

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 January 14, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
Joseph Katz, as Executor of the Estate of Eric D. Emanuel, for itself and as a Shareholder of Tech IP, Inc., and Renaissance Ventures Limited BVI,
Plaintiffs-Respondents,

-against-

M-7875
Index No. 653235/16

Melih Abdulhayoglu, Comodo Holdings Limited, and Tech IP Inc.,
Defendants-Appellants,

Tech IP, Inc.,
Nominal Defendant.

-----X

Defendants-Appellants having moved for an stay, pursuant to CPLR 5519(c), of all proceedings pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about September 5, 2019,

Now, upon reading and filing the papers with respect to the motion, and the correspondence from counsel for defendants-appellants dated December 17, 2019, and due deliberation having been had thereon,

(M-7875)

-2-

January 14, 2020

It is ordered that the appeal and motion are withdrawn in accordance with the aforesaid correspondence.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 January 14, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter,
Sallie Manzanet-Daniels, Justices.

-----X
Amy Fineberg, et al.,

Plaintiffs-Respondents,

-against-

The City of New York,
Defendant-Appellant,

M-8327
Index No. 109735/11

-and-

New York City Police Department,
et al.,
Defendants.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about April 2, 2019,

Now, upon reading and filing the correspondence from the attorney for defendant-appellant dated November 8, 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It is ordered that the appeal is deemed withdrawn in accordance with the aforesaid correspondence.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 January 14, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter,
Sallie Manzanet-Daniels, Justices.

-----X
Nelux Holdings International N.V.,

Plaintiff-Appellant,

-against-

M-8330
Index No. 652562/15

Gila Dweck,

Defendant-Respondent.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about September 18, 2018,

Now, upon reading and filing the correspondence from the attorney for plaintiff-appellant dated October 31, 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 January 14, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
Michael Derosa Exchange, LLC.,

Plaintiff-Appellant,

-against-

M-8346
Index No. 155739/18

Owasco Country Club, Inc., et al.,

Defendants-Respondents.

-----X

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

Now, upon reading and filing the correspondence from the attorney for plaintiff-appellant 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 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 January 14, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of

Syeda A.,
Syeda A.,
Syeda N. A., and
Syed M.,

CONFIDENTIAL

M-8407

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

Docket Nos.
NN-27543-46/17

Administration for Childrens Services,
Petitioner-Respondent,

Syed I.,
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from two orders of the Family Court, Bronx County, entered on or about October 24, 2018 and October 24, 2019, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of Melinda Oliver, Esq., dated November 22, 2019, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Leslie S. Lowenstein, Esq., 567 Sunset Drive, Woodmere, NY 11598, Telephone No. 516-374-1962, 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) directing appellant to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing 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 January 14, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of

Amir R., and
David M., IV,

CONFIDENTIAL

M-8432

Children Under 18 Years of Age Alleged Docket Nos. NN-32472/16
to be Neglected/Abused Under Article 10 NN-32473/16
of the Family Court Act.

- - - - -
Administration for Childrens Services,
Petitioner-Respondent,

David M., III
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, Bronx County, entered on or about October 1, 2019, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of Greg Tolbert, Esq., dated November 19, 2019, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Larry S. Bachner, Esq., 39 Broadway, Suite 1610, New York, NY 10006, Telephone No. 917-674-9516, 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) directing appellant to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing 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 January 14, 2020.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of a Family Offense
Proceeding Under Article 8 of the
Family Court Act and a Custody/Visitation
Proceeding

- - - - -
Cynthia S.,
Petitioner-Respondent,

CONFIDENTIAL

M-8456

Docket No. O-28176/17

V-17229/17

-against-

Khaliq Alim A.,
Respondent-Appellant.

