

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 8, 2013.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Leland G. DeGrasse  
Paul G. Feinman, Justices.

-----X  
Carmine Milo,

Plaintiff-Appellant,

-against-

New York City Health and Hospitals Corporation, et al.,

Defendants-Respondents.  
-----X

**M-4801**

Index No. 400273/07

Defendants-respondents having moved for dismissal of the appeal taken by plaintiff from a judgment of the Supreme Court, New York County, entered on or about November 2, 2011,

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 January 8, 2013.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Leland G. DeGrasse  
Paul G. Feinman, Justices.

-----X  
Paul Gullas and Cecilia Gullas,

Plaintiffs-Appellants,

**M-5012**

Index No. 302283/10

-against-

Vivian Davis, et al.,  
Defendants-Respondents.

-----X

Defendants-respondents having moved for dismissal of the appeal taken by plaintiffs from an order of the Supreme Court, Bronx County, entered on or about May 31, 2011,

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 plaintiffs' 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 January 8, 2013.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
John W. Sweeny, Jr.  
Rosalyn H. Richter  
Nelson S. Román  
Darcel D. Clark, Justices.

-----X  
In the Matter of

Natashalee Marie C., also known as  
Natashalee C.,

**M-5264**

Docket No. B15124/08

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

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McMahon Services for Children, a program of Good Shepherd Services, et al.,  
Petitioners-Respondents,

Rosalyn M., also known as  
Rosalin M.,  
Respondent-Appellant.

-----  
Steven Banks, Esq., The Legal Aid Society, Juvenile Rights Division, Attorney for the Child.

-----X  
Petitioners-respondents having moved for dismissal of the appeal taken by respondent mother from an order of the Family Court, Bronx County, entered on or about October 4, 2011,

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 respondent mother's 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 January 8, 2012.

Present - Hon. Luis A. Gonzalez, Presiding Justice,  
David Friedman  
David Saxe  
Rosalyn H. Richter  
Sheila Abdus-Salaam, Justices.

-----X

In the Matter of

Angie G.,  
Ashley G., and  
Aylin G.,

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

M-4959

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

Docket Nos. N-23840/11  
N-23841/11  
N-23842/11

Jose D. G.,  
Respondent-Appellant.

-----  
Steven Banks, Esq., The Legal Aid Society, Juvenile Rights Division,  
Attorney for the Children.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an Order of Disposition of the Family Court, Bronx County, entered on or about August 23, 2012, 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 granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Carol L. Kahn, Esq., 225 Broadway, Suite 1510, New York, NY 10007, Telephone No. 212-227-0206, 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 therefor<sup>1</sup> **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with 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.**

ENTER:



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CLERK

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<sup>1</sup>Service 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 8, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Richard T. Andrias  
John W. Sweeny, Jr., Justices.

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

-against-

M-4075  
Ind. No. 4326/02

Carlton Evans,  
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on January 3, 2006 (Appeal No. 7460), unanimously affirming a judgment of the Supreme Court, New York County (James Yates, J.), rendered on February 3, 2004,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate 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 said application 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 January 8, 2013.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
David Friedman  
David B. Saxe  
Sheila Abdus-Salaam, Justices.

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

-against-

M-5094  
Ind. No. 89/83

Maurice Lockwood,  
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on March 19, 1987 (Appeal No. 29516), unanimously affirming a judgment of the Supreme Court, New York County (Sheldon Levy, J.), rendered on November 4, 1983,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate 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 said application 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 January 8, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
David Friedman  
David B. Saxe  
Rosalyn H. Richter  
Sheila Abdus-Salaam, Justices.

-----X  
North Hill Funding of New York, LLC,  
Plaintiff-Respondents,

-against-

M-5313  
Index No. 602997/09

Maiden & Madison Holdings, LLC, RIP  
Holdings V, LLC, Capstone Business  
Credit, LLC, Capstone Capital Group I,  
LLC, John R. Rice, III and Joseph F.  
Ingrassia,  
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect their appeal from the order of the Supreme Court, New York County, entered on or about December 23, 2011 (mot. seq. nos. 004, 005 and 006),

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the May 2013 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 January 8, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Sallie Manzanet-Daniels  
Nelson S. Román, Justices.

