

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 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-

Wilbert Geronimo,
Defendant-Appellant.

M-2820
Ind. Nos. 5916/11
423N/12

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about June 27, 2013,

Now, upon reading and filing the stipulation of the parties hereto, dated June 3, 2015, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2015

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

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

-against-

M-3577
Ind. No. 2733/11
Case No. 45419C/11

Katia Cambranae,
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 25, 2015, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2015.

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

-----X
Reginald Mitchell,
Plaintiff-Appellant,

-against-

M-2900X
Index No. 18877/06

Keith B. Fallon,
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about February 5, 2015,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 17, 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 September 8, 2015.

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

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

-against-

M-3575
Ind. No. 2125/14

Patrick Abdalla,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 29, 2015, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

Seymour W. James, Jr., Esq., Legal Aid Society, 19 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2015.

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

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

-against-

M-3576
Ind. No. 3057/14

Warren Brown,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 16, 2015, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2015

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

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

-against-

M-3577
Ind. No. 2733/11
Case No. 45419C/11

Katia Cambranae,
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 25, 2015, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 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-3579
Ind. No. 2205/13

Frank Gillard, also known as
Frank Gilliard,
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 December 12, 2014, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2015.

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

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

-against-

M-3581
Ind. Nos. 2500N/13
167N/13

Reginald Herbin,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 23, 2015, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2015.

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

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

-against-

M-3582
Ind. No. 916/14

Dominic Iannacone,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 14, 2015, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 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-

Odaine Johnson,
Defendant-Appellant.

M-3583
Ind. Nos. 245/14
2619/13
3755/11
Case No. 59257C/11

-----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 May 7, 2015, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2015.

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

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

-against-

M-3584
Ind. No. 4773N/06

Oliver Ketchum,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about March 24, 2015, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2015.

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

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

-against-

M-2551
Ind. Nos. 3914/08
2918/08

Robert Camarano,
Defendant-Appellant.

-----X

Defendant having renewed his motion for leave to prosecute, as a poor person, the appeal from two judgments of the Supreme Court, New York County, rendered on or about June 21, 2010, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

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

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman, Justices.

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

-against-

M-1515

Ind. No. 5298/03

Jonathan Rodriguez,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on June 24, 2008 (Appeal No. 3995), unanimously affirming the judgment of the Supreme Court, New York County (Carol Berkman, J.), rendered on June 2, 2005,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate counsel, and for related relief,

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

It is ordered that said application is denied.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2015.

Present - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Paul G. Feinman
Judith J. Gische
Barbara R. Kapnick, Justices.

-----x
In the Matter of

Laura V.,

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

M-2674
Docket No. NN-18471/13

- - - - -
Commissioner of Social Services of
the City of New York, et al.,
Respondents-Respondents,

Maria V.,
Respondent-Appellant.

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

-----x
An order of this Court having been entered on September 30, 2014 (M-3283), granting respondent-appellant leave to prosecute, as a poor person, the appeal from the order of the Family Court, New York County, entered on or about May 12, 2014, and assigning Andrew Baer, Esq., as counsel to prosecute the appeal,

And assigned counsel having moved for leave to withdraw the aforesaid appeal, and to be relieved as counsel for respondent-appellant,

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, the appeal is deemed withdrawn, and assigned counsel is granted leave to withdraw as counsel on the appeal.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2015.

Present - Hon. Peter Tom, Justice Presiding,
Dianne T. Renwick
Karla Moskowitz
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

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

Respondent,

-against-

M-2346
Ind. No. 4823/12

Stephen Baptiste,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about March 31, 2014, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

Defendant-appellant's time in which to perfect the appeal is hereby enlarged to the January 2016 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2015.

Present - Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Sallie Manzanet-Daniels
Darcel D. Clark
Barbara R. Kapnick, Justices.

-----X

Richard Altman,

Plaintiff-Appellant,

M-2418

M-2474

-against-

Index No. 155942/14

285 West Fourth, LLC,

Defendant-Respondent.

-----X

Defendant-respondent having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on April 28, 2015 (Appeal No. 14968)[2418], and for a stay of calculation of rent overcharges pending determination of this motion [M-2474],

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

It is ordered that the motions are denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2015.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
Richard T. Andrias
Karla Moskowitz, Justices.

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

-against-

M-1841
Ind. No. 9946/94

Wayne Gardine,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on April 4, 2002, (Appeal No. 672), unanimously affirming a judgment of the Supreme Court, New York County (Nicholas Figueroa, J.), rendered on July 24, 1996,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate counsel, and for related relief,

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

It is ordered that said application is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2015.

