

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 23, 2020.

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

-----x

Robert Rosania,
Plaintiff-Appellant,

-against-

Laurence Gluck,
Defendant-Respondent,

M-8328
Index No. 655331/17

-and-

Stellar Sutton LLC, et al.,
Nominal Defendants.

-----x

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

Now, upon reading and filing the Notice of Withdrawal of Notice of Appeal dated October 25, 2019, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn, in accordance with the aforesaid Notice.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 January 23, 2020.

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

-----X

Lynne Schalman, as Executor of the Estate of Stephen Bergen, Deceased, and Lynne Schalman, Individually, Plaintiffs-Appellants,

M-8361

M-8363

-against-

Index No. 160482/16

Aquatic Recreational Management, Inc., et al., Defendants-Respondents,

New York Aquatic, LLC, et al., Defendants.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about March 29, 2019,

And defendants-respondents Aquatic Recreational Management, Inc. (M-8361) and defendants-respondents Rose Associates, Inc., and 300 East 85th Housing Corp., sued herein as 300 East 85th Street Housing Corp., (M-8363), having separately moved for dismissal of the aforesaid appeal,

Now, upon reading and filing the stipulation of the parties hereto, dated November 11, 2019, and due deliberation having been had thereon,

It is ordered that the motions are deemed withdrawn in accordance with the aforesaid stipulation.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 January 23, 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

Mateo Martin S. J.,

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

CONFIDENTIAL

M-8605

Docket No. NN-19621/18

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

Daniel Martin A.,
Respondent-Appellant.

-----X

Respondent-appellant having moved for an extension of time to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about June 17, 2019,

Now, upon reading and filing the correspondence from counsel for respondent-appellant dated December 12, 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 January 23, 2020.

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

-----X
New Gold Equities Corp.,
Plaintiff-Respondent-Appellant,

-against-

Valoc Enterprises, Inc., et al., M-8746
Defendants-Appellants-Respondents, Index No. 652528/13

-and-

Ballou Stroll Bader & Nadler, P.C.,
Defendant.

-----X

An appeal and cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about March 13, 2019,

Now, upon reading and filing the correspondence from counsel for plaintiff-respondent-appellant dated December 9, 2019, and due deliberation having been had thereon,

It is ordered that the cross appeal (Case No. 2019-3349) 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 23, 2020.

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

-----X
Ralph Amitrano,

Petitioner-Appellant,

-against-

M-8814
Index No. 156249/19

Jeffrey H. Richmond, M.D., et al.,

Respondents-Respondents.

-----X

Petitioner-appellant 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 August 1, 2019,

Now, upon reading and filing the correspondence from counsel for petitioner-appellant dated December 18, 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 January 23, 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-8832
Ind. Nos. 4326/15
36/16

Fazil Hatim, Shameeza Hatim and
F&S Distribution, Inc.,

Defendants-Appellants.
-----X

An appeal having been taken from judgments of the Supreme Court, New York County, rendered on or about October 23, 2018,

Now, upon reading and filing the stipulation of the parties hereto, dated December 11, 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 23, 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-

Shakeem White,

Defendant-Appellant.
-----X

M-8943

Ind. Nos. 404/16
2101/16
2428/17

Appeals having been taken from judgments of the Supreme Court, Bronx County, rendered on or about April 13, 2018,

Now, upon reading and filing the stipulation of the parties hereto, dated December 26, 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 January 23, 2020.

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

-----X

JCMC Flatiron, LLC,

Plaintiff-Respondent,

-against-

M-8955

Index No. 653586/13

Princeton Holdings LLC, et al.,

Defendants-Appellants.

-----X

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 stipulation of the parties hereto, dated December 23, 2019, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected, 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 23, 2020.

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

-----X

Samantha A. P.,
Petitioner-Appellant,

Confidential
M-8957

-against-

Docket No. V-09577/18

Johnny P.,
Respondent-Respondent.

-----X

An appeal having been taken from an order of the Family Court, Bronx County, entered on or about November 7, 2018,

Now, upon reading and filing the correspondence from counsel for petitioner-appellant and affirmation dated December 7, 2019, and due deliberation having been had thereon,

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

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 23, 2020.

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

-----X
Mary Ambers,
Petitioner-Respondent,

-against-

City of New York,
Respondent-Appellant,

M-8962
Index No. 157612/18

-and-

New York City Housing Authority,
Respondent-Respondent.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about October 31, 2018,

Now, upon reading and filing the stipulation of the parties hereto, dated November 27, 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 23, 2020.