-----X

Petitioner-respondent having moved for leave to respond, as a poor person, to the appeal taken from two orders of the Family Court, Bronx County, both entered on or about October 1, 2019, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of Joseph V. Moliterno, Esq., dated November 18, 2019, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to §1120 of the Family Court Act, Anne Reiniger, Esq., 228 East 45th Street, Suite 900, New York, NY 10017, Telephone No. 646-627-8875, as counsel for purposes of responding to the appeal;

(2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for each party to the appeal, and an original and five hard copies, and if represented by counsel, one digital copy of such brief, are filed with this Court, pursuant to 22 NYCRR Section 1250.9.

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 January 14, 2020.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

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

- - - - -
Khalia R. R.,
Petitioner-Respondent,

CONFIDENTIAL
M-8485
Docket Nos. V-02952/18
V-25821/17

-against-

Evans D.,
Respondent-Appellant.

-----X

Petitioner-respondent having moved for leave to respond, as a poor person, to the appeal taken from the order of the Family Court, New York County, entered on or about October 4, 2019, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of R. Ellen Sigal, Esq. dated November 1, 2019 and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to §1120 of the Family Court Act, Salihah R. Denman, Esq., 600 Mamaroneck Avenue, Suite 400, Harrison, NY 10528, Telephone No. 914-215-7221, as counsel for purposes of responding to the appeal;

(2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for each party to the appeal, and an original and five hard copies, and if represented by counsel, one digital copy of such brief, are filed with this Court, pursuant to 22 NYCRR Section 1250.9.

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 January 14, 2020.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

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

- - - - -

Georgianna N.,
Petitioner-Appellant,

CONFIDENTIAL
M-8551
Docket No. V-43480/13
V-43479/13

-against-

Carmen V. and Ibor S.,
Respondents-Respondents,

-----X

Respondents-respondents having moved for leave to respond, as poor persons, to the appeal taken from the order of the Family Court, New York County, entered on or about February 1, 2019, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of Brian J. Carley, Esq., dated August 25, 2019, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to §1120 of the Family Court Act, Lewis S. Calderon, Esq., 153-03 Jamaica Avenue, Jamaica, New York 11432, Telephone No. 718-883-1560, as counsel for purposes of responding to the appeal;

(M-8551)

-2-

January 14, 2020

(2) permitting movants to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for each party to the appeal, and an original and five hard copies, and if represented by counsel, one digital copy of such brief, are filed with this Court, pursuant to 22 NYCRR Section 1250.9.

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 January 14, 2020.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

In the Matter of Commitment of the Guardianship and Custody of

Navaeh W.

A Dependent Child Under 18 Years of Age Pursuant to §384-b of the Social Services Law of the State of New York

CONFIDENTIAL

M-8724

Docket Nos. B-16280/14
V-1390/16

- - - - -
Heartshare St. Vincent's Services,
Petitioner-Respondent,

Richard W.,
Respondent-Respondent,

Shaniece F.,
Respondent-Appellant,

Commissioner of Social Services of
the City of New York,
Respondent.

- - - - -
Kenneth M. Tuccillo, Esq.,
Attorney for the Child.

-----X

Respondent-respondent having moved for leave to respond, as a poor person, to the appeal taken from the order of the Family Court, Bronx County, entered on or about October 17, 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, and the certification of Lisa M. Licata, Esq., dated December 14, 2019, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to §1120 of the Family Court Act, Salihah R. Denman, Esq., 600 Mamaroneck Avenue, Suite 400, Harrison, NY 10528, Telephone No. 914-215-7221, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for each party to the appeal, and an original and five hard copies, and if represented by counsel, one digital copy of such brief, are filed with this Court, pursuant to 22 NYCRR Section 1250.9.

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 January 14, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
Raysa DeLeon,

Plaintiff-Respondent,

-against-

M-8739X
Index No. 160345/16

Florida Trials, Inc., et al.,

Defendants-Appellants.
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about September 4, 2019,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" December 9, 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 January 14, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter,
Sallie Manzanet-Daniels, Justices.

-----X
Marybeth McKenzie, et al.,

Plaintiffs-Appellants,

-against-

M-8742
Index No. 153180/16

517-525 West 45 LLC, et al.,

Defendants-respondents.