Present - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Paul G. Feinman
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X

Iris Awilda Cintron,

Plaintiff-Appellant,

-against-

M-2557

Index No. 301136/14

Dr. Jay's Ladies of Fordham LLC,
et al.,

Defendants-Respondents.

-----X

An appeal having been taken to this Court from orders of the Supreme Court, Bronx County, both entered on or about May 20, 2015,

And plaintiff-appellant having moved for a stay of enforcement of the orders pending hearing and determination of the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the defendants-respondents dated June 1, 2015, and due deliberation having been had thereon,

It is ordered that the motion is granted, and enforcement of the orders are stayed pending hearing and determination of the appeal.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2015.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Diane T. Renwick
Richard T. Andrias, Justices.

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

-against-

M-2822
Ind. No. 1683/14

Christopher Cruz,
Defendant-Appellant.
-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about September 24, 2014, and for leave to prosecute the appeal as a poor person on the original record and upon a reproduced appellant's brief, and for assignment of counsel,

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

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

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Richard T. Andrias, Justices.

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

-against-

Julio Perez,
Defendant-Appellant.

M-2756

Ind. No. 504/09
Case No. 74748C/08

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of **resentence** of the Supreme Court, Bronx County, rendered on or about February 24, 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 deeming the notice of appeal timely filed, and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2015.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick
Richard T. Andrias, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-2615
Ind. No. 4204/11

Angellove Vasquez,

Defendant-Appellant.

-----X

An appeal having been taken to this Court from a judgment of the Supreme Court, New York County, rendered on or about May 23, 2012,

And defendant-appellant having moved for an order enlarging the record on appeal to include a certain grand jury testimony, and for an enlargement of time to perfect the appeal,

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2015.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick
Richard T. Andrias, Justices.

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

Shazzi T.,
Petitioner-Appellant,

M-2500
Docket No. O-31004/10

-against-

Ernest L. G., also known as
Ernest G.,
Respondent-Respondent.

-----X

An appeal having been taken from an order of the Family Court, Bronx County, entered on or about March 17, 2011,

And petitioner-appellant having moved for preference in hearing of the appeal,

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

It is ordered that the motion is granted to the extent of calendaring the appeal for the December 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 September 8, 2015.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
Rosalyn H. Richter
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----X
Wade Whitfield,
Petitioner-Appellant,

-against-

New York State Division of Human Rights, M-2718
et al., Index No. 100002/14
Respondents-Respondents.

-----X

Petitioner-appellant having moved for an enlargement of time in which to perfect the proceeding taken from the order of the Supreme Court, New York County, entered on or about July 17, 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 proceeding to the January 2016 Term.

It is further ordered that the motion to the extent it seeks leave to prosecute the proceeding as a poor person is denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(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 September 8, 2015.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick
Richard T. Andrias, Justices.

-----x

Jesus Acosta,
Plaintiff-Appellant,

-against-

M-2799

Index No. 109382/10

Gouverneur Court Limited Partnership,
Defendant-Respondent,

-and-

New York SMSA Limited Partnership,
Defendant.

-----x

An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, entered on or about August 20, 2014,

And plaintiff-appellant having moved for an order enlarging the record on appeal to include the notice of appeal and pre-argument statement from the August 20, 2014 judgment, and defendant-respondent's memorandum of law (Exhibit B and C to the moving papers),

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties dated June 11, 2015, and due deliberation having been had thereon,

It is ordered the motion is granted.

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 September 8, 2015.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Diane T. Renwick
Richard T. Andrias, Justices.

-----X
Nekadam Yusupov and Moshe Niyazov,
Petitioner,

-against-

Jennifer Bergenfeld and
David Bergenfeld,
Respondents.

M-2892
Surrogate's Court
File Nos. 2010-0178
155-08

-----X

The above-named petitioner having moved for, inter alia, a writ of habeas corpus to be issued from this Court, and directing an investigation (SCPA 1725) into whether respondents have detained petitioner's mother's child illegally and whether the guardianship expired before the adoption was finalized,

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

It is ordered that the application is denied, and the petition dismissed.

The motion is otherwise denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2015.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Diane T. Renwick
Richard T. Andrias, Justices.

-----X
The People of the State of New York
ex rel. Lawrence Parsons,
Petitioner,

M-2721
Ind. No. 1905/14

-against-

Warden M. Windley, New York City
Department of Corrections,
Respondent.

