

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 April 23, 2009.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
Gary Rosenbach, et al.,  
Plaintiffs-Respondents,

-against-

M-1685X  
Index No. 602463/05

Diversified Group, Inc., et al.,  
Defendants-Appellants.  
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about January 15, 2009 (mot. seq. no. 016),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 7, 2009, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

E N T E R:

  
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 April 23, 2009.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
John McCann,  
Plaintiff-Respondent,

-against-

M-1686X  
Index No. 109078/06

Weatherly 39<sup>th</sup> Street, LLC,  
Defendant-Appellant.  
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about September 5, 2008 (mot. seq. no. 003),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 6, 2009, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

E N T E R:

  
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 April 23, 2009.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
Tie Mei Samstein,  
Plaintiff-Respondent,

-against-

M-1687X  
Index No. 302246/08

Benjamin Samstein,  
Defendant-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about May 16, 2008 (mot. seq. no. 001),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 6, 2009, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

E N T E R:

  
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 April 23, 2009.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
Carmen Rosado,  
Plaintiff-Appellant,

-against-

M-1688X  
Index No. 111771/06

West Fourteen Leasing Co.,  
Defendant-Respondent.  
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about December 2, 2008 (mot. seq. no. 001),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 6, 2009, and due deliberation having been had thereon,

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

E N T E R:

  
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 April 23, 2009.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
Silvermark Corporation,  
Plaintiff-Appellant,

-against-

M-1691X  
Index No. 602026/07

Rosenthal & Rosenthal, 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 January 29, 2008 (mot. seq. no. 001),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 2, 2009, and due deliberation having been had thereon,

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

E N T E R:

  
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 April 23, 2009.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

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

-against-

M-1722  
Ind. No. 681/08

Edward Ramos,  
Defendant-Appellant.

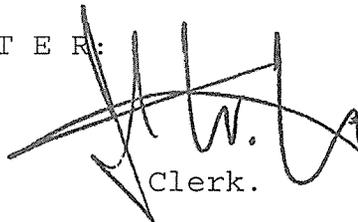
-----X

Appellant's counsel having moved to withdraw the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about October 30, 2008,

Now, upon reading and filing the stipulation of the parties hereto, dated March 9, 2009, and due deliberation having been had thereon, it is

Ordered that the motion is granted and the appeal is deemed withdrawn.

ENTER:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2009.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
Hallmark Electrical Supplies Corp.,  
Plaintiff-Respondent,

-against-

M-1692X  
Index No. 603644/03

Nova Star Electric Corp.,  
Defendant-Respondent-Appellant,

One State Street LLC,  
Defendant-Appellant-Respondent,

Hallmark Electric Supply Co., Inc.,  
et al.,  
Defendants.

-----X

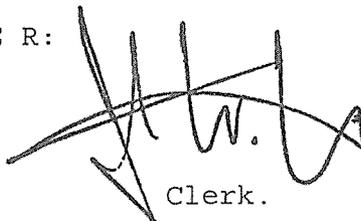
An appeal and cross appeal having been taken from the order and judgment of the Supreme Court, New York County, entered on or about December 21, 2007 and February 5, 2008, respectively; and an appeal and cross appeal having been taken from the order of said Court entered on or about April 2, 2008 and from the amended judgment of said Court entered on or about April 2, 2008, respectively,

And an order of this Court having been entered on December 9, 2008 (M-5201), inter alia, consolidating the aforesaid appeals and cross appeals,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 2, 2009, and due deliberation having been had thereon, it is

Ordered that the consolidated appeals and cross appeals are withdrawn in accordance with the aforesaid stipulation.

E N T E R:

  
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 April 23, 2009.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
Ana Martinez,  
Plaintiff-Respondent,

-against-

M-1689X  
Index No. 118967/06

142 Broadway Associates, LLC,  
Defendant-Appellant.  
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about September 12, 2008 (mot. seq. no. 001),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 8, 2009, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the May 2009 Term, is withdrawn in accordance with the aforesaid stipulation.

E N T E R:

  
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 April 23, 2009.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
In the Matter of the Application of  
Andris Kurins,  
Petitioner-Respondent,

For the Dissolution of Silverseal  
Corporation, a New York Corporation,  
Pursuant to BCL § 1104-a,

M-1720  
Index No. 603565/07

-against-

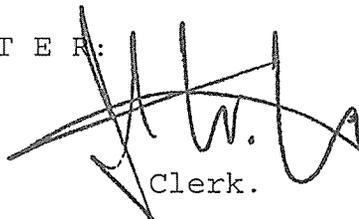
Silverseal Corporation, et al.,  
Respondents-Appellants.