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

-----X

Kevin Arasim, et al.,
Plaintiffs-Appellants,

-against-

38 Company, LLC, et al.,
Defendants-Respondents,

M-8966
Index No. 108427/10

-and-

All-Safe, LLC, et al.,
Defendants.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about April 16, 2019,

Now, upon reading and filing the stipulation of the parties hereto, dated December 10, 2019, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected, 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 23, 2020.

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

-----x
Dual Commercial, LLC,
Petitioner-Appellant,

-against-

M-8984X
Index No. 654385/18

Starr Indemnity & Liability Company and
Starr Surplus Lines Insurance Company,
Respondents-Respondents.

-----x

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about November 13, 2018,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" December 17, 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 23, 2020.

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

-----X

Ashton Goundan and Latchmani Goundan,
Plaintiffs,

-against-

M-8985
Index No. 155989/14

Pav-Lak Contracting Inc., Pav-Lak
Industries, Inc. and 237 West 54 Owner,
LLC,
Defendants,

-----X

Pav-Lak Contracting Inc., Pav-Lak
Industries, Inc. and 237 West 54 Owner,
LLC,
Third Party Plaintiff-Respondents,

Third Party
Index No. 595477/14

-against-

D&D Electrical Construction Company,
Inc.,
Third-Party Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 28, 2018,

Now, upon reading and filing the correspondence from counsel for third-party defendant-appellant, D&D Electrical Construction Company, Inc., dated August 23, 2019, and due deliberation having been had thereon,

(M-8985)

-2-

January 23, 2020

It is ordered that the appeal 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 January 23, 2020.

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

-----X

Reclaim The Records, Brooke Schreier
Ganz,

Petitioners-Respondents,

M-8986

Index No. 159537/18

-against-

The City of New York, Department of
Records and Information Services,
Respondents-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 11, 2019 and from an amended order of the same court entered on or about June 26, 2019,

Now, upon reading and filing the Notice of Withdrawal of Appeal from counsel for respondents-appellants dated December 18, 2019, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid 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 January 23, 2020.

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

-----x
Casita, L.P., derivatively on behalf
of Maplewood Equity Partners
(Offshore) Ltd.,
Plaintiff-Respondent,

-against-

Robert V. Glaser, Maplewood Holdings
LLC, Maplewood Management LP and
Maplewood Partners LP,
Defendants-Appellants,

M-8987
Index No. 600782/07

-and-

Maplewood Equity Partners (Offshore)
Ltd.,
Nominal Defendant.

-----x

An appeal having been taken from a so-ordered transcript of the Supreme Court, New York County, entered on or about March 7, 2019,

Now, upon reading and filing the correspondence from counsel for defendants-appellants dated December 19, 2019, and due deliberation having been had thereon,

It is ordered that the appeal 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 January 23, 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.

Linda H.,
Petitioner-Respondent,

CONFIDENTIAL

M-8942

Docket No. O-24835/16

-against-

Ahmad S.,
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 March 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, and the Certificate of Debbie Jonas, Esq., dated September 10, 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, Randall S. Carmel, Esq., 410 Jericho Turnpike, Suite 302, Jericho, New York, 11753, Telephone No. 603-313-1951, 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

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

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 Rule 600.11 of the Rules of this Court, **within 60 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

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 23, 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-8531
Ind. No. 1777/18

Naseer Shaheed,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about August 19, 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-8531)

-2-

January 23, 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 23, 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,

M-8532

-against-

Ind. No. 2954/17

James Hatcher,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about August 30, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about August 28, 2019,

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

It is ordered that the appeal is permitted to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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

(M-8532)

-2-

January 23, 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 23, 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,

M-8534

-against-

Ind. No. 4239/15

Jamel Leggett,
Defendant-Appellant.

-----X

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

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

It is ordered that the appeal is permitted to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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

(M-8534)

-2-

January 23, 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 23, 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,

M-8549

-against-

Ind. No. 2564/19

Anthony Salgado,
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 October 28, 2019, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

(M-8549)

-2-

January 23, 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 23, 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-8565
Ind. No. 1299/19

Marques Jackson,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about September 4, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about August 6, 2019,

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

It is ordered that the appeal is permitted to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

The court reporter shall promptly make and file with the criminal court (C.L. §460.70) one transcript of the stenographic minutes of any proceedings pursuant to C.L. §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-8535)

-2-

January 23, 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 23, 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,

M-8733

-against-

Ind. No. 592/18

David Campbell,
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 October 23, 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-8733)

-2-

January 23, 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 23, 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,

M-8735

-against-

Ind. No. 2885/17

Justo Martinez,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about August 12, 2019, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 23, 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,

M-8736

-against-

Ind. No. 1706/18

Elijah Smith,
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 29, 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-8736)

-2-

January 23, 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 23, 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-

Clarence Woodward,
Defendant-Appellant.

