

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

Wilbert Martinez,
Plaintiff-Respondent,

-against-

RXR Realty LLC, RXR 620 Owner I LLC,
RXR 620 Owner II LLC, RXR 620 Master
Lessee LLC, Bonjour 620 I LLC,
Bonjour 620 II LLC, CF 620 Owner
One LLC, CF 620 Owner Two LLC, CF 620
Owner Three LLC, YL 620 Sixth LLC,
Defendants-Appellants,

-and-

M-7696

M-7990

Index No.159233/13

Newmark Knight Frank Management Inc.,
and Newmark & Company Real Estate Inc.,
doing business as Newmark Grubb Knight
Frank and Building Services 32BJ Health
Fund,

Defendants-Respondents.

-----X

Newmark & Company Real Estate Inc.,
doing business as Newmark Grubb Knight
Frank and Newmark & Company Real
Estate Inc., doing business as Newmark
Grubb Knight Frank initially sued herein
as Newmark Knight Frank Management Inc.,
Third-Party Plaintiffs-Respondents,

-against-

Building Services 32BJ Health Fund,
Third-Party Defendant-Respondent.

-----X

[Caption Continues]

Newmark & Company Real Estate Inc.,
 doing business as Newmark Grubb Knight
 Frank and Newmark & Company Real
 Estate Inc. doing business as Newmark
 Grubb Knight Frank initially sued herein
 as Newmark Knight Frank Management Inc.
 Second Third-Party Plaintiffs-
 Respondents,

-against-

Quality Fire Protection Consultants Inc.,
 Second Third-Party Defendant-
 Respondent.

-----X

Appeals having been taken from a judgment of the Supreme Court, New York County, entered on or about August 5, 2019, and from an order, same Court, entered on or about August 22, 2018, the appeal from the August 22, 2018 order having been dismissed (22 NYCRR 1260.10 [a])

And second third-party/defendant-respondent Quality Fire Protection Consultants Inc. having moved to dismiss the appeal from the August 5, 2019 judgment (M-7696),

Now upon reading and filing the papers with respect to the motion, and the correspondence from counsel for defendants-appellants, dated October 17, 2019 and from counsel for second third-party defendant-respondent dated October 31, 2019, it is

Ordered that the appeal from the judgment entered on or about August 5, 2019 is deemed withdrawn (M-7990); and the within motion to dismiss said appeal is likewise deemed withdrawn (M-7696).

ENTERED:



 CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

-against- **M-7482**
Ind. No. 1001/18

Steven Usera,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about November 8, 2018, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

-against-

M-7508
Ind. No. 1292//18

Daniel Ventre,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about August 16, 2019, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

-against-

M-7702

Ind. Nos. 4340/17
72/18

Curtis Wright,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about January 7, 2019, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-7718

SCI No. 251N/18

Taiwan Battle,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about March 5, 2018,

Now, upon reading and filing the stipulation of the parties hereto, dated September 24, 2019, and due deliberation having been had thereon,

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

-against-

M-7750
Ind. No. 3762/15

Joseph Danclair,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about March 11, 2019, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

-against-

M-7751
Ind. No. 226/16

Edgar Zambala,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about January 8, 2019, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

-against-

M-7786
Ind. No. 1716/17

David Santos,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about October 25, 2018, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

-against- **M-7842**
Ind. No. 2689/17

Ernest G. Williams,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about August 21, 2019, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,
Respondent,

CONFIDENTIAL

M-7894

-against-

Ind. No. 2166/16

Jeffrey Bevel,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, New York County (Pickholz, J.), entered on or about September 19, 2019, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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

Janet E. Sabel, Esq., The Legal Aid Society, 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

-against-

M-7930
Ind. No. 4746N/16

Michael Ross,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about July 9, 2018, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

-against-

M-7965
Ind. No. 453/16

Antoine Garcia,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about July 13, 2018, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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.

Christina Swarns, Esq., Office of the Appellate Defender, 11 Park Place, Suite 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 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

Respondent,

-against-

M-8097

Ind. No. 4485/16

Koron Bailey,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about May 31, 2019, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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.

Christina Swarns, Esq., Office of the Appellate Defender, 11 Park Place, Suite 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 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

-against-

M-8102

SCI No. 4276/17

Carlos Castillo,
Defendant-Appellant.