-----X  
An appeal having been taken from the order of the Supreme Court, New York County, entered on or about December 11, 2008,

Now, upon reading and filing the stipulation of the parties hereto, dated March 12, 2009, and due deliberation having been had thereon, it is

Ordered that the appeal, previously perfected for the May 2009 Term, is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2009.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

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

-against-

M-1486  
Ind. No. 4125/08

Emanuel Hancock,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about March 10, 2009, 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 10 reproduced copies of such brief, together with the original record, with this Court.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

E N T E R:

  
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 April 23, 2009.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David B. Saxe, Justices.

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

-against-

M-1488  
Ind. No. 3377/02

Michael Stroud,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about March 6, 2009, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

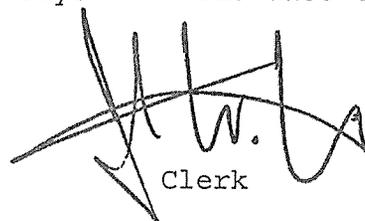
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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 10 reproduced copies of such brief, together with the original record, with this Court.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

E N T E R:



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 April 23, 2009.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David B. Saxe, Justices.

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

-against-

M-1518  
Ind. No. 744/06

Raul Golvez, also known as  
Raul Galvez,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about March 24, 2009, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

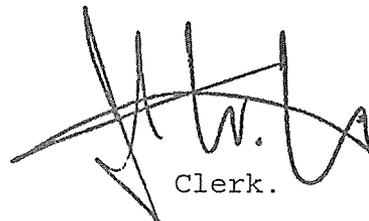
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 10 reproduced copies of such brief, together with the original record, with this Court.

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

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

E N T E R:

  
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 April 23, 2009.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

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

-against-

M-1520  
Ind. No. 2752/06

Victor Suazo Lopez,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about March 11, 2009, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

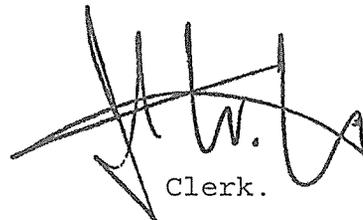
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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 10 reproduced copies of such brief, together with the original record, with this Court.

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

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

E N T E R:

  
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 April 23, 2009.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

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

-against-

M-1521  
Ind. No. 2771/07

Isidro Ferreira,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about February 20, 2009, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

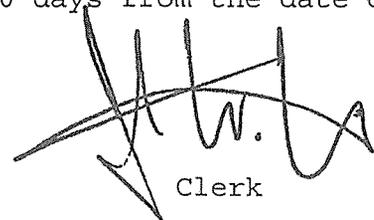
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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 10 reproduced copies of such brief, together with the original record, with this Court.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

E N T E R:



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 April 23, 2009.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

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

-against-

M-1522  
Ind. No. 2031/08

Robert Edwards,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about February 11, 2009, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

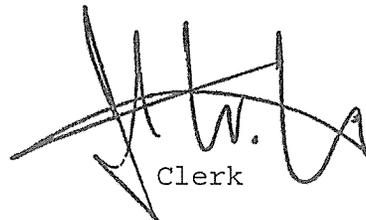
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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 10 reproduced copies of such brief, together with the original record, with this Court.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

E N T E R:

  
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 April 23, 2009.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David Friedman, Justices.

-----X  
In the Matter of the

R./J. Children,

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

-----  
Administration for Children's Services, M-1652  
Petitioner-Respondent, Docket No. N-2585-06/08

Damon R.,  
Respondent-Respondent,

Sunonda S.,  
Respondent-Respondent.

-----  
Betsy Kramer, Esq.,  
Lawyers for Children, Inc.,  
Law Guardian-Appellant.

-----X

An appeal having been taken by Betsy Kramer, Esq., Law Guardian, from the order of the Family Court, New York County, entered on or about August 4, 2008,

And Betsy Kramer, Esq., having moved to withdraw the aforesaid appeal,

Now, upon reading and filing the papers in respect to the motion, and the correspondence from Betsy Kramer, Esq., dated April 3, 2009, and due deliberation having been had thereon, it is

Ordered that the motion is denied, with leave to renew upon submission of a copy of the notice of appeal and of the order from which the appeal was taken.

