

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, NY 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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, NY 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.

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Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, NY 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

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

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Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, NY 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.

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ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 2, 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-2092
Ind. No. 2704/13

David Priester,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about March 5, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Seymour W. James, Jr., Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

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Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

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At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 2, 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-

Scott M. Austin,

M-1960
DC #4
Ind. No. 2865/10

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about September 6, 2012,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 15, 2015, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the September 2015 Term and counsel is directed to so perfect.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 2, 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-

Leon Ballard,

M-1961
DC #5
Ind. No. 4662/11

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about August 2, 2012,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 15, 2015, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 2, 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-

Tracie P. Brown,

M-1970
DC #11
Ind. No. 1204N/12

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about September 4, 2012,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 15, 2015, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 2, 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-

Haslee Burrus,

Defendant-Appellant.

M-1971
DC #12
Ind. Nos. 1769/12
2429/12

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about October 16, 2012,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 15, 2015, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

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At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 2, 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-1978
DC #18
Ind. No. 821/08

Kyle Correll, also known as Abdul
Haqq Ibrahim,
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about July 7, 2012,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 15, 2015, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the September 2015 Term and counsel is directed to so perfect.

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At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 2, 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-

George Hyde,

M-2025
DC #36
Ind. No. 2035/02

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the order of the Supreme Court, Bronx County, entered on or about December 23, 2009,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 15, 2015, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the September 2015 Term and counsel is directed to so perfect.

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CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 2, 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-2033
DC #39
Ind. No. 1921/08

Eldred Leitzsey,

Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about February 17, 2009,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 15, 2015, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the September 2015 Term and counsel is directed to so perfect.

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At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 2, 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-

Marsha Murota,

M-2044
DC #47
Ind. No. 1000/10

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about July 25, 2012,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 15, 2015, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the September 2015 Term and counsel is directed to so perfect.

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CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 2, 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-

Jose Ortiz,

M-2046
DC #49
Ind. No. 1055/09

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about August 2, 2011,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 15, 2015, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the September 2015 Term and counsel is directed to so perfect.

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At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 2, 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-

Nolber Quinones,

M-2052
DC #52
Ind. No. 5603/10

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about November 7, 2011,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 15, 2015, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the September 2015 Term and counsel is directed to so perfect.

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At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 2, 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-

Roger Robinson,

M-2062
DC #56
Ind. No. 2383N/11

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about November 20, 2012,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 15, 2015, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

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At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 2, 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-

Luis A. Rosario,

M-2064
DC #58
Case No. 73861C/10

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about September 12, 2012,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 15, 2015, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

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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-

Roberto Sandoval,

M-2066
DC #60
Case No. 66016C/11

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about April 19, 2012,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 15, 2015, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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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-

Miguel Santiago,

M-2068
DC #62
Ind. No. 2638/11

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about January 3, 2013,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 15, 2015, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

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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-

Arthur Sherwood,

M-2072
DC #65
Ind. No. 2029/10

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about June 29, 2011,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 15, 2015, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the September 2015 Term and counsel is directed to so perfect.

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At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 2, 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-

George Thomas,

M-2078
DC #71
Ind. No. 2797/11

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about February 2, 2012,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 15, 2015, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

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CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 2, 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-

Randell Timmons,

M-2079
DC #72
Ind. No. 2792/10

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about August 9, 2011,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 15, 2015, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

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At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 2, 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-

Georgio White,

M-2104
DC #79
Ind. No. 3710/11

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about April 12, 2012,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 15, 2015, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the September 2015 Term and counsel is directed to so perfect.

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CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 2, 2015.

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

-----X
Raymond Finerty, et al.,
Plaintiffs-Respondents,

-against-

Abex Corporation, formerly known as
American Brake Shoe Company, et al.,
Defendants,

M-935
M-1070
M-1126
Index No. 190187/10

Ford Motor Company, Ltd.,
Defendant-Appellant.

- - - - -

Raymond Finerty, et al.,
Plaintiffs-Respondents,

-against-

Abex Corporation, et al.,
Defendants,

Ford Motor Company,
Defendant-Appellant.

- - - - -

Chamber of Commerce of the
United States of America,
Amicus Curiae.