-----X

M-8737

Ind. Nos. 1450/19
1153/18
15933C/19
714/18

Defendant having moved for leave to prosecute, as a poor person, the appeals taken from judgment(s) of the Supreme Court, Bronx County, rendered on or about November 7, 2019, for leave to have the appeals 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 appeals 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-8737)

-2-

January 23, 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 appeals. The time within which appellant shall perfect the appeals 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 23, 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-8829

Ind. No. 1844/18

Kelvin Arzu,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about August 6, 2019, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 23, 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,

M-8831

-against-

Ind. No. 3251/16

Maria Ramirez,
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 November 28, 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.

(M-8831)

-2-

January 23, 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 23, 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-8936
Ind. No. 309/12

Charles Little,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Supreme Court, Bronx County, entered on or about June 6, 2019, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

Christina Swarns, Esq., Office of the Appellate Defender, 11 Park Place, Suite 1601, New York, New York 10007, Telephone No. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 23, 2020.

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

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

-against-

M-8645
Ind. No. 280/15

Harrison Clerrosier,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about August 20, 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.

(M-8645)

-2-

January 23, 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 23, 2020.

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

-----X

The People of the State of New York,
Respondent,

CONFIDENTIAL

M-8728

-against-

Ind. No. 3533/15

Michael Lamb,
Defendant-Appellant.

-----X

An appeal having been taken to this Court from a judgment of the Supreme Court, New York County, rendered on or about December 1, 2017, and the appeal having been perfected,

And defendant-appellant having moved for an order granting leave to file a pro se supplemental brief,

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

It is ordered that the motion is granted to the extent of directing defendant to serve and file an original and 5 copies of his pro se supplemental brief for the June 2020 Term, to which Term the appeal is adjourned. The Clerk of the Court is directed to forward to the Warden at the State correctional facility wherein defendant is incarcerated a transcript of the minutes relating to defendant's appeal, said transcript to be made available to appellant and returned by appellant to this Court when submitting the pro se supplemental brief hereto. The appeal will not be heard unless and until all material furnished to appellant has been returned.

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 23, 2020.

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

-----X
In the Matter of a Paternity Proceeding
Under Article 5 of the Family Court Act.

CONFIDENTIAL
M-8799

Jethro C.,
Petitioner-Appellant,

Docket Nos. P-3035-18
P-3044-18
P-3045-18

-against-

Beyonce L.K.-C. and Shawn C.C.,
Respondents-Respondents.

-----X

Petitioner-appellant, pro se, having renewed his motion for leave to prosecute, as a poor person, the appeal taken from three orders of dismissal of the Family Court, New York County, entered on or about March 21, 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 due deliberation having been had thereon, it is

Ordered that the motion is denied, said relief, to the extent warranted, having been granted by order of this Court entered November 20, 2018, (M-4676).

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 23, 2020.

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

-----x
Harvey Gladstein,
Plaintiff-Respondent-Appellant, M-8806
M-8894
-against- M-8965
Index No. 152121/15
Thomas F. Keane and Susan Keane,
Defendants-Appellants-Respondents.
-----x

Appeals having been taken by defendants-appellants-respondents from a judgment of the Supreme Court, New York County, entered on or about May 24, 2018, and from two orders of the same court, both entered on or about October 10, 2018 (Mot. Seq. 11 and Mot. Seq. 8),

And cross appeals having been taken by plaintiff-respondent-appellant from the aforesaid judgment of the Supreme Court, New York County, entered on or about May 24, 2018, and from an order of the same court entered October 10, 2018 (Mot. Seq. 11),

And an order of this Court having been entered on June 4, 2019 (i) vacating the dismissal of and reinstating defendants-appellants-respondents' appeal taken from the aforesaid judgment entered on or about May 24, 2018, and extending the time to perfect all of their appeals to the October 2019 Term of this Court, and (ii) vacating the dismissal of and reinstating plaintiff-respondent-appellant's cross appeal from the aforesaid judgment, and extending his time to perfect all of his appeals to the October 2019 Term,