E N T E R:

  
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 April 23, 2009.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
David Friedman  
James M. McGuire  
Rolando T. Acosta, Justices.

-----X  
In re Kymel Daveiga,  
Petitioner,

-against-

M-590  
Index No. 117047/07

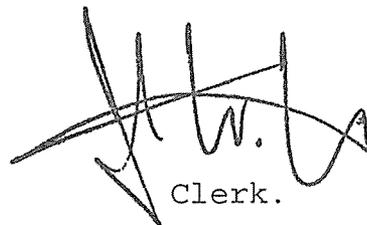
The City of New York, et al.,  
Respondents.  
-----X

Petitioner having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on December 30, 2008 (Appeal No. 4943), and for poor person relief,

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

It is ordered that the motion, to the extent it seeks leave to appeal to the Court of Appeals, is denied. So much of the motion which seeks poor person relief is denied, as academic.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2009.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
John W. Sweeny, Jr.  
James M. Catterson  
Dianne T. Renwick, Justices.

-----X  
Marta Camacho,  
Plaintiff-Respondent,

-against-

EOP Worldwide Plaza, LLC, Temco M-505  
Service Industries, Inc., Index No. 107331/05

Defendants-Respondents,

-and-

La Perla Café,  
Defendant-Appellant.

-----X

Defendants-respondents having moved for dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about November 7, 2008 (mot. seq. no. 003),

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

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

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2009.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
David B. Saxe  
John T. Buckley  
Rolando T. Acosta, Justices.

-----X  
Louis Mino,  
Plaintiff-Respondent,

-against-

M-1482  
Index No. 13896/05

New York City School Construction  
Authority, et al.,  
Defendants-Appellants.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about October 24, 2008 (mot. seq. nos. 003 and 004),

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

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

It is ordered that the motion is denied.

E N T E R:

  
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 April 23, 2009.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Angela M. Mazzaelli  
David B. Saxe  
Karla Moskowitz  
Rosalyn H. Richter, Justices.

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

Respondent,

-against-

M-1377  
Ind. No. 2904/07

Timothy Williams,

Defendant-Appellant.  
-----X

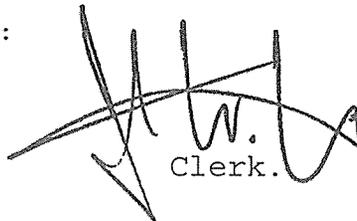
An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about October 29, 2008,

And defendant having renewed his motion for leave to prosecute said appeal as a poor person, for the assignment of counsel, and for related relief,

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

It is ordered that the motion is denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth the amount and sources of funds to post the \$5,000 bail in the Supreme Court, the disposition thereof, and an explanation as to why similar funds are not available to prosecute the appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

Enter:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2009.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
David B. Saxe  
Karla Moskowitz  
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-1413

Ind. No. 6331/06

Cornell Curry,

Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about March 28, 2007,

And an order of this Court having been entered on November 1, 2007 (M-4863), striking Robert S. Dean, Esq., Center for Appellate Litigation, as assigned counsel on the aforesaid appeal, granting defendant permission to proceed pro se on the appeal, and continuing poor person relief previously afforded defendant by the order of this Court entered on July 26, 2007 (M-3183),

And defendant-appellant pro se having now moved for leave to prosecute the aforesaid appeal as a poor person,

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

Ordered that the motion is denied as academic, the aforesaid relief having been previously granted by the orders of this Court entered on July 26, 2007 (M-3183) and November 1, 2007 (M-4863).

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2009.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Angela M. Mazzarelli  
David B. Saxe  
Karla Moskowitz  
Rosalyn H. Richter, Justices.

-----X

Donna S. Fisk and William A. Fisk,

Plaintiffs-Respondents,

-against-

M-1378

Index No. 110879/03

City of New York,

Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, New York County, entered on or about June 11, 2008,

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 in which to perfect the appeal to the September 2009 Term.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2009.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Angela M. Mazzarelli  
David B. Saxe  
Karla Moskowitz  
Rosalyn H. Richter, Justices.

-----X  
Margo Crespin,  
Plaintiff-Respondent,

-against-

M-1273  
Index No. 121404/03

Reebok Sports Club/NY,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time in which to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about June 19, 2008 (mot. seq. no. 007),

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 appellant's time in which to perfect the appeal to the September 2009 Term.