-----X

An appeal having been taken from judgment of the Supreme Court, New York County, rendered on or about October 26, 2018,

Now, upon reading and filing the stipulation of the parties hereto, dated November 5, 2019, and due deliberation having been had thereon,

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,
Respondent,

CONFIDENTIAL
M-8115

-against-

Ind. No. 30141/19

Nathan Purvis,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, New York County (Conviser, J.), entered on or about August 27, 2019, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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

Janet E. Sabel, Esq., The Legal Aid Society, 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

-against-

M-8153
Ind. No. 4451/18

Karl Dozier,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about June 19, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about June 19, 2019,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and the notice of appeal filed on defendant's behalf,

It is ordered that the appeal is permitted 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-8147
Ind. Nos. 2538/18
316/17

Sasha Edwards,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about June 13, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgments of the Supreme Court, Bronx County, rendered on or about June 13, 2019,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and the notice of appeal filed on defendant's behalf,

It is ordered that the appeal is permitted 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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.

Christina Swarns, 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 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

-against-

M-8148
Ind. No. 2311/17

Robert Johnson,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about June 28, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about June 28, 2019,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and the notice of appeal filed on defendant's behalf,

It is ordered that the appeal is permitted 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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.

Christina Swarns, 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 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

-against-

M-8150
Ind. Nos. 110/19
1198/19

Anzar Thompson,
Defendant-Appellant.

-----X

Orders of the Supreme Court, Bronx County, having been entered on or about June 27, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgments of the Supreme Court, Bronx County, rendered on or about June 27, 2019,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and the notice of appeal filed on defendant's behalf,

It is ordered that the appeal is permitted 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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.

Christina Swarns, 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 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

-against-

M-8151
Ind. No. 4018N/18

Eduardo Disla,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about June 25, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about May 28, 2019,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and the notice of appeal filed on defendant's behalf,

It is ordered that the appeal is permitted 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-8152
Ind. No. 2530/18

John Sidney,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about June 20, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about June 5, 2019,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and the notice of appeal filed on defendant's behalf,

It is ordered that the appeal is permitted 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-8154
Ind. No. 398/19

Keith Bullard,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about June 19, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about May 6, 2019,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and the notice of appeal filed on defendant's behalf,

It is ordered that the appeal is permitted 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-8156

Ind. No. 1663/18

Antonio Staton,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about June 20, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about June 5, 2019,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and the notice of appeal filed on defendant's behalf,

It is ordered that the appeal is permitted 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

-against-

M-8159
Ind. No. 4349/17

Devin Cummings,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about June 21, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about June 21, 2019,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and the notice of appeal filed on defendant's behalf,

It is ordered that the appeal is permitted 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

-against-

M-8163
Ind. No. 892/19

Shamar Gardner,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about June 25, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about June 10, 2019,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and the notice of appeal filed on defendant's behalf,

It is ordered that the appeal is permitted 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-8194
SCI No. 799/19

Shaun McAlpin,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about May 30, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about May 30, 2019,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and the notice of appeal filed on defendant's behalf,

It is ordered that the appeal is permitted 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-8195
Ind. No. 2249/17

Edwin Caceras,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about May 31, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about May 31, 2019,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and the notice of appeal filed on defendant's behalf,

It is ordered that the appeal is permitted 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-8196
Ind. No. 598/18

Deshaun Gregory,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about May 31, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about May 31, 2019,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and the notice of appeal filed on defendant's behalf,

It is ordered that the appeal is permitted 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

-against-

M-8197
Ind. No. 844/18

Nelson Gonzalez,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about May 9, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about May 9, 2019,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and the notice of appeal filed on defendant's behalf,

It is ordered that the appeal is permitted 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

-against-

M-8198
Ind. No. 1473/17

Nelson Gomez,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about May 22, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about May 22, 2019,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and the notice of appeal filed on defendant's behalf,

It is ordered that the appeal is permitted 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

-against-

M-8200
Ind. No. 3819/16

Woodrow Flemming,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about May 10, 2019, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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.

Christina Swarns, Esq., Office of the Appellate Defender, 11 Park Place, Suite 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 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

-against-

M-8206
Ind. Nos. 4316/17
4363/17

Miguel Wilson,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about April 8, 2019, 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

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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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.

Janet E. Sabel, Esq., The Legal Aid Society, 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Rosalyn H. Richter, Justices.

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

-against-

M-8202
Ind. No. 2443/15

Cesar Rivera,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about June 28, 2019, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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.

Christina Swarns, Esq., Office of the Appellate Defender, 11 Park Place, Suite 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 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Rosalyn H. Richter, Justices.