-----X

Ornela Cere,  
Petitioner-Appellant,

-against-

M-3198  
Index No. 111998/10

Subway International BV,  
Respondent-Respondent.

-----X

Petitioner-appellant 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 June 7, 2012 (Appeal No. 7854),

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 January 8, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Sallie Manzanet-Daniels  
Nelson S. Román, Justices.

-----X

Panayota Beltas, et al.,  
Petitioners-Appellants,

-against-

M-3199  
Index No. 116156/10

Subway International BV,  
Respondent-Respondent.

-----X

Petitioners-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 June 7, 2012 (Appeal No. 7859),

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 January 8, 2013.

Present: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Dianne T. Renwick  
Rosalyn H. Richter  
Nelson S. Román, Justices.

-----X  
Deborah Golish,

Plaintiff-Respondent,

-against-

Steven Golish,

Defendant-Appellant.  
-----X

**M-4276**  
**M-4448**  
Index No. 350382/06

Defendant-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Supreme Court, New York County, entered on or about September 3, 2011, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for other relief (M-4276),

And plaintiff-respondent having cross-moved to dismiss the aforesaid appeal as untimely (M-4448),

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

It is ordered that plaintiff-respondent's cross motion is granted and the appeal is dismissed (M-4448). Defendant's motion is denied, as academic (M-4276).

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 January 8, 2013.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Rosalyn H. Richter  
Sheila Abdus-Salaam  
Nelson S. Román, Justices.

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

-against-

**M-4062**

Ind. No. 5643/07

Edward Green,  
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on March 24, 2011 (Appeal No. 4603), unanimously affirming the judgment of the Supreme Court, New York County (McLaughlin, J.), rendered on October 8, 2008,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate 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 said application 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 January 8, 2013.

PRESENT - Hon. Peter Tom, Justice Presiding,  
Angela M. Mazzarelli  
Richard T. Andrias  
Leland G. DeGrasse  
Nelson S. Román, Justices.

-----X

Vitro S.A.B. de C.V.,  
Plaintiff-Appellant,

-against-

M-5347  
Index No. 650997/11

Aurelius Capital Management, L.P.,  
et al.,  
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on October 16, 2012 (Appeal No. 8307),

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 January 8, 2013.

PRESENT - Hon. Peter Tom, Justice Presiding,  
Angela M. Mazzarelli  
David B. Saxe  
Sallie Manzanet-Daniels, Justices.

-----X  
Katz Park Avenue Corp., et al.,  
Plaintiffs-Respondent,

-against-

M-5322  
Index No. 104524/05

Bianca Jagger,  
Defendant-Appellant,

"John Doe", et al.,  
Defendants.

-----X

Defendant-appellant having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on September 27, 2012 (Appeal No. 8133),

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 January 8, 2013.

PRESENT - Hon. Peter Tom, Justice Presiding,  
Angela M. Mazzarelli  
Dianne T. Renwick  
Leland G. DeGrasse, Justices.

-----X  
Springwell Navigation Corp.,  
Plaintiff-Respondent,

-against-

M-5224  
Index No. 600600/09

Sanluis Corporacion, S.A.,  
Defendant-Appellant.  
-----X

Defendant-appellant having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on October 9, 2012 (Appeal No. 8230-8230A),

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 January 8, 2013.

Present: Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
Rolando T. Acosta  
David B. Saxe  
Helen E. Freedman, Justices.

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

-against-

Travis F., also known as Trevis L.F.,  
Defendant.

**SEALED**  
**M-4080**  
Ind. No. 6544/85

-----X

A judgment of the Supreme Court, New York County, having been entered on or about March 6, 1986,

And defendant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of trial 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 said application 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 January 8, 2013.

Present: Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
Helen E. Freedman  
Judith J. Gische, Justices.