E N T E R:

  
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 April 23, 2009.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Angela M. Mazzaelli  
David B. Saxe  
Karla Moskowitz  
Rosalyn H. Richter, Justices.

-----X  
Doreen Fernandes as Administratrix  
of the Estate of John Fernandes,  
Plaintiff-Appellant,

-against-

M-1269  
Index No. 7845/03

Avraham Henoch, MD, et al.,  
Defendants-Respondents.  
-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal taken from the order of the Supreme Court, Bronx County, entered on or about August 6, 2008,

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 appellant's time in which to perfect the appeal to the September 2009 Term.

E N T E R:

  
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 April 23, 2009.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Angela M. Mazzarelli  
David B. Saxe  
Karla Moskowitz  
Rosalyn H. Richter, Justices.

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

-against-

M-1357  
Ind. No. 10816/98

James Nixon,  
Defendant-Appellant.

-----X

Defendant having moved for an extension of time in which to file a notice of appeal from the judgment of **resentence** of the Supreme Court, New York County, rendered on or about February 4, 2009, and for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for assignment of counsel,

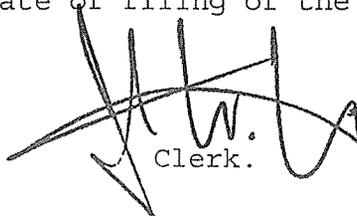
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of deeming the notice of appeal timely filed, and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 10 reproduced copies of such brief, together with the original record, with this Court.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Tel. No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

E N T E R:

  
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 April 23, 2009.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Angela M. Mazzaelli  
David B. Saxe  
Karla Moskowitz  
Rosalyn H. Richter, Justices.

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

-against-

M-1336  
Ind. No. 5633/07

Steve Brown, also known as Steve  
Brown, Sr.,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about February 27, 2009, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard upon 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 10 reproduced copies of such brief, together with the original record, with this Court.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2009.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Angela M. Mazzairelli  
John W. Sweeny, Jr.  
James M. McGuire  
Leland G. DeGrasse, Justices.

-----X

Miguel Andrade,  
Petitioner-Appellant,

For a Judgment Pursuant to Article 78  
of the CPLR,

M-1463  
Index No. 400251/08

-against-

New York City Police Department,  
Respondent-Respondent.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about September 22, 2008,

And an order of this Court having been entered on March 3, 2009 (M-389), denying petitioner leave to prosecute the aforesaid appeal as a poor person,

And petitioner-appellant having moved for reargument of the order of this Court entered on March 3, 2009 (M-389),

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

It is ordered that the motion is denied.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2009.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Eugene Nardelli  
James M. Catterson  
Karla Moskowitz  
Dianne T. Renwick, Justices.

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

Respondent,

-against-

Manuel Vasquez,

M-1178  
Ind. Nos. 5663/06  
3616/06

Defendant-Appellant.  
-----X

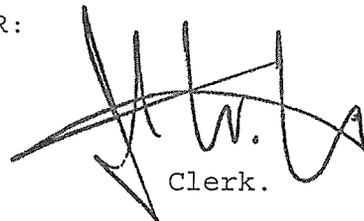
An order of this Court having been entered on November 18, 2008 (M-4896), inter alia, granting defendant's motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about September 29, 2008, under Indictment No. 5663/06, and assigning counsel therefor,

And defendant-appellant having moved for an order amending the notice of appeal and the aforementioned order to include a second judgment of said Supreme Court, also rendered on September 29, 2008 under Indictment No. 3616/06,

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

It is ordered that said motion is granted to the extent of amending defendant's notice of appeal and the aforementioned order to include the aforesaid judgments under Indictment Nos. 5663/06 and 3616/06, and extending the poor person relief previously granted to cover same.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2009.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Eugene Nardelli  
James M. Catterson  
Karla Moskowitz  
Dianne T. Renwick, Justices.

-----X  
The Commissioners of the State  
Insurance Fund,  
Plaintiff-Respondent,

-against-

Donohoe Environmental, Inc.,  
Defendant,

M-1144  
Index No. 401249/03

-and-

Timothy Donohoe,  
Defendant-Appellant.

-----X

Plaintiff-respondent having moved for dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about April 17, 2008 (mot. seq. no. 001),

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

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

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2009.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Eugene Nardelli  
James M. Catterson  
Karla Moskowitz  
Dianne T. Renwick, Justices.