-----X

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

It is further ordered that the habeas corpus proceeding herein be transferred to and be heard before a Justice of the Supreme Court of the State of New York, Queens County, 88-11 Sutphin Blvd., Jamaica, New York 11435, forthwith, and

It is further ordered that service by mail of a copy of this writ of habeas corpus, petition and supporting papers, by the Clerk of this Court, contemporaneous with the entry hereof, upon the Warden at Otis Bantum Correctional Center, 16-00 Hazen Street, East Elmhurst, New York 11370; the Attorney General of the State of New York, 120 Broadway, New York, New York 10271; and the District Attorney of Queens County, 125-01 Queens Blvd., Kew Gardens, NY 11415, be deemed due and sufficient notice.

The motion is otherwise denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2015.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick
Richard T. Andrias, Justices.

-----x
V.A.L. Floors, Inc.,
Plaintiff-Appellant-Respondent,

-against-

Westchester Fire Insurance Company, M-2815
Defendant-Respondent, M-2987
Index No. 652817/11
Admiral Insurance Company,
Defendant-Respondent-Appellant,
Fireman's Fund Indemnity Corporation,
et al.,
Defendants.

-----x

An appeal and cross appeal having been taken to this Court from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about August 18, 2014 (mot. seq. nos. 003-006),

And plaintiff-appellant-respondent having moved for an enlargement of time to perfect the direct appeal (M-2815),

And defendant-respondent-appellant having moved for dismissal of the direct appeal or, in the alternative, for an enlargement of time to perfect the cross appeal (M-2987),

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

It is ordered that the motion and cross motion are granted to the extent of enlarging the time to perfect the appeal and cross appeal to the February 2016 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2015.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick
Richard T. Andrias, Justices.

-----X
Nadya Awadallah,
Plaintiff,

-against-

M-2940
Index No. 36853/13

Nasser Awadallah,
Defendant.

-----X

Plaintiff having moved, pursuant to CPLR 5704(a), for certain relief denied by a Justice of the Supreme Court, Bronx County, on or about June 17, 2015, and for related relief,

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

Ordered that the motion is denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2015.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Diane T. Renwick
Richard T. Andrias, Justices.

-----X
Pia Reyes,
Plaintiff,

-against-

M-2831

Index No. 314014/13

Christophe Rocancourt,
Defendant.
-----X

Plaintiff having moved, pursuant to CPLR 5704(a) for an order declaring service of process in France valid under French law for purposes of this action,

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 it is declared that service of a certain summons and complaint was properly effected in accordance with French law.

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 September 8, 2015.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Richard T. Andrias, Justices.

-----X	
The People of the State of New York,	M-2813
Respondent,	Ind. Nos. 3297/11
	3298/11
-against-	3299/11
	3300/11
Jose Ramos,	3301/11
Defendant-Appellant.	3307/11
-----X	2047/12

An order of this Court having been entered on May 12, 2015 (M-1591), inter alia, granting defendant's motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about December 10, 2014, under Indictment No. 3297/11, and assigning counsel therefor,

And defendant-appellant having moved for an order amending the notice of appeal and the aforementioned order of assignment to include Indictment Nos. 3298/11, 3299/11, 3300/11, 3301/11, 3307/11 and 2047/12,

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

It is ordered that said motion is granted to the extent of amending defendant's notice of appeal and the aforementioned order to include Indictment Nos. 3298/11, 3299/11, 3300/11, 3301/11, 3307/11 and 2047/12, and extending the poor person relief previously granted to cover same.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2015.

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

-----X
North Hill Funding of New York, LLC,
Plaintiff-Respondent,

-against-

M-3107

Index Nos. 602997/09
603397/09

Maiden & Madison Holdings, LLC,
et al.,
Defendants-Appellants.

- - - - -
[And Another Action]

-----X

Plaintiff-respondent having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on June 11, 2015 (Appeal No. 15386),

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

It is ordered that the motion, to the extent it seeks leave to appeal to the Court of Appeals, is denied. So much of the motion which seeks reargument is granted and, upon reargument, the decision and order of this Court entered on June 11, 2015 (Appeal No. 15386) is recalled and vacated and a new decision and order substituted therefor. (See Appeal No. 15386, 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 September 8, 2015.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick
Richard T. Andrias, Justices.

