

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 28, 2019.

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

-----X
Alina Nunez,
Plaintiff-Respondent,

-against-

The III New York LLC and
NYC London Hotel,
Defendants-Appellants.

M-355X
M-356X
Index No. 307743/12

The III New York LLC and NYC
London Hotel,
Third-Party Plaintiffs,

Index No. 839230/14

-against-

Otis Elevator Company,
Third-Party Defendant.

-----X

Appeals having been taken from two orders of the Supreme Court, Bronx County, both entered on or about July 31, 2018,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" January 17, 2019, and due deliberation having been had thereon,

It is ordered that the appeals are withdrawn in accordance with the aforesaid stipulation.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 March 28, 2019.

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

-----X
Kamal Amaranth,

Plaintiff-Respondent,

M-426

Index No. 20958/13E

-against-

Montefiore Medical Center,

Defendant-Appellant,
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about August 13, 2018, and said appeal having been perfected,

Now, upon reading and filing the stipulation of the parties filed by counsel for defendant-appellant hereto, dated January 16, 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It is ordered that the appeal is deemed withdrawn in accordance with the aforesaid stipulation.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 March 28, 2019.

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

-----X
Altin Bundo and Fatbardha Bundo,

Plaintiffs-Respondents,

-against-

10-12 Cooper Square, Inc., Cooper Square Contractors, LLC , to Better Days, LLC and Atlantic Development Group, LLC

M-433

Index No. 104843/11

Defendants-Appellants,

-and-

Alpha Stone Corp.,

Defendant.

-----X

Appeals having been taken from an order of the Supreme Court, New York County, entered on or about March 9, 2018, and the appeals having been perfected,

Now, upon reading and filing the stipulation of the parties hereto, dated December 12, 2018, and due deliberation having been had thereon,

It is ordered that the appeals are 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 March 28, 2019.

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

-----X
CK Hudson Holdings, LLC,

Plaintiff-Appellant,

-against-

Proskauer Rose LLP,

Defendant-Respondent.
-----X

M-556
Index No. 151974/18

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 23, 2018,

Now, upon reading and filing the stipulation of discontinuance of the parties hereto, dated January 3, 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 March 28, 2019.

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

-----X

Susan Siegel Selkin,
Plaintiff-Respondent,

-against-

M-573
Index No. 155635/16

New York Convention Center Operating
Corp.,
Defendant-Appellant,

Greater New York Dental Meeting,
Defendant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 5, 2018,

Now, upon reading and filing the correspondence from counsel for defendant-appellant New York Convention Center Operating Corp., dated January 10, 2019, and the notice of withdrawal of appeal dated January 10, 2019, and due deliberation having been had thereon,

It is ordered that the appeal is deemed withdrawn in accordance with the aforesaid correspondence and notice.

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 March 28, 2019.

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

-----X
Christina Verderame,
Plaintiff-Respondent,

-against-

M-575X
Index No. 304920/14

Jonathan Rincon,
Defendant,

Ashley Stiene,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about August 2, 2018,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" January 28, 2019, and due deliberation having been had thereon,

It is ordered that the appeal is 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 March 28, 2019.

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

-----X
Xi-Rong Yao,
Plaintiff-Respondent,

-against-

M-577X
Index No. 305754/14

All Borough Group Services, Inc.,
Defendant-Appellant.

-----X

Appeals having been taken from orders of the Supreme Court, Bronx County, entered on or about March 22, 2018 and on or about August 1, 2018,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" January 22, 2019, and due deliberation having been had thereon,

It is ordered that the appeal is 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 March 28, 2019.

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

-----X
In the Matter of

Kaden R.,

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

Administration for Children's Services,
Petitioner-Appellant,

CONFIDENTIAL

M-591

Docket No. NN-23360-18

-against-

Julie R.,
Respondent-Respondent.