-----X

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

Now, upon reading and filing the correspondence from the attorney for plaintiffs-appellants dated December 5, 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 January 14, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

Essence Diggs,
Plaintiff-Respondent,

-against-

City of New York,
Defendant-Appellant,

M-8743
Index No. 304557/15

-and-

Manhattan and Bronx Surface Operating
Authority, et al.,
Defendants.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about September 18, 2019,

Now, upon reading and filing the correspondence from the attorney for defendant-appellant dated December 4, 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 January 14, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter,
Sallie Manzanet-Daniels, Justices.

-----X
Tonya Muro Phillips,

Plaintiff-Appellant,

-against-

Roger Phillips,

Defendant-Respondent.
-----X

Confidential

M-8744

Index No. 307883/12

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about December 14, 2018,

Now, upon reading and filing the correspondence from the attorney for plaintiff-appellant dated December 5, 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 January 14, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter,
Sallie Manzanet-Daniels, Justices.

-----X
Lantau Holdings Ltd.,

Plaintiff-Appellant,

-against-

M-8745
Index No. 653920/16

Orient Equal International Group
Limited, et al.,

Defendants-Respondents.
-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, entered on or about April 1, 2019,

Now, upon reading and filing the correspondence from the attorney for plaintiff-appellant dated December 9, 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 January 14, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter,
Sallie Manzanet-Daniels, Justices.

-----X
Travis Marshall,

Plaintiff-Respondent,

-against-

The City of New York,

Defendant-Appellant.
-----X

M-8748
Index No. 110368/11

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about May 9, 2019,

Now, upon reading and filing the correspondence from the attorney for defendant-appellant dated December 9, 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 January 14, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

Guipeng Yang,
Plaintiff-Respondent,

-against-

Maria Calderon,
Defendant-Appellant,

M-8749
Index No. 27084/17E

-and-

Anne Barros, et al.,
Defendants.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about January 23, 2019,

Now, upon reading and filing the correspondence from the attorney for defendant-appellant dated November 22, 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 January 14, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
Theodore Comando,

Plaintiff-Respondent,

-against-

M-8750
Index No. 153090/16

C.P. Yang Corp.,

Defendant-Appellant.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about July 10, 2019,

Now, upon reading and filing the correspondence from the attorney for defendant-appellant dated December 3, 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 January 14, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

Basrija Adzemovic, et al.,
Plaintiffs-Respondents,

-against-

M-8751
Index No. 158408/15

S&M 52nd Fee LLC,
Defendant-Appellant.

- - - - -
[And a third-party action.]

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about August 9, 2019,

Now, upon reading and filing the correspondence from the attorney for defendant/third-party plaintiff-appellant dated December 4, 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 January 14, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

Andrew Hallas,
Plaintiff-Appellant,

-against-

M-8752
Index No. 158272/15

21 West 86 LLC, et al.,
Defendants-Respondents.

- - - - -
[And a third-party action.]

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about May 23, 2019,

Now, upon reading and filing the correspondence from the attorney for plaintiff-appellant dated December 12, 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 January 14, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of the Application of
Bede MacPherson, Inc.,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78 M-8753
of the Civil Practice Law and Rules, etc. Index No. 156754/18

-against-

Jacques Jiha, etc., et al.,
Respondents-Respondents.