-----x
The People of the State of New York
ex rel. Lance Lazzaro, Esq., on behalf
of Natalie Rodriguez,
Petitioner-Appellant,

-against-

M-2347
Index No. 100787/15

Warden, Rikers Island Correctional
Facility,
Respondent-Respondent.
-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about May 8, 2015, which dismissed a habeas corpus proceeding,

And petitioner-appellant having moved for an order reducing bail and to be released on her own recognizance 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 to the extent of continuing the relief granted by an order of a Justice of this Court dated May 15, 2015, 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 September 8, 2015.

Present - Hon. David Friedman, Justice Presiding,
Richard T. Andrias
David B. Saxe
Rosalyn H. Richter
Judith J. Gische, Justices.

-----x

Bank Hapoalim B.M.,
Plaintiff-Respondent,

-against-

Action No. 1
Index No. 653036/12

Morgan Stanley, et al.,
Defendants-Appellants.

- - - - -

Deutsche Zentralgenossenschaftsbank AG,
et al.,
Plaintiffs-Respondents,

-against-

M-2626
M-2627

Action No. 2
Index No. 654035/12

Morgan Stanley, et al.,
Defendants-Appellants.

-----x

An appeal having been taken to this Court by Morgan Stanley, et al. in Action No. 1 from the order of the Supreme Court, New York County, entered on or about July 24, 2014 (M-2626),

And appeals having been taken to this Court by Morgan Stanley, et al. and Natixis Real Estate Holdings LLC, successor-in-interest to Natixis Estate Capital Inc., formerly known as IXIS Real Estate Capital Inc. in Action No. 2 from the orders of the Supreme Court, New York County, entered on or about July 24, 2014 and August 13, 2014, respectively (M-2627),

And defendants-appellants in both actions having moved for an enlargement of time to perfect the respective appeals,

Now, upon reading and filing the papers with respect to the motion, and the Action No. 2 dated June 22, 2015, and due deliberation having been had thereon,

It is ordered that the appeal and the motions are deemed withdrawn.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2015.

Present - Hon. David Friedman, Justice Presiding,
David B. Saxe
Judith J. Gische
Barbara R. Kapnick, Justices.

-----x
In the Matter of the Application of
Fiduciary Insurance Company of America,
Petitioner-Appellant,

For a Judgment Pursuant to Article 75
of the CPLR,

M-3181
Index No. 650755/14

-against-

The Travelers Home and Marine Insurance
Company,
Respondent-Respondent.

-----x

An appeal having been taken to this Court from an orders of the Supreme Court, New York County, entered on or about June 27, 2014,

And respondent-respondent having moved for dismissal of the aforesaid appeal,

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

It is ordered that the motion is 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 September 8, 2015.

Present - Hon. David Friedman, Justice Presiding,
David B. Saxe
Judith J. Gische
Barbara R. Kapnick, Justices.

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

Harold Austin L., M-3184
Petitioner-Appellant, Docket No. O-34021/14

-against-

Susan Beth L.,
Respondent-Respondent.

-----X

Respondent-respondent having moved for dismissal of the appeal taken from the order of the Family Court, New York County, entered on or about June 9, 2014, for failure to timely perfect,

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

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2015.

Present: Hon. David Friedman, Justice Presiding,
David B. Saxe
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
Clifford Rotbert,
Plaintiff-Appellant,

-against-

M-3212
Index No. 312978/05

Edith Rotbert,
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 19, 2015,

And plaintiff-appellant having moved for a stay of an order of the Family Court, Bronx County, entered on or about June 11, 2015 aforesaid order, and for dismissal of the appeal from the June 19, 2015 New York County order,

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 dismissal of the appeal from the Supreme Court, New York County order, is denied. So much of the motion which seeks to stay a separate Bronx County Family Court order of spousal support is denied without prejudice to renew upon submission of a notice of appeal therefrom.

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 September 8, 2015.

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

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

-against-

M-2947
Ind. Nos. 1978/10
5371/10

Ben Sidibe,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about June 16, 2015, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 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, 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 September 8, 2015.

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

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

-against-

M-2911
Ind. No. 2661/14

David Knox,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about January 7, 2015, for leave to prosecute the appeal as a poor person upon the original record and upon a reproduced appellant's brief, and for assignment of counsel,

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

It is ordered that the motion is granted to the extent of deeming the notice of appeal timely filed, and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of 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, Tel. No. (212) 577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2015.

Present: Hon. David Friedman, Justice Presiding,
David B. Saxe
Judith J. Gische
Barbara R. Kapnick, Justices.