-----X

Defendant-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on February 26, 2015 (Appeal Nos. 14343 and 14344),

And plaintiffs-respondents having cross-moved (M-1070) to vacate a stay of trial granted by an order of this Court dated December 2, 2014 (M-5521, M-5522),

And the Chamber of Commerce of the United States of America having moved for leave to appear amicus curiae in connection with the motion (M-1126),

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

It is ordered that defendant-appellant's motion (M-935) is granted, and this Court, pursuant to CPLR 5713, certifies that the following question of law, decisive of the correctness of its determination, has arisen, which in its opinion ought to be reviewed by the Court of Appeals:

"Was the order of this Court, unanimously reversing the order of the Supreme Court, properly made?"

This Court further certifies that its determination was made as a matter of law and not in the exercise of discretion, and it is further,

Ordered that plaintiffs-respondents' cross motion (M-1070) to vacate the aforesaid stay of trial pending hearing and determination of this appeal is denied as academic. The Chamber of Commerce of the United States of America's motion for leave to appear amicus curiae on the motion is granted (M-1126).

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 2, 2015.

Present: Hon. Peter Tom, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
David B. Saxe
Darcel D. Clark, Justices.

-----X

In the Matter of the Application of
Anna Konstantinov, by her Attorney-
in-Fact, Karen Ross,
Petitioner-Respondent,

-against-

M-1532

M-1852

Index No. 114152/07

Richard F. Daines, M.D., Individually
and in his Official Capacity as
Commissioner, New York State Department
of Health,
Respondent-Appellant,

Robert Doar, Individually and in
his Official Capacity as Commissioner,
New York City Human Resources
Administration,
Respondent.

-----X

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

And respondent-appellant having moved for an for an order adjourning the aforesaid appeal, and setting a supplemental briefing schedule (M-1532),

And petitioner-respondent having cross-moved for an order dismissing the aforesaid appeal and to remand the matter to the reviewing court, or for alternative relief (M-1852),

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 petitioner-respondent's cross motion is granted to the extent of dismissing the aforesaid appeal, as academic without prejudice to further proceedings in Supreme Court (M-1852). Respondent-appellant's motion is denied (M-1532).

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 2, 2015.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Diane T. Renwick
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

-----X

In the Matter of the Application of
Leonard Pryor,
Petitioner-Appellant,

M-1813

Index No. 400600/14

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

-against-

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

-----X

Respondent-respondent having moved for dismissal of the appeal taken from a judgment of the Supreme Court, New York County, entered on or about November 13, 2014,

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

It is ordered that the motion is granted and the appeal is dismissed.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 2, 2015.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Sallie Manzanet-Daniels
Darcel D. Clark, Justices,

-----X

Louise A. Cantrell, Administrator of
the Estates of Edward D. Cantrell,
Isabella Cantrell and Natalia Cantrell
(Decedents) Individually and as the
Personal Representatives of the Estates
and Beneficiaries of Decedents,
Plaintiffs-Appellants,

M-1606
M-1787
Index No. 159840/13

-against-

General Security, Inc., et al.,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 24, 2014,

And defendants-respondents having moved for an order dismissing the aforesaid appeal (M-1606),

And plaintiffs-appellants having cross-moved for an order denying defendants' motion, and for costs and attorneys' fees (M-1787),

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 defendants-respondents' motion is granted and the appeal is dismissed (M-1606). The cross motion is denied (M-1787).

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 2, 2015.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Dianne T. Renwick
Rolando T. Acosta
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

-----x
Randall Co. LLC,

Plaintiff-Respondent,

-against-

281 Broadway Holdings LLC, et al.,

Defendants-Appellants.
-----x

M-1728
Index No. 100982/08

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about April 16, 2015,

And defendants-appellants having moved for a stay of so much of the order directing counsel to produce un-redacted legal bills, pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is granted on condition defendants-appellants perfect the appeal for the September 2015 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 2, 2015.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Judith J. Gische
Darcel D. Clark, Justices.

-----X
Keith Stock,

Plaintiff-Respondent,

-against-

M-2253
Index No. 651250/13

Schnader Harrison Segal & Lewis and
M. Christine Carty,

Defendants-Appellants.
-----X

An appeal having been taken to this Court by the above-named defendants from the order of the Supreme Court, New York County, entered on or about December 8, 2014, and said appeal having been perfected,

And the Association of Corporate Counsel having moved for leave to file a brief amicus curiae in connection with the aforesaid appeal,

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

It is ordered that the motion is granted, and movant is directed to file nine copies of its brief amicus curiae, in the form attached to the motion papers as Exhibit 1, forthwith.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 2, 2015.