-----X

An appeal having been taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about May 2, 2019,

Now, upon reading and filing the correspondence from the attorney for petitioner-appellant dated November 15, 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 January 14, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
Deb El Food Products LLC,

Plaintiff-Appellant,

-against-

M-8756
Index No. 650826/16

Purestream ES, LLC, et al.,

Defendants-Respondents.
-----X

Appeals having been taken from two orders of the Supreme Court, New York County, both entered on or about May 2, 2019,

Now, upon reading and filing the correspondence from counsel for plaintiff-appellant, dated November 13, 2019, and the stipulation of discontinuance of the parties hereto, dated October 3, 2019, and due deliberation having been had thereon,

It is ordered that all pending appeals are withdrawn in accordance with the aforesaid correspondence and 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 January 14, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
Southern Advanced Materials, LLC,

Plaintiff-Appellant,

-against-

M-8758
Index No. 650773/15

Robert S. Abrams, etc., et al.,

Defendants-Respondents.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about January 4, 2019,

Now, upon reading and filing the correspondence from the attorney for plaintiff-appellant dated November 27, 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 January 14, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
Lower Manhattan Inner City Real
Estate Associates, LLC,
Plaintiff-Respondent,

-against-

M-8759
Index No. 651141/18

56 Leonard LLC,
Defendant-Appellant,

-and-

NRT New York, LLC, etc.,
Defendants.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about March 11, 2019,

Now, upon reading and filing the correspondence from the attorney for defendant-appellant dated December 2, 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 January 14, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels Justices.

-----X

The People of the State of New York,
Respondent,

-against- M-8087
Ind. No. 3772/16

Jorge Santiago,
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 February 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, 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 January 14, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Roselyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,
Respondent,

M-8278

-against-

Ind. No. 2562/18

Orlando Correa,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about July 19, 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 14, 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.

(M-8278)

-2-

January 14, 2020

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 January 14, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

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

Respondent,

-against-

M-8421
Ind. No. 334/15

Elpidio Conce Valerio,

Defendant-Appellant.
-----X

An appeal having been taken from the judgment of the Supreme Court, Bronx County, rendered on or about July 21, 2016,

Now, upon reading and filing the stipulation of the parties hereto, dated November 18, 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 January 14, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

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

Respondent,

-against-

M-8422
Ind. No. 577N/16

Elpidio Conce Valerio,

Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about September 20, 2016,

Now, upon reading and filing the stipulation of the parties hereto, dated November 18, 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 January 14, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

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

CONFIDENTIAL

M-8468

-against-

Ind. No. 3112/16

Carlos Ramos,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, Bronx County (Fabrizio, J.), entered on or about November 14, 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 Fabrizio as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Robert S. Dean, Esq., 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 January 14, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-8667

Ind. No. 1890/18

Joseph Elliot,
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 30, 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.

(M-8667)

-2-

January 14, 2020

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 January 14, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-8727
Ind. No. 846/15

Shaquille Fuller,
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 June 7, 2017, 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.

(M-8727)

-2-

January 14, 2020

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 January 14, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-8734

Ind. No. 1129/18

Marquan Jones,
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 9, 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.

(M-8734)

-2-

January 14, 2020

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 January 14, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Cynthia S. Kern
Jeffrey K. Oing, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-8433

SCI. No. 1203/17

Jose Ponce,
Defendant-Appellant.

-----X

Counsel for defendant-appellant having moved for an order withdrawing defendant's appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about June 14, 2017, 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

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 January 14, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Cynthia S. Kern
Jeffrey K. Oing, Justices.

-----X

In the Matter of a Proceeding
for Support Under Article 4 of the
Family Court Act.

CONFIDENTIAL

M-8474

Docket No. F-14768-18/18A

Hawa B.,
Petitioner-Respondent,

-against-

Unusu B.,
Respondent-Appellant.

-----X

An appeal having been taken from an order of the Family Court, Bronx County, entered on or about November 20, 2018,

And respondent-appellant, pro se, having moved to vacate the dismissal of the appeal, and upon reinstatement, for an enlargement of time in which to perfect same,

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 vacating the dismissal and reinstating the appeal, and enlarging the time to perfect same to the May 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 January 14, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Cynthia S. Kern
Jeffrey K. Oing, Justices.

-----X
Davon Elmore,
Plaintiff-Appellant,

-against-

EPM Electric, Inc., and Corrective
Hydraulics Service,
Defendants-Respondents,

The Raymond Corporation,
Defendant.