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

-----  
Celenia M.,  
Petitioner-Respondent,

M-1246  
Docket Nos. V10736-97/07F  
V10736-97/07G  
V10736-97/07H

-against

Faustino M.,  
Respondent-Appellant.

-----X

An appeal having been taken from the order of the Family Court, New York County, entered on or about August 14, 2008,

And an order of this Court having been entered on December 9, 2008 (M-4388), granting poor person relief and the assignment of counsel under Docket No. V10736-97/07H,

And respondent-appellant having moved for an order amending the aforesaid order of this Court to include Docket Nos. V10736-97/07F and V10736-97/07G to provide that said order of assignment of counsel include all docket numbers,

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

Ordered that the motion is granted and the order of this Court entered on December 9, 2008 (M-4388), is amended to reflect that the poor person relief previously granted, including the assignment of counsel, shall include all of the above-enumerated docket numbers.

Enter:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2009.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Eugene Nardelli  
James M. Catterson  
Karla Moskowitz  
Dianne T. Renwick, Justices.

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

-against-

M-1405  
SCID No. 30142/07

Scott Liden,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (John Cataldo, J.) entered on or about January 8, 2009, 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 said appeal, and for related relief,

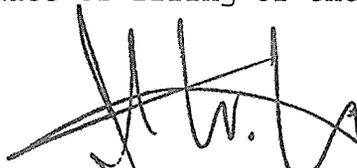
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion 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 10 reproduced copies of such brief, together with the original record, with this Court, and it is further

Ordered that the Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL 460.70) two transcripts of the stenographic minutes of the SORA hearing and any other proceedings before Justice Cataldo as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2009.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
John T. Buckley  
Leland G. DeGrasse, Justices.

-----X  
In the Matter of

Jaffa Wally F.,

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

-----  
Episcopal Social Services,  
Petitioner-Respondent,

M-1171  
Docket No. B25128/03

Thelma Lynn W.,  
Respondent-Appellant,

Selvin F., also known as  
Selvin F., Sr.,  
Respondent-Appellant.

-----  
Ellen Winter, Esq.,  
Law Guardian for the Child.

-----X

Petitioner having moved for dismissal of the appeal taken from the order of the Family Court, Bronx County, entered on or about December 11, 2006,

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

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

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2009.

Present: Hon. Peter Tom, Justice Presiding,  
Eugene Nardelli  
James M. McGuire  
Rolando T. Acosta  
Leland G. DeGrasse, Justices.

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

-against-

M-1416  
Case No. 56161C/07

Nathaniel A. Sealy, also known as  
Nathaniel Sealy,  
Defendant-Appellant.

-----X

Defendant having renewed his motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about September 16, 2008, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief,

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

Ordered that the motion is denied as academic, said relief having been granted by an order of this Court entered March 24, 2009 (M-855), a copy of which is annexed hereto.

E N T E R:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 24, 2009.

Present: Hon. Peter Tom, Justice Presiding,  
Eugene Nardelli  
James M. McGuire  
Rolando T. Acosta  
Leland G. DeGrasse, Justices.

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

-against- M-855  
Case No. 56161C/07

Nathaniel A. Sealy, also known as  
Nathaniel Sealy,  
Defendant-Appellant.

-----X

Defendant having renewed his motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about September 16, 2008, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief,

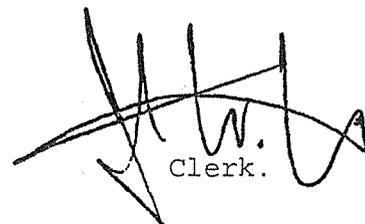
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard upon 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 10 reproduced copies of such brief, together with the original record, with this Court.

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

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

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2009.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
John T. Buckley  
James M. McGuire  
Leland G. DeGrasse, Justices.

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

Respondent,

-against-

Carlos Ferreira,

Defendant-Appellant.  
-----X

SEALED

M-5128

DC #30

Ind. No. 7972/00

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about May 4, 2005,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

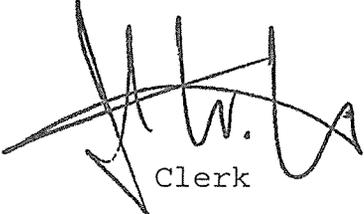
And a calendar call having been held by the Clerk of the Court on October 30, 2008, pursuant to Rule 600.12(c) of said Rules of Practice,

And an order of this Court having been entered on April 9, 2009 (M-5216), inter alia, granting defendant leave to appeal to this Court from the order of Supreme Court entered on or about April 19, 2008, and consolidating the appeals herein,

Now, upon the Court's own motion, it is

Ordered that this calendar call motion to dismiss the appeal from the aforesaid judgment (M-5128/DC #30) is deemed withdrawn.