And plaintiff-respondent-appellant having moved to dismiss defendants-appellants-respondents' appeals from the aforesaid judgment entered on or about May 24, 2018, and from the two orders entered on or about October 10, 2018, (M-8806),

And defendants-appellants-respondents having moved to vacate the dismissal of the aforementioned appeals, and upon vacatur, for an extension of time to perfect same, (M-8894),

And plaintiff-respondent-appellant having cross-moved for, inter alia, an extension of time to perfect his appeals, in the event this Court grants defendants-respondents' motion to vacate the dismissal of their appeals; (M-8965),

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

Ordered that plaintiff-respondent-appellant's motion to dismiss defendants-appellants-respondents' appeals from the aforesaid judgment entered on or about May 24, 2018, and from the two orders entered on or about October 10, 2018 (M-8806), is denied, and it is further

Ordered that defendants-appellants-respondents' motion to vacate the dismissal of their appeals (M-8894), is granted, the appeals reinstated, and the time to perfect all of defendants-appellants-respondents' appeals is extended to the May 2020 Term of this Court, with no further extensions to be granted, and it is further

Ordered that plaintiff-respondent-appellant's cross motion (M-8965) is granted to the extent of extending his time to perfect the cross-appeals to the May 2020 Term, and otherwise 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 23, 2020.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Barbara R. Kapnick
Anil C. Singh
Peter H. Moulton
Lizbeth González, Justices.

-----X

In the Matter of the Application of
For the Guardianship and Custody of

Kayalionna Skyla C., also known as
Kayalionna C.,

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

- - - - -
Cardinal McCloskey Services,
Petitioner-Respondent,

CONFIDENTIAL

M-8241
M-8495
Docket No. B-8567/17

Jessica G. C., also known as
Jessica C.,
Respondent-Appellant.

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

-----X

An appeal having been taken to this Court from an order of the Family Court, Bronx County, entered on or about August 24, 2018,

And petitioner-respondent, Cardinal McCloskey Services, having moved, to dismiss respondent-appellant's appeal, as untimely, (M-8241),

And respondent-appellant having cross-moved for an extension of time in which to perfect her appeal, and to have her notice of appeal deemed timely filed, (M-8495),

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

(M-8241/M-8495)

-2-

January 23, 2020

It is ordered that the motion to dismiss (M-8241) is denied; the cross-motion (M-8495) is deemed withdrawn in accordance the correspondence from counsel for respondent-appellant, dated December 27, 2019.

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 23, 2020.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Barbara R. Kapnick
Anil C. Singh
Peter H. Moulton
Lizbeth González, Justices.

-----X
Robert Giardina, Michelle Gregg and
Jose Dasilva also known as Joe Dasilva,
Petitioners-Appellants,

-against-

M-8836
Index No. 156209/19

Letitia James, Attorney General of
the State of New York,
Respondent-Respondent.

-----X

Petitioners-appellants having moved for a stay of enforcement, pending hearing and determination of the appeal, of the order of the Supreme Court, New York County, entered on or about November 1, 2019, which, inter alia, denied the petition to quash the subpoenas of respondent,

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 enforcement of the November 1, 2019 order pending determination of the appeal on condition that petitioners perfect for the June 2020 Term of this Court.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 23, 2020.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Barbara R. Kapnick
Anil C. Singh
Peter H. Moulton
Lizbeth González, Justices.

-----X
CIT Bank, N.A. formerly known as One
West Bank, N.A., One West Bank, FSB,
Plaintiff,

-against-

M-8858
Index No. 35228/13E

Beverly James also known as Beverly
James, et al.,
Defendants.

-----X

Defendants Trevor Hodge and Trevor Hodge, Jr., and nonparty Desiree Hodge, having moved, pursuant to CPLR 5704(a), for certain relief denied by a Justice of the Supreme Court, Bronx County, and for a stay of enforcement a judgment of foreclosure and sale, entered on or about July 5, 2017, and other relief,

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

It is ordered that the motion is denied.

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 23, 2020.

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

-----x
Yevgeniya Khatskevich,
Plaintiff-Respondent, M-8782
-against- M-8783
Index 151658/14

Adam Victor,
Defendant-Appellant,

Transgas Energy Systems Corp., et al.,
Defendants.