Present: Hon. David Friedman, Justice Presiding,
David B. Saxe
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

-----X
Kanize Fathema and Hosna Ara,
Plaintiffs-Appellants,

-against-

M-1881
Index No. 304292/11

Ruhul Ikram and Answar Hussain,
Defendants-Respondents.
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about March 27, 2014,

And defendants-respondents having moved for an order dismissing the aforesaid appeal,

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

Ordered that the motion is granted and the appeal is dismissed.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 2, 2015.

Present: Hon. David Friedman, Justice Presiding,
Richard T. Andrias
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

-----X

In re Robert Pastalove,

Petitioner-Appellant,

M-1033

-against-

Index No. 111175/11

Raymond Kelly, etc., et al.,

Respondents-Respondents.

-----X

A decision and order of this Court having been entered on August 21, 2014 (Appeal No. 11110), affirming the judgment of the Supreme Court, New York County, entered on or about July 30, 2012,

And petitioner-appellant having moved for an order vacating the aforesaid decision and order 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 denied,

All concur except Justice Manzanet-Daniels who dissents and would grant the 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 June 2, 2015.

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

-----X

CRP/Extell Parcel I, L.P.,
Petitioner-Appellant,

-against-

M-811A
Index No. 113914/10

Andrew M. Cuomo, etc., et al.,
Respondents,

3to4 LLC, et al.,
Respondents-Respondents.

-----X

A decision and order of this Court having been entered on January 29, 2015 (Appeal No. 13515), inter alia, unanimously reversing the judgment of the Supreme Court, New York County, entered on or about August 12, 2013,

And respondents-respondents having moved for an order granting relief in the nature of injunctive relief maintaining a certain so called "supercedeas bond" in place; staying release of certain funds, paid in to Court to secure possible interest; and for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the aforesaid decision and order of this Court entered on January 29, 2015 (Appeal No. 13515),

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 the aforesaid injunctive relief of maintenance of the aforesaid "supercedeas bond" and staying release of certain other funds paid into Court is denied; reargument of the aforesaid decision and order of this Court entered on or about August 12, 2013, is denied, and

So much of the motion which seeks leave to appeal to the Court of Appeals is granted, and this Court, pursuant to CPLR 5713, certifies that the following question of law, decisive of the correctness of its determination, has arisen, which in its opinion ought to be reviewed by the Court of Appeals:

"Was the order of this Court which reversed and vacated the judgment of the Supreme Court, properly made?"

This Court further certifies that its determination was made as a matter of law and not in the exercise of discretion. The order of this Court entered on April 28, 2015 and the Corrected Order entered May 15, 2015 are both hereby recalled and vacated.

ENTER:

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

CLERK

P.M ORDERS
FOR JUNE 2,
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 June 2, 2015.

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

-----X

Watson Overseas Corp.,
Plaintiff-Appellant,

-against-

M-2404

Index No. 654315/13

Micol Mion-Gordon, et al.,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 29, 2014, and said appeal having been perfected then adjourned to the September 2015 Term,

And plaintiff-appellant having moved for a preference to the extent of returning the appeal to the June 2015 Term of the 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 denied and said appeal will remain calendared for the September 2015 Term, with no further adjournments to be granted to either of the respective parties.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 2, 2015.

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

-----x Index No. 40000/88

In Re: New York City Asbestos Litigation

M-2344

This Document Relates to: All NYCAL Cases

-----x

Appeals having been taken to this Court from orders of the Supreme Court, New York County, entered on or about April 15, 2014, May `8, 2014 and December 18, 2014, respectively, and said appeals having been perfected,

And defendant-appellant Cleaver-Brooks, Inc. having moved for leave to file a supplemental joint appendix to include two previous NYCAL case management orders entered on March 25, 1988 and September 20, 1996, respectively,

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

It is ordered that the motion is granted to the extent of directing defendant-appellant Cleaver-Brooks, Inc. to immediately file a supplemental appendix to include Exhibits C & D to the Keyko Affirmation.

ENTER:



CLERK