ENTER:

  
Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2009.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,  
David B. Saxe  
Eugene Nardelli  
James M. McGuire  
Karla Moskowitz, Justices.

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

-against-

M-399  
Ind. No. 5059/84

Anthony Peterson,  
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on December 2, 1986 (Appeal Nos. 28385-85A), unanimously affirming the judgment of the Supreme Court, New York County (Edwin Torres, J.), rendered on June 29, 1985,

Defendant-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the order of this Court entered on December 11, 2008 (M-3800), which denied his application in the nature of a writ of coram nobis,

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

It is ordered that the motion is denied.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2009.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,  
David B. Saxe  
Rolando T. Acosta  
Dianne T. Renwick, Justices.

-----X  
American International Group, Inc.,  
Plaintiff-Respondent,

-against-

M-1326

M-1417

Index No. 600885/08

Maurice R. Greenberg, Howard I.  
Smith, Edward E. Matthews,  
Ernest E. Stempel, L. Michael  
Murphy, John J. Roberts and  
Houghton Freeman,  
Defendants-Appellants.

-----X

An order of this Court having been entered on January 15, 2009 (M-6054) inter alia granting defendants-appellants a stay of all state court proceedings pending hearing and determination of the appeal taken from the orders of the Supreme Court, New York County entered on November 14, 2008,

And a decision and order of this Court having been entered on March 12, 2009 (Appeal Nos. 44, 44A-F) unanimously affirming the aforesaid order of Supreme Court,

And, defendants-appellants having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on March 12, 2009 (Appeal Nos. 44, 44A-F) [M-1326],

And, plaintiff-respondent having cross moved to vacate the stay of proceedings afforded appellants by order of this Court entered January 15, 2009 (M-1417),

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 reargument or in the alternative for leave to appeal to the Court of Appeals is denied (M-1326). The cross motion to vacate the stay of proceedings is denied as unnecessary (M-1417).

ENTER:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2009.

Present: Hon. Richard T. Andrias, Justice Presiding,  
David Friedman  
James M. McGuire  
Karla Moskowitz, Justices.

-----X  
In the Matter of

La-Me M.,

A Person Alleged to Be a Juvenile  
Delinquent,

M-1062

Docket No. D13416/08

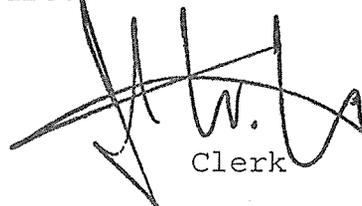
Respondent-Appellant.  
-----X

Respondent-appellant having moved for leave to prosecute the appeal from the order of the Family Court, New York County, entered on or about February 11, 2009, as a poor person, 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 granted to the extent of (1) assigning, pursuant to Section 35 of the Judiciary Law and Section 1120 of the Family Court Act, Carol Lipton, Esq., 800 Greenwood Avenue, Brooklyn, NY 11218, Telephone No. 718-436-5359, 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 State of New York from funds available therefor;<sup>1</sup> within 60 days of service of a copy of this order upon the Clerk; (3) permitting appellant to dispense with any fee for transferring the record from the Family Court to this Court; and (4) enlarging the time to perfect the appeal until 120 days from the date of filing of the record. Assigned counsel is directed to immediately subpoena the record from the Family Court and to serve a copy of this order upon the Clerk of the Family Court.

ENTER:

  
Clerk

---

<sup>1</sup>Service of appellant's brief upon respondent 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 April 23, 2009.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,  
Eugene Nardelli  
James M. McGuire  
Rolando T. Acosta  
Leland G. DeGrasse, Justices.

-----X  
Kareem Benson and Latonya Benson,  
Plaintiffs-Appellants,

-against-

M-1188  
Index No. 6691/03

Migdalia Ayala, Dwaine Noel, Patrick  
Jean and Q.B. Rentals, Inc.,  
Defendants-Respondents.

-----X

Defendants-respondents having moved for dismissal of the appeal taken from an order of the Supreme Court, Bronx County, entered on or about November 29, 2007,

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

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

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2009.