M-8621
Index No. 306040/12

-----X

Plaintiff-appellant having moved for a further enlargement of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about August 31, 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 enlarging the time to perfect the appeal to the June 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 January 14, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Cynthia S. Kern
Jeffrey K. Oing, Justices.

-----X
James Effiwatt,
Plaintiff-Appellant,

-against-

New York City Department of Finance,
Defendant-Respondent.

M-8662
Index No. 101833/17

-----X

Plaintiff-appellant having moved for an extension of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about October 3, 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 to the May 2020 Term, with no further extensions to be granted.

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 January 14, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Cynthia S. Kern
Jeffrey K. Oing, Justices.

-----X

In the Matter of the Application of
Ieslet Summers, in her capacity as the
legal guardian of minors C.C. & C.S.,
Petitioner,

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

-against-

M-8674
Index No. 100105/18

Shola Olatoye, as Chair of the New York
City Housing Authority & The New York
City Housing Authority,
Respondents.

-----X

An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about January 3, 2019,

And petitioner having moved to vacate the dismissal of the proceeding and upon reinstatement, for an extension of time to perfect same, and for leave to prosecute 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 said motion, and due deliberation having been had thereon,

(M-8674)

-2-

January 14, 2020

It is ordered that the motion is granted to the extent of vacating the dismissal of the proceeding and extending the time to perfect said proceeding to the June 2020 Term. The application for poor person relief is denied, with leave to renew upon petitioner's submission of a detailed notarized affidavit in compliance with CPLR 1101 and 22 NYCRR 1250.4(d)(1) and (2).

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 January 14, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Cynthia S. Kern
Jeffrey K. Oing, Justices.

-----X
Country-Wide Insurance Company,
Petitioner-Respondent,

-against-

M-8676
Index No. 653844/15

TC Acupuncture, P.C., as assignee of,
Darrius Williams,
Respondent-Appellant.

-----X

Respondent-appellant having moved, pursuant to 22 NYCRR 1250.10(c), to vacate the dismissal of the appeal taken from the order of the Supreme Court, New York County, entered on or about June 8, 2018, and upon vacatur, for an extension of time to perfect said 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 vacating the dismissal, reinstating the appeal, and extending the time to perfect same to the May 2020 Term.

ENTERED:



CLERK

CORRECTED - JANUARY 30, 2020

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 January 14, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Cynthia S. Kern
Jeffrey K. Oing, Justices.

-----X
Stuart Button, et al.,
Plaintiffs-Appellants-Respondents,

-against-

M-8686
Index No. 656625/17

The Metropolitan Club, Inc.,
Defendant-Respondent-Appellant.

-----X
Lidiana Amorim, et al.,
Plaintiffs-Appellants-Respondents,

-against-

Index No. 650008/16

The Metropolitan Club, Inc.,
Defendant-Respondent-Appellant.

-----X

An appeal (Case No. 2019-739, Doc. # 2019-1701) having been taken from an order of the Supreme Court, New York County, entered on or about December 13, 2018, and

An appeal (Case No. 2019-740, Doc. # 2019-1702) having been taken from an order of the same court, entered on or about December 13, 2018, and

An appeal (Case No. 2019-1425, Doc. # 2019-5715) and cross appeal having been taken from amended orders of the same court entered on or about June 7, 2019,

And plaintiffs-appellants-respondents having moved for an order consolidating the aforesaid appeals, utilizing a single case caption under Index No. 650008/16, and extending the time to perfect same to January 27, 2020, 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 consolidating the appeals (Case No. 2019-739, Doc. # 2019-1701 and Case No. 2019-740, Doc. # 2019-1702) taken from the orders entered on or about December 13, 2018, and consolidating those appeals with the appeal (Case No. 2019-1425, Doc. # 2019-5715) and cross appeal taken from the amended orders entered on or about June 7, 2019, upon a single record and brief to be filed under a consolidated case caption under Index No. 650008/16. The time to perfect the consolidated appeals and cross-appeal is hereby enlarged to the May 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 January 14, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Cynthia S. Kern
Jeffrey K. Oing, Justices.