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

-against-

M-8205
Ind. No. 3663/14

Willie Stukes,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about July 18, 2018, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Dianne T. Renwick
Sallie Manzanet-Daniels
Troy K. Webber, Justices.

-----x
Alan Dunston,
Plaintiff-Appellant,

-against-

M-7919
Index No. 251166/14

The Administration for Children's
Services,
Defendant-Respondent.
-----x

An order of this Court having been entered on January 31, 2019 (M-5829), denying plaintiff-appellant's motion for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about January 15, 2015 and, sua sponte, dismissing the appeal,

And an order of this Court having been entered on June 13, 2019 (M-1749), denying plaintiff-appellant's renewal of his application for an enlargement of time to perfect the aforementioned appeal,

And plaintiff-appellant having again renewed his application for an enlargement of time to perfect the aforesaid appeal,

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

It is ordered that the motion is denied.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Dianne T. Renwick
Angela M. Mazzarelli
Barbara R. Kapnick, Justices.

-----X
Michael Gonzales,
Plaintiff-Respondent,

-against-

3839 Realty Management Company LLC,
Defendant-Appellant,

Skyline Bar Lounge,
Defendant.

-----X
3839 Realty Management Company LLC,
Third-Party Plaintiff,

-against-

A & W Lounge Café, Inc.,
Third-Party Defendant.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about July 10, 2018,

And defendant-appellant/third party plaintiff having moved to vacate the dismissal of the aforesaid appeal, and upon reinstatement, for an extension of time to perfect the appeal and to expand the record on appeal to include the order of the Supreme Court, Bronx County entered on or about October 17, 2017,

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

M-7947
Index No. 301359/14

It is ordered that the motion is granted to the extent of vacating the dismissal of appeal, permitting appellant to expand the record on appeal to include Supreme Court's October 17, 2017 order and extending the time to perfect the appeal to the April 2020 Term.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Dianne T. Renwick
Sallie Manzanet-Daniels
Barbara R. Kapnick
Lizbeth Gonzalez, Justices.

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

-against-

M-7981A
Ind. No. 5817/13
2829/15

Ramel Robinson,
Defendant-Appellant.

-----X

An order of a Justice of this Court having been entered on December 10, 2019 (M-7981), granting defendant leave to appeal to this Court from the order of the Supreme Court, New York County entered on or about September 27, 2019,

And defendant-appellant having moved for poor person relief and the assignment of the Center for Appellate Litigation as counsel to prosecute the appeal from said order,

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

It is ordered that poor person relief is granted to the extent of permitting the appeal to be heard on the original record, and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files an original and five hard copies, and if represented by counsel, one digital copy of such brief, together with the original record, with this Court, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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 180 days from the date of receipt of the complete record (See M-7981, decided simultaneously herewith).

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Jeffrey K. Oing
Anil C. Singh, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-7730

Ind. No. 1495/12

Joell Joyce,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about July 13, 2018, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, in compliance with CPLR 1101 and 22 NYCRR 1250.(d)(i) and (4), setting forth his indigency, the terms of defendant's retainer agreement with trial counsel, and an explanation as to why similar funds are not available to prosecute this appeal.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

Present - Hon. David Friedman, Justice Presiding,
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

-----X
Vincent Alfani and Virginia Alfani,
Plaintiffs-Appellants,

-against-

M-7953

Index No. 160032/15

Rivercross Tenants Corporation,
et al.,
Defendants-Respondents.

-----X

Appeals having been taken from an order of the Supreme Court, New York County, entered on or about January 2, 2019 and from an order of the same Court entered on or about October 12, 2018,

And plaintiffs-appellants having moved for an extension of time to perfect the appeal taken from the order entered on or about January 2, 2019 pending the determination by this Court on motions M-3537 and M-3737,

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

It is ordered that the motion is denied as unnecessary (see order, of this Court entered on October 22, 2019 [M-3537 and M-3737]).

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

Present - Hon. David Friedman, Justice Presiding,
Barbara R. Kapnick
Cynthia S. Kern
Jeffrey K. Oing, Justices.

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

-against-

M-7964
Ind. No. 533/18

Edwin Rosado,
Defendant-Appellant.

