesaid appeals under both docket numbers, 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 Bruce A. Young, Esq., as counsel to prosecute the appeal under Docket No. NN-31392/12 and substituting, 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 such counsel to prosecute the aforesaid appeals. The poor person relief previously granted is continued, and appellant's time to perfect the appeal is enlarged 120 days from the date of filing the record, and it is further,

Ordered that the appeals are consolidated for briefing purposes, and the Clerk is directed to calendar the appeals for hearing together. (See M-115A and M-115B, 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 February 19, 2015.

Present - Hon. Peter Tom, Justice Presiding,
David Friedman
Richard T. Andrias
Leland G. DeGrasse
Judith J. Gische, Justices.

-----x
In the Matter of

Darren S., M-115A

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

- - - - -
Administration for Children's Services, Docket No. NN-31392/12
Petitioner-Respondent,

Darren S.,
Respondent-Appellant.

- - - - -
Daniel Katz, Esq.,
Attorney for the Child.

- - - - -
In the Matter of a Neglect Proceeding Under Article 8 of the Family Court Act.

- - - - -
Shyqueena C.,
Petitioner-Respondent,

Docket No. O-23569/12

-against-

Darren S.,
Respondent-Appellant.

- - - - -
Daniel Katz., Esq.,
Attorney for the Child.

-----x

Appeals having been taken to this Court from the Order of Fact-Finding and Order of Disposition of the Family Court, Bronx County, entered on or about March 3, 2014 and June 27, 2014 (Docket No. NN-31392/12), and from the order of said Court entered on or about March 3, 2014 (Docket No. O-23569/12),

And order of this Court having been entered on October 14, 2014 (M-3535)[Docket No. NN-31392/12], inter alia, granting the subject child leave to respond to the appeal from the Order of Fact-Finding and Order of Disposition of the Family Court entered on or about March 3, 2014 and June 27, 2014 as a poor person, and assigning Carol L. Kahn, Esq., as attorney for the subject child,

And respondent-appellant having moved on the child's behalf for an order relieving Carol L. Kahn, Esq., as attorney for the subject child to respond to the aforesaid appeals, for consolidation of the aforesaid appeals under both docket numbers, 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 Carol L. Kahn, Esq., as attorney for the subject child and substituting, pursuant to Article 18b of the County Law and § 1120 of the Family Court Act, Daniel R. Katz, Esq., 339 West 88th Street, Apt. #3, New York, NY 10024, Telephone No. 917-886-5620, as counsel to respond to the aforesaid appeals. The poor person relief previously granted is continued, and appellant's time to perfect the appeal is enlarged 120 days from the date of filing the record, and it is further,

Ordered that the appeals are consolidated for briefing purposes, and the Clerk is directed to calendar the appeals for hearing together. (See M-115 and M-115B, 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 February 19, 2015.

Present - Hon. Peter Tom, Justice Presiding,
David Friedman
Richard T. Andrias
Leland G. DeGrasse
Judith J. Gische, Justices.

-----x
In the Matter of

Darren S., M-115B

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

- - - - -
Administration for Children's Services, Docket No. NN-31392/12
Petitioner-Respondent,

Darren S.,
Respondent-Appellant.

- - - - -
Daniel Katz, Esq.,
Attorney for the Child.

- - - - -
In the Matter of a Neglect Proceeding Under Article 8 of the Family Court Act.

- - - - -
Shyqueena C., Docket No. O-23569/12
Petitioner-Respondent,

-against-

Darren S.,
Respondent-Appellant.

- - - - -
Daniel Katz., Esq.,
Attorney for the Child.

-----x

Appeals having been taken to this Court from the Order of Fact-Finding and Order of Disposition of the Family Court, Bronx County, entered on or about March 3, 2014 and June 27, 2014 (Docket No. NN-31392/12), and from the order of said Court entered on or about March 3, 2014 (Docket No. O-23569/12),

And order of this Court having been entered on October 14, 2014 (M-3542)[Docket No. NN-31392/12], inter alia, granting non-respondent mother Shyqueena C. leave to respond to the appeal from the Order of Fact-Finding and Order of Disposition of the Family Court entered on or about March 3, 2014 and June 27, 2014 as a poor person, and assigning Thomas R. Villecco, Esq., as counsel for purposes of responding to the appeal,

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

Ordered that the designation of Thomas R. Villecco, Esq., is stricken as attorney for non-respondent mother, and pursuant to Article 18b of the County Law and § 1120 of the Family Court Act, Andrew Baer Andrew Baer, Esq., 299 Broadway, Suite 1415, New York, NY 10007, Telephone No. 212-233-0318, as counsel to respond to the aforesaid appeals. The poor person relief previously granted is continued, and appellant's time to perfect the appeal is enlarged 120 days from the date of filing the record, and it is further,

Ordered that the appeals are consolidated for briefing purposes, and the Clerk is directed to calendar the appeals for hearing together. (See M-115 and M-115A, 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 February 19, 2015.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzarelli
Rolando T. Acosta
Karla Moskowitz
Leland G. DeGrasse, Justices.

-----X
American Zurich Insurance Company,
et al.,
Plaintiffs-Appellants-
Respondents,

-against-

M-207
Index No. 107163/10

Trans-Packer Services Corporation,
Defendant-Respondent-
Appellant,

-and-

Selective Insurance Company of
America and Selective Way Insurance
Company,
Defendants-Appellants,

-and-

The Wornick Company,
Defendant-Respondent-Appellant,

-and-

Franklin Farms East, Inc.,
Intervenor Defendant-
Respondent.

-----X

Appeals and a cross appeal having been taken from an order and judgment (one paper) entered on or about October 16, 2013, and from an order of said Court entered on or about February 14, 2013,

And defendants-appellants Selective Insurance Company of America and Selective Way Insurance Company (Selective Appellants) having moved for an order enlarging the record on 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, sua sponte, all the references to the proposed supplementary documents from Selective's appellant-respondent's brief at pages 21-22, fn. 6-8 are deemed stricken.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 19, 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-4659
Ind. No. 66130/11

Javier Sanchez,
Defendant- Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, Bronx County, rendered on or about June 28, 2012,

And respondent People having moved to dismiss the aforesaid appeal,

Now, upon reading and filing the stipulation of the parties hereto, dated September 24, 2014, and due deliberation having been had thereon,

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

ENTER:


CLERK