-----X  
Lynda Antonetti and Ralph Antonetti,  
Plaintiffs-Appellants,

-against-

**M-5303**

Index No. 6149/00

The City of New York and The New York  
City Board of Education,  
Defendants-Respondents.

-----X

Appeals having been taken from orders of the Supreme Court, Bronx County, entered on or about January 12, 2012 and June 6, 2012, and from a judgment of said Court, entered on or about January 17, 2012,

And plaintiffs-appellants having moved for consolidation of the aforesaid appeals, and to enlarge the time to perfect the appeals from the order entered on or about January 12, 2012 and the judgment entered on or about January 17, 2012,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeals from the order entered on or about January 12, 2012 and the judgment entered on or about January 17, 2012, to the May 2013 Term, with leave to seek further enlargements if necessary, and otherwise denied, with leave to renew after the liquidation stay is lifted.

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 January 8, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Angela M. Mazzarelli  
Karla Moskowitz  
Sheila Abdus-Salaam  
Paul G. Feinman, Justices.

-----X  
Joanne Torchia and James Battista,  
Plaintiffs-Respondents,

-against-

M-5149  
Index No. 306233/10

Richard C. Garvey, M.D., Rick  
Garvey, M.D., P.C. and Montefiore  
Medical Center-Weiler Division,  
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about January 10, 2012,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the May 2013 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 January 8, 2013.

Present: Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
Rolando T. Acosta  
David B. Saxe  
Karla Moskowitz, Justices.

-----X

Glenford Morris,

Plaintiff-Appellant,

-against-

**M-4626**

Index No. 23980/02

Pavarini Construction, et al.,

Defendants-Respondents.

-----X

Defendants-respondents 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 September 4, 2012 (Appeal No. 7814),

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 reargument, is denied. So much of the motion which seeks leave to appeal to the Court of Appeals is granted and this Court, pursuant to CPLR 5713, certifies that the following question of law, decisive of the correctness of its determination, has arisen, which in its opinion ought to be reviewed by the Court of Appeals:

"Was the decision and order of this Court, which reversed the order of the Supreme Court, properly made?"

This Court further certifies that its determination was made as a matter of law and not in the exercise of discretion.

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 January 8, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
Helen E. Freedman  
Nelson S. Román  
Judith J. Gische, Justices.

-----X  
Netologic, Inc., doing business as  
Investars®,  
Plaintiff-Appellant,

-against-

M-5321  
Index No. 600394/09

The Goldman Sachs Group, Inc.,  
et al.,  
Defendants-Respondents.  
-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about April 4, 2011 (mot. seq. nos. 001 and 002),

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the May 2013 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 January 29, 2013.

Present - Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
Helen E. Freedman  
Nelson S. Román  
Judith J. Gische, Justices.

-----X

In the Matter of the Application of  
the State of New York,  
Petitioner-Respondent,

M-5514A  
Index No. 30004/09

For Civil Management Pursuant to  
Article 10 of the Mental Hygiene Law,

-against-

Heriberto T.,  
Respondent-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about March 9, 2012,

And respondent-appellant having moved, pursuant to Mental Hygiene Law §10.13[c], for leave to prosecute, as a poor person, the aforesaid appeal, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for the 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 permitting the appeal to be heard upon the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the Attorney General of the State of New York and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record.

The court reporter shall promptly make and file with the Supreme Court two transcripts of the stenographic minutes of any proceedings related to the above-captioned matter. 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.

Marvin Bernstein, Esq., Director of Mental Hygiene Legal Services, 41 Madison Avenue, 26<sup>th</sup> Floor, New York, NY 10010, Telephone No. (646) 386-5891, is assigned as counsel for purposes of prosecuting the appeal on respondent's behalf. The time to perfect the appeal is enlarged to on or before July 8, 2013 for the September 2013 Term. The order of this Court entered on January 8, 2013 (M-5514) is hereby recalled and vacated.

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 January 8, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Rolando T. Acosta  
David B. Saxe  
Leland G. DeGrasse  
Nelson S. Román, Justices.