-----x

Appeals having been taken to this Court from orders of the Supreme Court, New York County, entered on or about May 31, 2019, and on or about July 29, 2019, and the consolidated appeals having been perfected,

And plaintiff-respondent having moved for an order granting leave to supplement the Record on Appeal to include six (6) pages from the transcript of plaintiff's October 12, 2019 deposition (M-8782),

And defendant-appellant having cross moved for an order striking plaintiff's proposed supplemental record and all references thereto in plaintiff-respondent's brief (M-8783),

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 (M-8782) to supplement the Record on Appeal is denied, and it is further,

Ordered that the cross-motion (M-8783) is granted to the extent of deeming references to the supplemental record in plaintiff-respondent's brief stricken.

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 23, 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,

-against-

M-8771
Ind. No. 1126/15

Roger Roberts,
Defendant-Appellant.

-----X

An order of this Court having been entered on December 13, 2016 (M-4817), inter alia, granting defendant's motion 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 16, 2016, and assigning counsel therefor,

And defendant-appellant having moved for an order amending the aforementioned order of assignment to include the judgment of **resentence**, same Court, rendered on or about November 18, 2019, under the same indictment number,

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 amending the order of assignment to include the November 18, 2019 judgment of **resentence**. The poor person relief previously granted is extended to cover same; and the time within which appellant shall perfect this appeal is hereby extended until 120 days from the date of this order or the 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 January 23, 2020.

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

-----X

Dalia Soto,
Plaintiff-Appellant-Respondent,

-against-

M-8380

M-8851

Index No. 300434/15

Edward A. Diggs and Don Thomas
Buses, Inc.,
Defendants-Respondents-Appellants.

-----X

An appeal and cross-appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about December 23, 2016,

And plaintiff-appellant-respondent (M-8380) and, defendants-respondents-appellants (M-8851), having moved for an extension of time to perfect their respective appeal and cross-appeal from the aforementioned order,

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

It is ordered that the motions are granted to the extent of extending the time to perfect the appeal and cross 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 23, 2020.

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

-----X
In the Matter of

Valerie M. J., and
Ana O. M.,

CONFIDENTIAL

M-8760

M-8773

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

Docket Nos. NN-10459/19
NN-10460/19

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

Vandyke J.,
Respondent-Appellant.

-----X

An appeal having been taken to this Court from the denial of respondent's order to show cause and from a temporary order of protection issued by the Family Court, New York County, both of which were entered on or about December 11, 2019, and from a temporary order of protection entered on or about November 14, 2019,

And respondent-appellant having moved for leave to prosecute the aforesaid appeal as a poor person, for assignment of counsel, a free copy of the transcript, and for related relief (M-8760),

And respondent-appellant having moved, by separate motion, for a stay of enforcement of the aforesaid orders pending hearing and determination of the appeal (M-8773),

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 for poor person relief (M-8760) is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Steven P. Forbes, Esq., 155-03 Jamaica Avenue, Jamaica, NY 11432, Telephone No. 718-791-8444, 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.**

The motion by respondent-appellant seeking a stay of enforcement of the orders which are the subject of the appeal (M-8773) is denied.

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 23, 2020.

PRESENT: Hon. Judith J. Gische, Justice Presiding,
Angela M. Mazzairelli
Troy K. Webber
Ellen Gesmer, Justices.

-----X
Hassan Rabi,
Petitioner-Appellant,

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

-against-

M-8912
Index No. 101764/18

NYC Department of Housing Preservation
and Development,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for and enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about August 12, 2019 and for leave to prosecute said appeal, as a poor person, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

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 file 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.

(M-8912)

-2-

January 23, 2020

Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record. The time in which to perfect the appeal is hereby enlarged 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 23, 2020.

PRESENT: Hon. Barbara R. Kapnick, Justice Presiding,
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

-----X
Peter Cedeno and Peter L. Cedeno &
Associates, P.C.,
Plaintiffs-Respondents,

-against-

M-8765
Index No. 452016/18

Anthony Pacelli,
Defendant-Appellant.

Atesa Pacelli,
Defendant.

-----X

Defendant Anthony Pacelli, having moved for a stay 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 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 23, 2020.

Present - Hon. Barbara R. Kapnick, Justice Presiding,
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

-----X
Deutsche Bank National Trust
Company,
Plaintiff-Appellant,

-against-

M-8925

Index No. 380865/11

Bonnie Gould,
Defendant-Respondent,

Bronx County Public Administrator,
as Administrator of the Estate of
Gloria Alexander, et al.,
Defendants.

-----X

Plaintiff-appellant having moved for an extension of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about September 18, 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.

ENTERED:



CLERK