-----X
Emilio Cantero, Aguimedes Ortiz and
Kenny Ortiz, as Mother and Natural
Guardian of Infant Plaintiffs, A.P.O.
and O.P.O. and Kenny Ortiz, Individually,
Plaintiffs-Appellants,

-against-

M-8700

Index No. 22068/16

Lizette Wagman and David Wagman,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about April 17, 2019,

And plaintiffs-appellants having moved, pursuant to 22 NYCRR 1250.10(c), to vacate the dismissal of appeal and upon reinstatement, for an enlargement of time to perfect the aforementioned 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 vacating the dismissal of appeal and enlarging the time to perfect said appeal to the May 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 January 14, 2020.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Cynthia S. Kern
Jeffrey K. Oing
Lizbeth González, Justices.

-----x
Lara S. Trafelet,

Plaintiff-Appellant,

CONFIDENTIAL

-against-

M-8933

Index No. 312168/15

Remy W. Trafelet,

Defendant-Respondent.
-----x

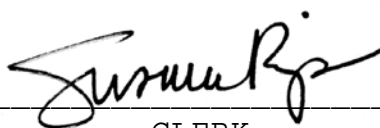
An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about October 4, 2019,

And plaintiff-appellant having moved for a stay of the hearing before a Special Referee concerning the application of nonparty Buchanan Ingersoll & Rooney PC for a charging lien, presently scheduled for January 28, 2020, 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 January 14, 2020.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Judith J. Gische
Ellen Gesmer
Cynthia S. Kern
Lizbeth González, Justices.

-----X

Anna Lutsenko,
Plaintiff-Respondent,

Confidential

M-8393

M-8454

Index No. 311022/17

-against-

Zbigniew Mark Slupinski, also known
as Andre Grillet,
Defendant-Appellant,

Marianna Slupinska, Lidia Slupinski
and the Estate of Richard Slupinski,
Defendants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about February 11, 2019,

And plaintiff-respondent having moved to dismiss the appeal and for an order directing the defendant-appellant reimburse the costs of the motion to the Family Court 18B Panel Administrators (M-8393),

And counsel for defendant-appellant having cross-moved, pursuant to CPLR 5704, to vacate or modify an ex-parte order of the same court entered on or about November 26, 2019 (M-8454),

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

(M-8393 & M-8454)

-2-

January 14, 2020

It is ordered that the motion is granted to the extent of dismissing the appeal (M-8393), and

It is further ordered that the cross-motion is denied (M-8454).

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 January 14, 2020.

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,
Judith J. Gische
Angela M. Mazzarelli
Troy K. Webber
Ellen Gesmer, Justices.

-----x

The People of the State of New York,
Respondent,

CONFIDENTIAL

M-8529

-against-

Ind. No. 2190/13

Devonte Kelley,
Defendant-Appellant.

-----x

An appeal having been taken from an order of the Supreme Court, New York County (Biben, J.), entered on or May 8, 2017, and the appeal having been perfected,

And defendant-appellant having moved for an order striking those portions of Respondent's brief which allegedly refer to and/or rely on matters *dehors* the record,

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 January 14, 2020.

PRESENT: Hon. Sallie Manzanet-Daniels, Justice Presiding,
Judith J. Gische
Angela M. Mazzarelli
Troy K. Webber
Ellen Gesmer, Justices.

-----X

Slattery Advisors, Inc.,
Plaintiff-Respondent,

-against-

M-8780
Index No. 653766/15

Sedona Partners, Inc. and David
Itzkowitz,
Defendants-Appellants.

-----X

Defendants-appellants having moved for a stay of trial pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about October 15, 2019, which denied their motion for summary judgment dismissing the complaint,

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

It is ordered that the motion is denied and the interim relief granted by an order of a Justice of this Court, dated November 22, 2019, is hereby vacated.

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 January 14, 2020.