-----X  
Executive Risk Indemnity, Inc.,  
Plaintiff-Appellant,

-against-

M-4956  
Index No. 601693/07

Starwood Hotels & Resorts Worldwide,  
Inc., et al.,  
Defendants-Respondents.

-----X

Defendants-respondents 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 September 18, 2012 (Appeal No. 7086),

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 January 8, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,  
John W. Sweeny, Jr.  
Leland G. DeGrasse  
Sallie Manzanet-Daniels  
Darcel D. Clark, Justices.

-----X  
In the Matter of the Application of  
Nayci Contracting Associates, LLC,  
et al.,

Petitioners,

M-5155  
Index No. 106851/10

For a Judgment Pursuant to Article 78  
of the CPLR,

-against-

New York City Department of Consumer  
Affairs, et al.,  
Respondents.

-----X

An Article 78 proceeding to review a determination of respondents having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about May 10, 2011,

And petitioners having moved for an enlargement of time to perfect the aforesaid proceeding,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the aforesaid proceeding to the May 2013 Term, with leave to seek further enlargements if necessary.

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 January 8, 2013.

Present: Hon. Peter Tom, Justice Presiding,  
Karla Moskowitz  
Rosalyn H. Richter  
Sheila Abdus-Salaam  
Nelson S. Román, Justices.

-----X  
In the Matter of

Ray Jean Frenele L., also known as  
Ray Jean L.,

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

**M-4840**  
Docket No. B24856/09

-----  
Heart Share Human Services of  
New York, et al.,  
Petitioners-Respondents,

Lorraine P., also known as  
Lauren H.,  
Respondent-Appellant.

-----  
Goetz L. Vilsaint, Esq.,  
Attorney for the Child.  
-----X

Petitioners-respondents having moved for dismissal of the appeal taken by respondent mother from an order of the Family Court, Bronx County, entered on or about August 20, 2010,

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 respondent mother's 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 January 8, 2012.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,  
Karla Moskowitz  
Leland G. DeGrasse  
Sallie Manzanet-Daniels  
Darcel D. Clark, Justices.

-----X  
In the Matter of the Application for  
the Guardianship and Custody of

Micah Zyair F. W.,

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

- - - - -  
Leake and Watts Services, Inc.,  
et al.,  
Petitioners-Respondents,

M-5276  
Docket No. B-18502/09

Tiffany L.,  
Respondent-Appellant.

- - - - -  
Andrew Rossmer, Esq.,  
Attorney for the Child.

-----X  
Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an Order of Disposition of the Family Court, Bronx County, entered on or about September 20, 2012, 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 granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Geoffrey P. Berman, Esq., 2005 Palmer Avenue, #176, Larchmont, NY 10538, Telephone No. 914-834-3053, 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 therefor<sup>1</sup> **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with 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.**

ENTER:



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CLERK

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<sup>1</sup>Service 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 8, 2013.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,  
Karla Moskowitz  
Leland G. DeGrasse  
Sallie Manzanet-Daniels  
Darcel D. Clark, Justices.

-----X  
In the Matter of the Application for  
Adoption of the Child,

Camille W., Jr.,

A Child Under the Age of 18 Years of  
Age Alleged to be Abandoned.

- - - - -  
Mr. W. and Ms. B.-W.,  
Petitioners-Respondents,

M-5471  
Docket No. A-17839/11

-against-

Camille W., Sr.,  
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about October 23, 2012, 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 granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Geoffrey P. Berman, Esq., 2005 Palmer Avenue, #176, Larchmont, NY 10538, Telephone No. 914-834-3053, 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 therefor<sup>1</sup> **within 30 days (FCA**

---

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

1121[7]) of service of a copy of this order upon the Clerk; (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with 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.**

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 January 8, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
In the Matter of a Proceeding for  
Support Under Article 5B of the  
Family Court Act.

-----  
Idelfonso M., M-5387  
Petitioner-Appellant, Docket No. U13912-98/11

-against-

Nannette H.,  
Respondent-Respondent.