-----X

Defendant-appellant having moved for an extension of time within which to file an untimely notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about May 14, 2019; for leave to prosecute said appeal as a poor person, and 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 deeming the moving papers as a timely filed notice of appeal. That branch of the motion seeking poor person relief is denied, with leave to renew, upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), and 22 NYCRR 1250.4(d)(1) and (4), setting forth his indigency and facts sufficient to establish that defendant has no funds or assets with which to prosecute the appeal, including the amount and sources of his income and a list of his property with its value. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,
Barbara R. Kapnick
Cynthia S. Kern
Jeffrey K. Oing. Justices.

-----x
Capital Stack, LLC,
Plaintiff-Respondent-Appellant,

-against-

Raharney Capital, LLC and Sean Murray,
Defendants-Appellants-Respondents.

M-8012

-----x

M-8013

Raharney Capital, LLC and Sean Murray,
Third-Party Plaintiffs-
Appellants-Respondents,

Index No. 652807/15

-against-

Capital Stack, LLC, a New York limited liability company, or Capital Stack, LLC, a Nevada limited liability company,
Third-Party Defendant-
Respondent-Appellant,

David Rubin, also known as David Rubinov and Eprodigy Financial, LLC,
Third-Party Defendants-Respondents.

-----x

An appeal and cross appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about December 27, 2018,

And defendants/third-party plaintiffs-appellants-respondents and plaintiff/third-party defendant-respondent-appellant having moved by separate motions for an extension of time to perfect their respective appeals upon a stipulated briefing schedule (M-8012 and M-8013),

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

It is ordered that the motions are granted to the extent of extending the time to perfect the appeals to the March 2020 Term, with leave to submit a new stipulated briefing schedule in accordance with 22 NYCRR § 1250.9(f)(1)(i).

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

Present - Hon. David Friedman, Justice Presiding,
Barbara R. Kapnick
Cynthia S. Kern
Jeffrey K. Oing, Justices.

-----X

7 West 21 LI LLC,
Petitioner-Landlord-Respondent,

-against-

Clement Mosseri,
Respondent-Tenant-Appellant.

-----X

M-8058
Index No. 570594/19
Civil N.Y. County
L&T Index No. 53774/19

Respondent-tenant-appellant, pro se, having moved for leave to appeal to this Court from the decision and order of the Appellate Term, First Department, entered in the office of the Clerk of the Supreme Court, New York County, on or about September 26, 2019; 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 denied.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

Present - Hon. David Friedman, Justice Presiding,
Troy K. Webber
Ellen Gesmer
Cynthia S. Kern, Justices.

-----x
Lane's Floor Coverings & Interiors,
Inc.,

Plaintiff-Appellant,

-against-

M-8003
Index No. 157933/16

Anthony Dilalla, et al.,

Defendants-Respondents.
-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about December 10, 2018, and said appeal having been perfected,

And plaintiff-appellant having moved for an order staying the enforcement of the aforesaid order and all proceedings in Supreme Court, pending hearing and determination of the appeal,

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

It is ordered that the motion is denied.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

Present - Hon. David Friedman,
Troy K. Webber
Cynthia S. Kern
Peter H. Moulton

Justice Presiding,

Justices.

-----x
Madeline Fontanez,

Plaintiff-Respondent,

-against-

M-8382
Index No. 300592/16

PV Holding Corp. and Xiang Yu,

Defendants-Appellants.
-----x

An appeal having been taken to this Court from the order of the Supreme Court, Bronx County, entered on or about March 26, 2019, and said appeal having been perfected,

And defendant-appellant Xiang Yu having moved for a stay of all proceedings pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is denied.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

Present - Hon. David Friedman, Justice Presiding,
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

-----X
Raphael DeNiro,
Plaintiff-Respondent,

-against-

Claudine DeNiro,
Defendant-Appellant.
-----X

CONFIDENTIAL

M-7942

Index No. 312334/16

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about September 13, 2019,

And counsel for defendant-appellant having moved, pursuant to CPLR 321, for leave to withdraw as counsel for defendant-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 denied as academic.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Jeffrey K. Oing
Anil C. Singh
Lizbeth Gonzalez, Justices.

-----x
CWCapital Investments LLC, et al.,
Plaintiffs-Respondents,

-against-

CWCapital Cobalt VR Ltd., et al., M-8247
Defendants-Appellants, Index No. 652092/18

-and-

Merrill Lynch, Pierce, Fenner &
Smith Incorporated,
Defendant.