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

-----X

An appeal having been taken by petitioner-appellant agency from an order of the Family Court, Bronx County, entered on or about October 3, 2018,

Now, upon reading and filing the correspondence from counsel for petitioner-appellant agency dated January 14, 2019 and due deliberation having been had thereon,

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

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 March 28, 2019.

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

-----X
In the Matter of

 Mariah B., and
 Justice B.,

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

CONFIDENTIAL

M-6647

Docket Nos. NA-357-8/17

Commissioner of Social Services of
the City of New York,
 Petitioner-Respondent,

Nigel M.,
 Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about June 13, 2018, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, including the certification of Jennifer Feinberg, Esq., dated December 7, 2018, and due deliberation having been had thereon,

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Steven N. Feinman, Esq., One North Broadway, Suite 412, White Plains, NY 10601, Telephone No. 914-949-8214, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the

minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 180 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:


CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 28, 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-13

Ind. No. 3022/17

Donald McGrier,

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 September 12, 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 March 28, 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-44

Ind. No. 2801/16

Eric M. Orozco,

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 September 5, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

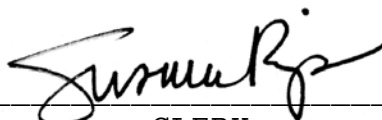
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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 March 28, 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-45

Ind. No. 4748/17

Nevin Lindsey,

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 September 11, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

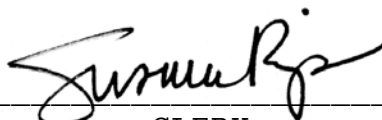
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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 March 28, 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-

Richard Jamison,

Defendant-Appellant.

-----X

M-48

Ind. Nos. 3438/16
4838/16

Defendant having moved for leave to file a late notice of appeal and to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about August 21, 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 deeming the notice of appeal as timely filed and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 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.

(M-48)

-2-

March 28, 2019

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 March 28, 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-50

Ind. No. 4858/16

Ramon Almonte,

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 September 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, 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 March 28, 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-52
Ind. No. 1972/16

Errol Hillary,

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 September 11, 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 March 28, 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-53

Ind. No. 2997/17

Ruben Louis,

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 September 7, 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

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 March 28, 2019.

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

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

-against-

M-273
Ind. No. 1580/03

Luis Rodriguez,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about February 26, 2009, and from an order of the same court entered on or about April 29, 2009,

Now, upon reading and filing the stipulation of the parties hereto, dated December 18, 2018, and due deliberation having been had thereon,

It is ordered that the appeal is 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 March 28, 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-299
SCI No. 1935/18

Terry Angel,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about October 17, 2018, 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 October 17, 2018,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and which directed trial counsel to file a notice of appeal 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.

(M-299)

-2-

March 28, 2019

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:

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

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 28, 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-310
Ind. No. 1882/18

Adam Arenas,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about November 29, 2018, 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 November 26, 2018,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and which directed trial counsel to file a notice of appeal 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.

(M-310)

-2-

March 28, 2019

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:

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

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 28, 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,

SEALED

M-313

-against-

Ind. No. 2434/17

Shakour R.,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about November 21, 2018, 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 November 21, 2018,

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.

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 March 28, 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-314

Ind. No. 587/17

John Donahue,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about October 29, 2018, 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 November 20, 2018,

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.

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 March 28, 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-315
Ind. No. 649/18

Angel Cabret,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about November 14, 2018, 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 November 14, 2018,

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.

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 March 28, 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-316
Ind. No. 2968/17

Wilford Callahan,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about November 15, 2018, 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 November 15, 2018,

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.

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 March 28, 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-317
Ind. No. 2935/16

Sheila Quiles,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about November 14, 2018, 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 November 15, 2018,

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.

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 March 28, 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, M-318
Respondent, Ind. Nos. 2025/17
1538/18
-against- Case Nos. 50043C/16
38281C/16
Alexandria James, 39573C/17
Defendant-Appellant.
-----X

An order of the Supreme Court, Bronx County, having been entered on or about November 5, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from judgments of the Supreme Court, Bronx County, rendered on or about November 5, 2018,

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.