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

-against-

M-3202
SCI No. 3441/13

Steven Dilone,
Defendant-Appellant.
-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, Bronx County, rendered on or about June 13, 2014, and for leave to prosecute the appeal as a poor person on the original record and upon a reproduced appellant's brief, and for assignment of counsel,

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

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

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2015.

Present: Hon. David Friedman, Justice Presiding,
David B. Saxe
Judith J. Gische
Barbara R. Kapnick, Justices.

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

-against- **M-2907**
Index No. 1406/13

Jon McCall,
Defendant-Appellant.
-----X

Defendant having moved for an enlargement of time to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about May 14, 2014, for leave to prosecute the appeal as a poor person, 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 only to the extent of deeming the motion papers a timely filed notice of appeal. The motion, insofar as it seeks poor person relief, is denied, with leave to renew upon defendant's submission of a notarized affidavit, pursuant to CPLR 1101(a), setting forth facts sufficient to establish that defendant has no funds or assets with which to prosecute the appeal.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2015.

Present: Hon. David Friedman, Justice Presiding,
David B. Saxe
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X

The People of the State of New York,
Respondent,

M-3138

-against-

Ind. No. 5219/13

Saif Reid,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about April 15, 2015, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth the amount and sources of funds to pay the fee of trial counsel, Richard Siracusa, Esq., and to post the \$100,000 bail in the Supreme Court, the disposition thereof, and an explanation as to why similar funds are not available to prosecute the appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2015.

Present: Hon. David Friedman, Justice Presiding,
David B. Saxe
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X

In the Matter of the Application of
Wayne Garbutt,
Petitioner-Appellant,

M-2523

M-2921

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

Index No. 100998/14

-against-

New York City Housing Authority,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Supreme Court, New York County, entered on or about March 6, 2015, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for a stay of eviction pending hearing and determination of said appeal, and for related relief (M-2523),

And respondent-respondent having cross-moved to dismiss the aforesaid appeal (M-2921),

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.

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 September 8, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
David B. Saxe
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
Stephanie Alcantara,
Petitioner-Appellant,

-against-

M-3325
Claim No. 119075

State of New York, et al.,
Respondents-Respondents.
-----X

Petitioner-appellant having moved for an enlargement of time to perfect the appeal from the order of the Court of Claims, State of New York, entered on or about March 18, 2014 and the judgment of said Court entered on or about April 3, 2014, respectively, and for leave to prosecute the appeals as a poor person,

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 appeals to the January 2016 Term. The motion to the extent it seeks leave to prosecute the appeals as a poor person 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 September 8, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
David B. Saxe
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
Volko Kerzhner,
Plaintiff-Appellant,

-against-

M-3028
Index No. 161313/13

G4S Government Solutions, Inc.,
et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about September 11, 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 January 2016 Term.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
David B. Saxe
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
In the Matter of

The New York Foundation for Senior
Citizens, Guardian Services, Inc.,

as the Substitute Guardian of the
Person Property of

Susan Smith,

An Incapacitated Person.
-----X

M-3326
Index No. 406536/07

Respondent-appellant, pro se, having moved for an enlargement of time to perfect the consolidated appeals from orders of the Supreme Court, New York County, entered on or about October 22, 2013 and April 7, 2014, 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 enlarging the time to perfect the consolidated appeals to on or before November 9, 2015 for the January 2016 Term.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2015.

Present: Hon. David Friedman, Justice Presiding,
David B. Saxe
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X

In the Matter of the Application of
Sherman Walker,
Petitioner-Appellant,

-against-

M-3221

Index No. 401392/12

F.O.I.L. Appeals Officer and
Assistant Attorney Susan C. Roque,
of the New York County District
Attorney's Office,
Respondent-Respondent.

-----X

Petitioner-appellant having renewed his motion pro se for leave to prosecute, as a poor person, the appeal from an order of the Supreme Court, New York County, entered on or about September 18, 2012, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, for an enlargement of time to perfect said appeal, and for related relief,

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

It is ordered that the motion, to the extent it seeks poor person relief, is denied. So much of the motion which seeks an enlargement of time to perfect the appeal is granted to the extent of enlarging the time to perfect the appeal to the January 2016 Term.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2015.