Present: Hon. Richard T. Andrias, Justice Presiding,  
Eugene Nardelli  
James M. McGuire  
Rolando T. Acosta  
Leland G. DeGrasse, Justices.

-----X  
Juvondi R. Pender, also known as  
Juivondi R. Pender, also known as  
J.R. Pender,

Claimant-Appellant,

-against-

State of New York, et al.,

Defendants-Respondents.  
-----X

M-697  
Court of Claims  
Claim No. 114525

Claimant-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Court of Claims of the State of New York, entered on or about October 23, 2008, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, for the assignment of counsel, and for related relief,

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

It is ordered that the motion is denied.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2009.

Present: Hon. David B. Saxe, Justice Presiding,  
David Friedman  
Karla Moskowitz  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

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

-----  
James M., M-1420  
Petitioner-Respondent, Docket No. V13227/00

-against-

Rosanna R.,  
Respondent-Appellant.  
-----X

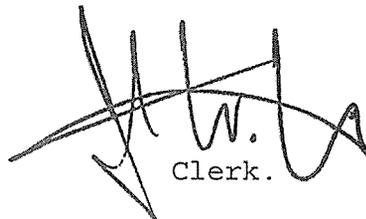
An appeal having been taken from the order of the Family Court, New York County, entered on or about July 17, 2008,

And respondent-appellant having moved for an order (1) compelling the Clerk of the Family Court, New York County, to produce the transcripts of all proceedings not yet transcribed, and (2) unseal the in-camera interview of the subject child (on tape), to transcribe said tape and provide same to Howard M. Simms, Esq., counsel for respondent-appellant,

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

Ordered that the motion is granted only to the extent of directing the Clerk of the Family Court, New York County, to have transcribed the minutes of the proceedings as yet not transcribed for inclusion in the record on appeal. So much of the motion which seeks to unseal Family Court's in camera interview of the subject child and for related relief is denied without prejudice to respondent seeking such relief in the Family Court. Sua sponte, the time in which to perfect the appeal is enlarged to the September 2009 Term.

ENTER:



Clerk.

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

BEFORE: Hon. John W. Sweeny, Jr.  
Justice of the Appellate Division

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

M-1306  
Ind. No. 8681/87

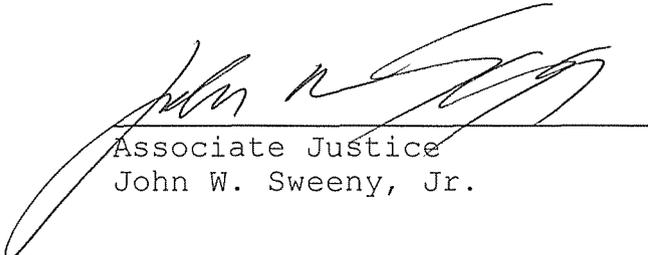
-against-

CERTIFICATE  
DENYING LEAVE

Nathan McBride,  
Defendant.

-----X

I, John W. Sweeny, Jr., 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 (Deniel P. FitzGerald, J.), entered on or about February 9, 2009, is hereby denied.

  
Associate Justice  
John W. Sweeny, Jr.

Dated: April 17, 2009  
New York, New York

ENTERED: **APR 23 2009**

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

BEFORE: Hon. Helen E. Freedman  
Justice of the Appellate Division

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

M - 1308  
Indictment. No. 9985/94

-against-

CERTIFICATE  
DENYING LEAVE

ELIE GRANGER, Jr.,

Defendant.

-----X

I, Helen E. Freedman, 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 the Criminal Procedure Law §§ 450.15 & 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about January 14, 2009 is hereby denied.

  
\_\_\_\_\_  
Hon. Helen E. Freedman  
Associate Justice

Dated: April 16, 2009  
New York, New York

ENTERED: **APR 23 2009**

# PM ORDERS

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 April 23, 2009.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
John T. Buckley  
James M. Catterson  
James M. McGuire  
Dianne T. Renwick, Justices.

-----X  
American Express Travel Related  
Services Company, Inc.,

Plaintiff,

-against-

M-1663  
Index No. 400453/07

Aviv Gaal,

Defendant.  
-----X

Defendant having moved pursuant to CPLR 5704(a), for relief denied by a Justice of the Supreme Court, New York County, on or about April 6, 2009,

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

Ordered that the motion is denied.

ENTER:

  
Clerk.