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 March 28, 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-319
Ind. No. 1/18

Vanessa Caceres,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about November 19, 2018, 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 October 17, 2018,

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 March 28, 2019.

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

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

Respondent,

-against-

Marlon Jackson,

Defendant-Appellant.
-----X

M-427

M-428

M-429

Ind Nos. 5130/13

696/16

1080/16

Appeals having been taken from judgments of the Supreme Court, New York County, rendered on or about March 16, 2017,

Now, upon reading and filing the stipulations of the parties hereto, dated January 17, 2019, and due deliberation having been had thereon,

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

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 March 28, 2019.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-570
Ind. No. 1638/13

Santo Rosa,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about October 13, 2016,

Now, upon reading and filing the stipulation of the parties hereto, dated December 18, 2017, and due deliberation having been had thereon,

It is ordered that the appeal is 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 March 28, 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-25

Ind. No. 1128/14

Jeffrey Lashley, also known as
Willie Murray,

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 March 16, 2015, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 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 March 28, 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-26

Ind. No. 3394/13

Jeffrey Lashley, also known as
Willie Murray,

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 March 16, 2015, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 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 March 28, 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-27

Ind. No. 882/14

Jeffrey Lashley, also known as
Willie Murray,

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 March 16, 2015, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 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 March 28, 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-28

Ind. No. 1273/14

Jeffrey Lashley, also known as
Willie Murray,

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 March 16, 2015, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 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 March 28, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
John W. Sweeny, Jr.
Angela M. Mazzarelli
Peter H. Moulton, Justices.

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

Respondent,

-against-

Jeffrey E. Epstein,

Defendant-Appellant.
-----X

Confidential

M-6612

Index No. 30129/10

A decision and order of this Court having been entered on November 17, 2011 (Appeal No. 6081), unanimously affirming the order of the Supreme Court, New York County, entered on or about January 18, 2011,

And non-party movant, NYP Holdings, Inc. having moved for an order unsealing the briefs in the captioned appeal,

Now, upon reading and filing the correspondence from counsel for non-party movant, dated January 4, 2019, and due deliberation having been had thereon,

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

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 March 28, 2019.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Troy K. Webber
Marcy L. Kahn
Cynthia S. Kern, Justices.

-----x
ECD NY Inc., etc.,

Plaintiff-Respondent,

-against-

616 First Avenue LLC, et al.,

Defendants-Appellants.
-----x

M-845
Index No. 650725/18

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about January 24, 2019,

And defendants-appellants, other than the "Jane Doe" defendants, having moved for a stay of the portion of the aforesaid order requiring that non-party, J.P. Morgan Chase Bank, N.A. produce certain documents 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 March 28, 2019.

Present - Hon. David Friedman, Justice Presiding,
Rosalyn H. Richter
Marcy L. Kahn
Jeffrey K. Oing
Peter H. Moulton, Justices.

-----X

Michael Keerdoja,
Plaintiff-Appellant,

M-6632

-against-

Index No. 157010/15

Legacy Yards Tenant, LLC, et al.,
Defendants,

Hudson Yards Construction LLC, et al.,

Defendants-Respondents.

-----X

Defendants-respondents Hudson Yards Construction LLC and Tutor Perini Building Corp., having moved for leave to appeal to the Court of Appeals from the decision and order of this Court, entered on November 8, 2018 (Appeal No. 7555), and for a stay of trial pending the determination of the appeal by the Court of Appeals,

Now, upon reading and filing the correspondence from counsel for defendants-respondents hereto, dated January 4, 2019, and due deliberation having been had thereon,

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

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 March 28, 2019.

Present - Hon. David Friedman, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Troy K. Webber
Ellen Gesmer, Justices.