Present: Hon. David Friedman, Justice Presiding,
David B. Saxe
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
Yousef Yahudaii,
Plaintiff-Appellant-Respondent,

-against-

M-2751A
Index No. 103449/08

Nourallah Baroukhian, et al.,
Defendant-Respondent-Appellant.
-----X

Defendant-respondent-appellant having moved for an enlargement of time to perfect the cross appeal from an order of the Supreme Court, New York County, entered on or about April 5, 2012, and said appeal having been perfected, for leave to file an additional supplemental appendix and for leave to file an amended brief,

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

It is ordered, sua sponte, that the direct appeal, having been perfected for the October 2015 Term, is adjourned to the January 2016 Term. It is further ordered that the motion is granted to the extent of enlarging defendants' time to perfect the cross appeal to the January 2016 Term; and leave to file a supplemental appendix, limited to the minutes of the reconstruction hearing, and a supplemental brief, limited to matters raised in the minutes, is also granted. Plaintiff is granted leave to file a response brief thereto. (The order of this Court entered on July 28, 2015 [M-2751], is hereby recalled and 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 September 8, 2015.

Present: Hon. David Friedman, Justice Presiding,
David B. Saxe
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
In re Eliyahu, an infant,

Nekadam Y.,
Plaintiff-Appellant,

-against-

David B. and Jennifer B.,
Respondents-Respondents.

-----X

M-2952

Surrogate's Court
File No. 2010-0178

Plaintiff-appellant biological mother, Nekadam Y., having moved for an enlargement of time to perfect her appeal taken from an order of the Surrogate's Court, New York County, entered on or about December 31, 2012,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the February 2016 Term, with no further enlargements to be granted.

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 September 8, 2015.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-1428
Ind. No. 4191/08

Jermaine Cooper,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on October 4, 2012 (Appeal No. 8180), unanimously affirming a judgment of the Supreme Court, New York County (Robert Stoltz, J.), rendered on December 11, 2009,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate counsel, and for related relief,

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

It is ordered that said application is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2015.

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

-----X
Walter Russell, et al.,
Plaintiffs-Respondents,

-against-

M-3364
Index No. 304608/13

Mortgage Electronics Systems, Inc.,
as Nominee for Freemont Investment
and Loan,
Defendant-Appellant,

U.S. Bank National Association,
etc., et al.,
Defendants.

-----X

Defendant-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 March 27, 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 January 2016 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2015.

Present - Hon. Karla Moskowitz, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman
Darcel D. Clark, Justices.

-----X
Thomas Gass,
Plaintiff-Appellant,

-against-

M-3662
Index No. 302536/08

Susan Gass,
Defendant-Respondent.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about July 30, 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 January 2016 Term, with no further enlargements to be granted.

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 September 8, 2015.

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

-----X
West Midtown Management Group, Inc.
doing business as Midtown Medical Group,
Petitioner-Appellant,

-against-

M-3558
Index No. 100325/14

State of New York, Department of Health,
Office of the Medicaid General,
Respondents-Respondents.

-----X

Petitioner-appellant having moved for an enlargement of time to perfect the appeal from an order and judgment of the Supreme Court, New York County, entered on or about October 14, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the January 2016 Term.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2015.

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

-----X
Linear Contracting, Inc.,
Plaintiff-Respondent,

-against-

M-3460
Index No. 153097/12

Mt. Hawley Insurance Company,
Defendant-Appellant.
-----X

Defendant-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 July 14, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the January 2016 Term.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2015.

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

-----X
Carlyle Financial LLC,
Plaintiff-Respondent,

-against-

M-3137
Index No. 382222/09

Lagoon Development Corp., et al.,
Defendants-Appellants.

-----X

Defendants-appellants Lagoon Development Corp., et al., having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about August 26, 2013,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the January 2016 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2015.

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

-----X
Carlos J. Cuevas,
Plaintiff-Respondent, M-3365
M-3689
-against- Index No. 306463/13

Xin Chen,
Defendant-Appellant.
-----X

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

And defendant-appellant having moved for an enlargement of time to perfect the appeal taken from the aforesaid order (M-3365),

And plaintiff-respondent having cross-moved for an enlargement of time to perfect the cross appeal taken from the aforesaid order (M-3689),

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

It is ordered that the motion and cross motion are granted to the extent of enlarging the time to perfect the appeal and cross appeal to the January 2016 Term (M-3365/M-3689).

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 September 8, 2015.

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

-----X
Bernard H. Glatzer,
Plaintiff-Appellant,

-against-

M-3205
Index No. 303873/11

Michael F. Hanley Moving & Storage,
Inc., et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeals from four orders of the Supreme Court, Bronx County, entered on or about March 20, 2014 and March 31, 2014, and for an order transferring said appeals to the Appellate Division, Second Department,

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 appeals to the February 2016 Term, and otherwise denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2015.