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,
Judith J. Gische
Angela M. Mazzarelli
Troy K. Webber
Ellen Gesmer, Justices.

-----X
Jennifer Petrisko,
Plaintiff-Appellant,

-against-

M-8794
Index No. 151573/18

The Animal Medical Center and
Kathryn Coyne,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an extension of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about March 25, 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 appeal to the May 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 January 14, 2020.

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,
Judith J. Gische
Angela M. Mazzarelli
Troy K. Webber
Ellen Gesmer, Justices.

-----x

Rosenberg Feldman Smith, LLC,

Plaintiff-Respondent,

-against-

M-8816

Index No. 653953/18

Ninety-Five Madison Company, L.P.,

Defendant-Appellant.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about August 6, 2019,

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

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

It is ordered that the motion is granted to the extent of staying all proceedings pending the hearing and determination of the appeal on condition the appeal is perfected for the May 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 January 14, 2020.

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,
Judith J. Gische
Angela M. Mazzarelli
Troy K. Webber
Ellen Gesmer, Justices.

-----X
Katherina Alexandra Disla,
Plaintiff-Respondent,

-against-

M-8842
Index No. 310312/11

Erol G. Briggs, Natividad Santiago,
Pedro L. Sosa-Escoto and Stephanie
Mass Garcia,
Defendants-Respondents.

-----X
Pedro L. Sosa and Stephanie
Mass Garcia,
Third-Party Plaintiffs-Respondents,

Index No. 83810/13

-against-

Mitchell Lebron,
Third-Party defendant-Respondent.

-----X
Erol G. Biggs,
Second Third-Party Plaintiff-
Respondent,

Index No. 83971/13

-against-

Mitchell Lebron,
Second Third-Party Defendant-
Respondent.

-----X
Pedro Luis Sosa,
Plaintiff-Respondent,

-against-

Index No. 300415/13

[Caption Continues]

Linda Suarez, Linda Greenhouse,
Louis Hernandez, Michelle Hernandez
and Leon Cabrea,
Defendants-Respondents,

Ulise Cabral,
Defendant-Appellant,

Ryder Truck Rental, Inc., Erol Briggs,
Natividad Santiago, Mitchell Lebron
and The City of New York
Defendants-Respondents.

[And Other Actions]
-----X

Defendant-appellant Ulise Cabral, (Index No. 300415/13),
having moved for a further extension of time to perfect the
appeal taken from an order of the Supreme Court, Bronx County,
entered on or about March 19, 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 file defendant-appellant Ulise Cabral's
brief to the April 2020 Term of this Court, to which term the
perfected appeals are adjourned.

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 January 14, 2020.

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,
Ellen Gesmer
Jeffrey K. Oing
Peter H. Moulton
Lizbeth González, Justices.

-----X

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

CONFIDENTIAL

M-8499

Docket Nos. V-589/17

Delvis P.,
Petitioner-Respondent,

V-589/17/17A

V-588-17/17A

-against-

Raven J.,
Respondent-Appellant.

-----X

Appeals having been taken to this Court from orders of the Supreme Court, New York County, entered on or about October 16, 2019, and on or about November 25, 2019,

And respondent-appellant having renewed her motion for poor person relief in compliance with the specific conditions set forth in this Court's December 19, 2019 order (M-8213); and to stay enforcement of the aforementioned November 25, 2019 order 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

It is ordered that said motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the attorney for respondent and 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. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record. That branch of the motion seeking to stay enforcement of the November 25, 2019 order pending hearing and determination of the appeal is denied.

ENTERED:



CLERK

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

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

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

M-8339
Ind. No. 4514/2010


-against-

CERTIFICATE
DENYING LEAVE

Eddie Moise,

Defendant.
-----X

I, Hon. Judith J. Gische, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, (James M. Burke, J.) entered on or about September 19, 2019, is hereby denied.



Associate Justice

Dated: December 31, 2019
New York, New York

ENTERED:

JAN 14 2020