-----x

Joseph Gaudio and Tiffany Gaudio,
Plaintiffs-Appellants,

-against-

M-1204
Index No. 150982/16

Leslie Harris and Pamela Harris,
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 defendants-respondents having moved for 1) dismissal of the aforesaid appeal based upon the parties' execution of a general release in favor of the Harris defendants and a Stipulation of Discontinuance with prejudice, and 2) for the imposition of sanctions for frivolous conduct pursuant to 22 NYCRR 130-1.1,

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 defendants-respondents addressing the issue directly on appeal. Sua sponte, it is ordered that the instant appeal be placed on the same day calendar as the appeals pending in *Gaudio, et al. V The Grabler Building Condominium, et al.* (Index No. 153998/16 [Cal. Nos. 1131, 1221, and 1613]) for the June 2019 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 March 28, 2019.

Present - Hon. David Friedman, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Marcy L. Kahn
Cynthia S. Kern, Justices.

-----X

Doron Avgush,
Plaintiff-Appellant,

M-197
Index No. 20734/12E

-against-

Jerry Fontan, Inc., et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant, pro se, having moved for renewal and/or reargument of the decision and order of this Court, entered on December 13, 2018 (Appeal No. 7874),

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 March 28, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Ellen Gesmer
Cynthia S. Kern, Justices.

-----X
Dexter 345, Inc.,
Petitioner-Landlord-Appellant,

-against-

M-6698
Index No. 570760/17

Julie Hanlon,
Respondent-Tenant-Respondent,

-and-

Tom Hanlon,
Respondent-Undertenant-Respondent,

-and-

"John Doe" and "Jane Doe,"
Respondents-Undertenants.

-----X

Respondent-tenant, Julie Hanlon, 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 18, 2018, and for poor person relief,

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

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 28, 2019.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Sallie Manzanet-Daniels
Cynthia S. Kern
Anil C. Singh, Justices.

-----x
Meghan A. Lockard,

Plaintiff-Respondent,

-against-

Steven W. Whelan,

Defendant-Appellant.
-----x

CONFIDENTIAL

M-1064

Index No. 309298/15

Defendant-appellant, pro se, having moved for an order staying a temporary restraining order issued by the Supreme Court, New York County, by order to show cause, dated January 31, 2019, which suspended his supervised visitation with the parties' child, and for leave to appeal 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, deemed one to include a request for relief pursuant to CPLR 5704, is denied in its entirety.

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 March 28, 2019.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Sallie Manzanet-Daniels
Cynthia S. Kern
Anil C. Singh, Justices.

-----x
Marc Latamie et al.,

Plaintiffs-Appellants,

-against-

M-1124
Index No. 650521/15

Benrimon Contemporary LLC, 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 13, 2018, and said appeal having been perfected,

And plaintiffs-appellants having moved for an order that this Court take judicial notice of certain documents, and deeming those documents part of the record on appeal,

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

It is ordered that the motion is granted to the extent of taking judicial notice of the spreadsheet attached as Exhibit C to the moving papers. Plaintiffs-appellants are directed to file five hard copies and one digital copy of the spreadsheet, with a copy of this order, within 10 days of the date of entry hereof.

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 March 28, 2019.

Present - Hon. John W. Sweeny, Jr, Justice Presiding,
Peter Tom
Troy K. Webber
Marcy L. Kahn
Cynthia S. Kern, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-81
Ind. No. 1811/14

Titus McBride,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about March 13, 2017,

And by Certificate dated November 15, 2018, defendant having been granted leave to appeal from the order of the Supreme Court, New York County, entered on or about August 30, 2018, denying his motion to vacate his conviction pursuant to CPLR 440.10,

And defendant having moved for leave to file a pro se supplemental brief in the consolidated appeals,

Now, upon reading and filing the affidavit of defendant-appellant hereto, dated January 5, 2019, and due deliberation having been had thereon,

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

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 March 28, 2019.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Jeffrey K. Oing
Peter H. Moulton, Justices.