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

-----X

Alicia Davis,
Petitioner-Appellant,

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

-against-

M-3818
Index No. 101073/13

New York City Board/Department of
Education,
Respondent-Respondent.

-----X

An appeal having been taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about April 3, 2014, and said appeal having been perfected,

And respondent-respondent having moved for an order striking the appendix and to adjourn the perfected 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 adjourning the perfected appeal to the December 2015 Term, and deeming a supplemental appendix and a copy of the administrative minutes provided to this Court on August 12, 2015, as filed.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2015.

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

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

Respondent,

-against-

M-3400
Ind. No. 2536/12

Mitchell Taebal,

Defendant-Appellant.
-----X

Defendant-appellant, pro se, having moved for an extension of time to file a pro se supplemental brief in connection with an appeal from a judgment of the Supreme Court, New York County, rendered on or about May 10, 2013, said appeal having been perfected,

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

It is ordered that the motion is granted to the extent of enlarging the time to file said pro se supplemental brief for the February 2016 Term, to which Term the appeal is adjourned.

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 September 8, 2015.

Present - Hon. Karla Moskowitz, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman
Darcel D. Clark, Justices.

-----X

Marco Battistella,
Petitioner-Appellant,

-against-

M-3782
Index No. 310389/10

Marnie Ann Joyce,
Defendant-Respondent.

-----X

Separate appeals having been taken to this Court from the order of the Supreme Court, New York County, entered on or about September 19, 2013 (mot. seq. no. 002), and from the judgment of divorce of said Court entered on or about May 27, 2014, respectively,

And Steven N. Feinman, Esq., court attorney for the subject children Maya B. and Milo B., having moved for adjournment of the aforesaid appeals,

And plaintiff-appellant pro se having moved, in its opposition papers to the motion, for a stay of certain orders pending hearing and determination of the appeals,

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

It is ordered that the motion is denied as moot, said relief having been granted by the order of a Justice of this Court dated August 4, 2015. The stay 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 September 8, 2015.

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

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

Jamel W.,
Petitioner-Appellant,

-against-

CONFIDENTIAL
M-3288
Docket Nos. V-16853-10/11A
V-43432-10/10A
V-45416-10/11A

Stacey J.,
Respondent-Respondent.

Serina Rosenbaum, Esq.,
Lawyers for Children,
Attorney for the Child.

-----X
Petitioner-appellant having moved for an enlargement of time to perfect the appeal from an order of the Family Court, New York County, entered on or about July 25, 2014,

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

Ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the January 2016 Term.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2015.

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

-----X
Ibrahim Donmez,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78 **M-2679**
of the Civil Practice Law and Rules, Index No. 401769/13

-against-

Department of Consumer Affairs,
Respondent-Respondent.
-----X

An order of this Court having been entered on March 31, 2014 (M-6254), granting petitioner an enlargement of time to perfect the appeal taken from the order of the Supreme Court, New York County, to the September 2015 Term,

And petitioner-appellant having moved for a further enlargement of time to perfect the aforesaid appeal, and for leave to prosecute said appeal as a poor person, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the attorney for respondent and file 9 copies of such brief, together with the original record, with this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of

the record. The Clerk of the Supreme Court, New York County, is directed to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, with a copy to appellant's counsel, the cost thereof to be charged against the City of New York from funds available therefor. Petitioner-appellant's time to perfect the appeal is enlarged to the January 2016 Term.

ENTER:

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

CLERK

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

BEFORE: Hon. Sallie Manzanet-Daniels
Justice of the Appellate Division

-----X

The People of the State of New York,

M-2876
Ind. No. 2502/06

-against-

ORDER DENYING LEAVE
UPON REARGUMENT

John Hamlett,

Defendant.

-----X

I, Sallie Manzanet-Daniels, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application made by the above-named defendant for reargument of the order of a Justice of this Court (M-1463), entered on May 19, 2015, which denied his motion for a certificate pursuant to Criminal Procedure Law, section 460.15, and no question of law or fact having been misapprehended or overlooked, permission to reargue the denial of leave to appeal from the order of the Supreme Court, New York County, entered on or about February 20, 2015, is hereby denied.