-----x
By separate notices, an appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about September 25, 2019, and said appeal having been perfected,

And certain defendants-appellants having moved for a discretionary preference maintaining the appeal on the Court's calendar for the January 2020 Term,

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 that the Clerk is directed to maintain the appeal on this Court's calendar for the January 2020 Term, and to schedule oral argument for the last week of said January 2020 Term.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Jeffrey K. Oing
Anil C. Singh
Lizbeth Gonzalez, Justices.

-----x
2520 Jerome, LLC,

Plaintiff-Appellant,

-against-

M-8286
Index No. 27270/18E

The Corporation of the Rector,
Churchwardens, and Vestrymen of
Saint James Episcopal Church,

Defendant-Respondent.
-----x

Plaintiff-appellant having moved for a stay of enforcement of the order of the Supreme Court, Bronx County, entered on or about October 17, 2019, pending hearing and determination of the appeal taken therefrom, and for other relief,

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

It is ordered that the motion is denied.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Judith J. Gische
Angela M. Mazzarelli
Peter H. Moulton, Justices.

-----X
ISZO Capital L.P., derivatively on
behalf of Ambase Corporation,
Plaintiff-Respondent-Appellant,

-against-

M-7999

Index No. 650812/18

Richard A. Bianco, Kenneth M. Schmidt,
Defendants-Appellants-Respondents,

Alessandra F. Bianco Halloran,
Richard A. Bianco, Jr., Jeremy Y. Carnegie,
John Ferrara, Joseph R. Bianco,
Defendants.

-----X

Defendants-appellants-respondents and plaintiff-respondent-appellant having jointly moved for an extension of time to perfect the appeal and cross-appeal taken from an order of the Supreme Court, New York County, entered on or about December 27, 2018,

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 extending the time to perfect the appeal and cross-appeal to the April 2020 Term.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Judith J. Gische
Angela M. Mazzarelli
Peter H. Moulton, Justices.

-----X
Culligan Soft Water Company et al.,
Plaintiffs-Respondents,

-against-

Clayton Dubilier & Rice, LLC et al.,
Defendants-Appellants.
-----X

M-8014
Index No. 651863/12

Defendants-appellants having moved for an extension of time to perfect the appeals taken from an order of the Supreme Court, New York County, entered on or about January 2, 2019,

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 extending the time to perfect the appeals to the May 2020 Term, with leave to seek further extensions if necessary.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Troy K. Webber
Ellen Gesmer, Justices.

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

-against-

M-7891
Ind. No. 5129/12

Shamakh Siddiqi,
Defendant-Appellant.

-----X

Assigned counsel for defendant-appellant having moved for an order discontinuing defendant's appeal taken from a judgment of the Supreme Court, New York County, rendered on or about April 14, 2016, as abandoned without prejudice to reinstatement at such time as appellant becomes amenable to the jurisdiction of this Court,

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

It is ordered that the motion is granted to the extent of deeming the appeal withdrawn.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Troy K. Webber
Ellen Gesmer, Justices.

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

-against-

M-8071
Index No. 1886/12

Jamel Santiago,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, rendered on or about December 11, 2014,

And defendant-appellant having moved for an order continuing the stay of execution of sentence and the granting of bail pending appeal, which was originally granted by order of a Justice of this Court on December 14, 2014, reinstated by order of this Court on July 14, 2015, and extended by order of this Court entered July 19, 2019 (M-2606), as corrected by order dated April 5, 2018 (M-1607/M-1717), pending determination of the appeal,

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

It is ordered that the motion is granted to the extent of extending defendant's time to perfect his appeal to the April 2020 Term of this Court and extending the previously granted stay of execution of sentence and \$5,000 bail, reinstated by the order of this Court, entered July 14, 2015, as corrected on April 5, 2018, and extended by order of this Court entered July 19, 2019 (M-2606), upon the original terms and conditions and on further condition that appellant perfect the appeal for the April 2020 Term of this Court.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Troy K. Webber
Ellen Gesmer, Justices.

-----X
In the Matter of

Miracle Seven H.,
Gladys Beautiful H.,

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

CONFIDENTIAL
M-8103
Docket Nos. NN-2653-17
NN-2652-17

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

Serrice H.,
Respondent-Appellant.
- - - - -

Janet E. Sabel, Esq.,
The Legal Aid Society,
Attorney for the Children.

-----X

Appeals having been taken from orders of the Family Court, New York County, entered on or about July 11, 2018 and August 15, 2018, and said appeals having been perfected,

And respondent-appellant, pro se, having moved for a writ of habeas corpus, and other relief,

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

Ordered that the motion is denied without prejudice to proceedings before the Family Court.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Judith J. Gische
Troy K. Webber
Ellen Gesmer, Justices.