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

Brook D. Whitman,
Petitioner-Appellant,

M-6659
M-6677

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

Index No. 160535/16

-against-

State of New York Division of Housing
and Community Renewal and Sol Goldman
Investments, LLC,
Respondents-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 13, 2017,

And petitioner-appellant, pro se, having moved for permission to supplement the record on appeal to include respondent-landlord's financial records for the years 2014 and 2015, and to enlarge the time in which to perfect the appeal until 30 days after the receipt of those documents (M-6659),

And petitioner-appellant, pro se, having moved for an enlargement of time in which to perfect the appeal pending determination of M-6659, (M-6677),

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 enlarging the time to perfect the appeal to the September 2019 Term, with no further enlargements to be granted. The branch of the motion by petitioner-appellant seeking to supplement the record (M-6659) 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 March 28, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Ellen Gesmer
Peter H. Moulton, Justices.

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

Respondent,

-against-

M-6301
Ind. No. 4501/16

Jamie Guerrero,

Defendant-Appellant.

-----X

An order of this Court having been entered on June 5, 2018 (M-1957) granting defendant leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about September 6, 2017, and assigning Seymour W. James, Esq., predecessor counsel to Janet E. Sabel, Esq., The Legal Aid Society, as counsel to prosecute the appeal,

And the Center for Appellate Litigation having moved, on defendant's behalf, to relieve The Legal Aid Society and to be substituted as counsel on 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 striking the designation of successor assigned counsel Janet E. Sabel, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10006, Telephone No. 212-577-2523 as such counsel. The poor person relief previously granted is

(M-6301)

-2-

March 28, 2019

continued, and appellant's time in which to perfect the appeal is enlarged until 180 days from the date of receipt of the complete record, whichever is later.

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 March 28, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Peter Tom
Anil C. Singh
Peter H. Moulton, Justices.

-----X

Simry Realty Corp.,
Plaintiff-Respondent,

-against-

M-218
Index No. 100871/16

Dorothy Bishop,
Defendant-Appellant.

-----X

Plaintiff-respondent having moved for dismissal of the appeal taken from a compliance conference order of the Supreme Court, New York County, entered on or about December 6, 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 and the appeal is dismissed as having been taken from a non-appealable paper.

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 March 28, 2019.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Angela M. Mazzarelli
Troy K. Webber
Cynthia S. Kern, Justices.

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

-against-

M-6001
Ind. No. 2026/15

Pablo Pastrana,
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 April 19, 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 1250.4(d)(1)and(4), setting forth the amount and sources of funds used to retain trial counsel, Dawn Florio, Esq. and/or David Goldstein, Esq., and an explanation as to why similar funds are not available to prosecute this appeal. (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 March 28, 2019.

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,
Angela M. Mazzairelli
Jeffrey K. Oing
Peter H. Moulton, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-6650
Ind. No. 152/15

Manuel Zacheu,

Defendant-Appellant.

-----X

Assigned counsel for defendant having moved for an order dismissing defendant's appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about April 15, 2016, without prejudice to reinstatement at such time 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

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

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

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

M-6768
Ind. No. 2812/14

-against-

CERTIFICATE
DENYING LEAVE

Myrrheleki Turner,

Defendant.

-----X

I, Sallie Manzanet-Daniels, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about November 14, 2018, is hereby denied.


Associate Justice

Dated: March 4, 2019
New York, New York

ENTERED:

March 28 2018

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

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

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

M-6469
Ind. No. 5018/16

-against-

CERTIFICATE
DENYING LEAVE

Phillip Peyton,

Defendant.
-----X

I, Sallie Manzanet-Daniels, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about September 20, 2018, is hereby denied.


Associate Justice

Dated: March 4, 2019
New York, New York

ENTERED: MAR 28 2018