Justice of the Appellate Division

Dated: August 3, 2015
New York, New York

ENTERED: SEP 08 2015

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

BEFORE: Hon. Sallie Manzanet-Daniels
Justice of the Appellate Division

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

M-3055
Ind. No. 2763/01

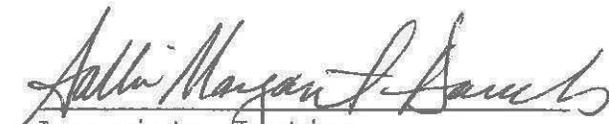
-against-

CERTIFICATE
DENYING LEAVE

Trevis Funches,

Defendant.
-----X

I, Sallie Manzanet-Daniels, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about May 13, 2015, is hereby denied.


Associate Justice

Dated: August 3, 2015
New York, New York

ENTERED: **SEP 08 2015**

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

BEFORE: Hon. Sallie Manzanet-Daniels
Justice of the Appellate Division

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

M-3056
Ind. No. 3615/98

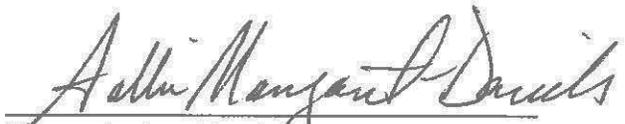
-against-

CERTIFICATE
DENYING LEAVE

Jason Rivera, a/k/a Brian Ramos,

Defendant.
-----X

I, Sallie Manzanet-Daniels, 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 May 20, 2015, is hereby denied.


Associate Justice

Dated: August 3, 2015
New York, New York

ENTERED: **SEP 08 2015**

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

BEFORE: Hon. Sallie Manzanet-Daniels
Justice of the Appellate Division

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

M-3057
Ind. Nos.
3242/87, 3291/87

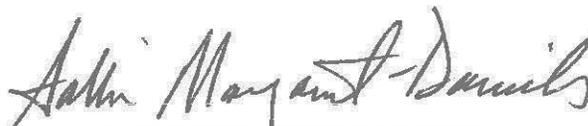
-against-

CERTIFICATE
DENYING LEAVE

Willie Leon Hall,

Defendant.
-----X

I, Sallie Manzanet-Daniels, 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 June 12, 2015, is hereby denied. In light of the above, defendant's request for poor person relief is denied as moot.



Associate Justice

Dated: August 3, 2015
New York, New York

ENTERED: **SEP 08 2015**

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

BEFORE: Hon. Sallie Manzanet-Daniels
Justice of the Appellate Division

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

M-3104
Ind. No. 6548/05

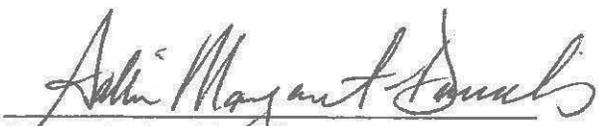
-against-

CERTIFICATE
DENYING LEAVE

Rafael Rodriguez

Defendant.
-----X

I, Sallie Manzanet-Daniels, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about June 2, 2015, is hereby denied.


Associate Justice

Dated: August 3, 2015
New York, New York

ENTERED: **SEP 08 2015**

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

BEFORE: Hon. Sallie Manzanet-Daniels
Justice of the Appellate Division

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

M-3117
Ind. No. 3356/06

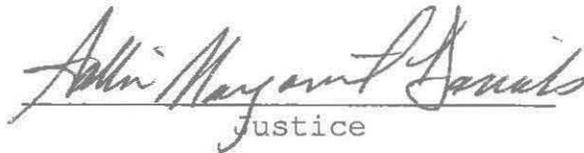
-against-

Charles Stevenson,
Defendant.

-----X
The above-named defendant having moved for an extension of time to file a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15 for leave to appeal the order of Supreme Court, Bronx County, entered on or about March 25, 2015,

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

It is ordered that the motion is granted to the extent of deeming the application timely made.


Justice

Dated: August 3, 2015
New York, New York

ENTERED: **SEP 08 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 September 8, 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-2887
Ind. No. 4842/01

Terrance Lewis,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, rendered on or about November 23, 2011,

Now, upon reading and filing the stipulation of the parties hereto, dated June 16, 2015, and due deliberation having been had thereon,

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

ENTER:



CLERK

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

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

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

M-3006
Ind. No. 4892/11

-against-

CERTIFICATE
DENYING LEAVE

Damon Flagg,

Defendant.

-----X

I, Judith J. Gische, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the Order dated April 24, 2015 of the Supreme Court, New York County (Daniel FitzGerald, J), is hereby denied.



Associate Justice

Dated: August 4, 2015
New York, New York

ENTERED: SEP 08 2015