-----x
Naazneen Rahman,
Plaintiff-Appellant,

-against-

M-7934
Index No. 301573/16

Zamena Rahman,
Defendant-Respondent.
-----x

An appeal having been taken to this Court from the order of the Supreme Court, Bronx County, entered on or about April 12, 2019, which denied plaintiff-appellant's motion to extend the three notices of pendency in the action,

And an order of this Court having been entered on July 11, 2019 (M-2182) extending the aforesaid notices of pendency for an additional sixty days following the date of the order determining this appeal, conditioned on plaintiff perfecting the appeal for the October 2019 Term,

And plaintiff-appellant having moved for an order modifying the order entered July 11, 2019 (M-2182) to extend the time to perfect the appeal, on which the extension of the aforesaid notices of pendency was conditioned,

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, deemed to include a request to vacate the dismissal of the appeal (see 22 NYCRR 1250.10[c]), is granted to the extent of vacating the dismissal of and restating the appeal, and extending the time to perfect same, on which the extension of the aforesaid notices of pendency is conditioned, to the March 2020 Term of this Court.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

PRESENT: Hon. Judith J. Gische, Justice Presiding,
Peter Tom
Barbara R. Kapnick
Cynthia S. Kern
Peter H. Moulton, Justices.

-----X
Harvey Rubin,
Plaintiff-Respondent,

-against-

M-8005
Index No. 653707/15

James S. Baumann, Winn Winn Asset
Management LLC and 330 West 85 LLC,
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 10, 2019, and said appeal having been perfected,

And defendants-appellants having moved for a stay of trial pending hearing and determination of the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motion, including the stipulation of the parties dated October 31, 2019, and due deliberation having been had thereon,

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

Present - Hon. Judith J. Gische, Justice Presiding,
Angela M. Mazzarelli
Anil C. Singh
Peter H. Moulton, Justices.

-----x
Joseph Newirth,

Plaintiff-Appellant,

-against-

M-8157

Index No. 100712/18

Jaguar Huntington, et al.,

Defendants-Respondents.
-----x

Plaintiff-appellant having moved for a stay of enforcement of the order of the Supreme Court, New York County, entered on or about October 16, 2019, pending hearing and determination of the appeal taken therefrom,

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.

ENTERED:



CLERK

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

BEFORE: Hon. Rolando T. Acosta
Presiding Justice

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

M-7981
Ind. Nos. 5817/13
2829/15

-against-


CERTIFICATE
GRANTING LEAVE

Ramel Robinson,
Defendant-Appellant.

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I, Rolando T. Acosta, Presiding Justice of the Appellate Division, First Judicial Department, do hereby certify that in the proceedings herein questions of law or fact are involved which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is hereby granted to the above-named defendant to appeal to the Appellate Division, First Judicial Department, from the order of the Supreme Court, New York County, entered on or about September 27, 2019.

Dated: November 19, 2019
New York, New York



Hon. Rolando T. Acosta
Presiding Justice

NOTICE: Within 15 days from the date hereon, an appeal must be taken, and this certificate must be filed with the notice of appeal. An appeal is taken by filing, in the Clerk's office of the criminal court in which the order sought to be appealed was rendered, a written notice in duplicate that appellant appeals to the Appellate Division, First Judicial Department (Section 460.10, subd. 4, CPL), together with proof that another copy of the notice of appeal has been served upon opposing counsel. The appeal (or consolidated appeals; see footnote) must be argued within 120 days from the date of the notice of appeal, unless the time to perfect the appeal(s) is enlarged by the court or a justice thereof.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 10, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,
Troy K. Webber
Anil C. Singh
Peter H. Moulton, Justices.

-----X
HSBC Mortgage Corporation,
Plaintiff-Respondent,

-against-

M-8395
Index No. 101869/09

Jsang Kei Lau,
Defendant-Appellant,

JP Morgan Chase Bank, N.A., et al.,
Defendants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about October 28, 2019,

And defendant-appellant, pro se, having moved for a stay of foreclosure sale of the subject residential property and all future foreclosure sales, pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is denied, without prejudice to renewal upon defendant's service of a full set of motion papers upon counsel for plaintiff-respondent Specialized Loan Servicing and filing proof of service of same with this Court.

ENTERED:


CLERK