-----X

Petitioner-appellant having moved for an enlargement of time to perfect the appeal from an order of the Family Court, New York County, entered on or about February 24, 2012, and for other relief,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the June 2013 Term, and otherwise 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 January 8, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Karla Moskowitz  
Leland G. DeGrasse  
Sallie Manzanet-Daniels  
Darcel D. Clark, Justices.

-----X  
Allied Irish Banks, P.L.C.,  
Acting by and through its New York Branch,  
Plaintiff-Respondent,

-against

M-5300  
Index No. 652967/11

Young Men's Christian Association  
of Greenwich,  
Defendant-Appellant.  
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about April 13, 2012, and said appeal having been perfected,

And defendant-appellant having moved for leave to file a supplemental record on appeal submitted as Exhibit A to defendant-appellant's 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 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 January 8, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Karla Moskowitz  
Leland G. DeGrasse  
Sallie Manzanet-Daniels  
Darcel D. Clark, Justices.

-----X  
Accounting by Lyndsay Howard-Zita,  
Ercil Howard-Wroth and Melvin J.  
Zalel, as Executors of the Estate  
of Nathan S. Howard, Deceased,  
Petitioners-Appellants,

-against-

M-5510  
File No. 1660A-05

Gerard Penneroux,  
Objectant-Respondent.

-----X

Petitioners-appellants having moved for an enlargement of time to perfect the appeal from an order of the Surrogate's Court, New York County, entered on or about December 29, 2011,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the May 2013 Term, with leave to seek further enlargements if necessary.

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 January 8, 2013.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
Sallie Manzanet-Daniels  
Nelson S. Román, Justices.

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

-against-

M-4825  
Ind. No. 4038/08

Maximo Romero,  
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on May 31, 2011 (Appeal No. 5214), unanimously affirming a judgment of the Supreme Court, New York County (Gregory Carro, J.), rendered on June 25, 2009,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate 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 said application 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 January 8, 2013.

Present: Hon. Richard T. Andrias, Justice Presiding,  
David B. Saxe  
Karla Moskowitz  
Helen E. Freedman  
Sheila Abdus-Salaam, Justices.

-----X  
Ramiro Medina,  
Plaintiff-Appellant,

-against-

**M-5199**  
Index No. 21575/06

Tuxedo Reserve Development Partners,  
L.P., et al.,  
Defendants-Respondents.

- - - - -  
[And other actions]

-----X

Defendants-respondents having moved for dismissal of the appeal taken by plaintiff from an order of the Supreme Court, Bronx County, entered on or about November 16, 2011,

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 January 8, 2013.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,  
David Friedman  
Leland G. DeGrasse  
Sallie Manzanet-Daniels, Justices.

-----X  
East 51st Street Development Company,  
et al.,  
Plaintiffs-Respondents,

-against-

The City of New York, et al.,  
Defendants,

M-5090  
M-5122

Index No. 650658/11

Macia Inspection & Testing Laboratories,  
Inc., and Barker Steel Company, Inc.,  
Defendants-Appellants.

-----X

Appeals having been taken from an order of the Supreme Court, New York County, entered on or about September 26, 2012,

And defendants-appellants having moved by separate motions (M-5090/M-5122) for an order pursuant to CPLR 5701(c) for leave to appeal to this Court from the aforesaid order, and for related relief,

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 denied, sua sponte, the appeals are dismissed, without prejudice to seeking additional relief in the Supreme Court.

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 January 8, 2013.

Present: Hon. Richard T. Andrias, Justice Presiding,  
David B. Saxe  
Karla Moskowitz  
Helen E. Freedman  
Sheila Abdus-Salaam, Justices.

-----X

In the Matter of the Application of  
20 Fifth Avenue, LLC,  
Petitioner-Respondent,

**M-4613**

**M-5357**

**M-5150**

-against-

Index No. 109920/11

New York State Division of Housing  
and Community Renewal,  
Respondent-Appellant,

20 Fifth Avenue Tenants Association,  
Respondent-Appellant.

-----X

Separate appeals having been taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about January 10, 2012,

And respondent-appellant, New York State Division of Housing and Community Renewal, having moved to enlarge time to perfect their appeal (M-4613),

And respondent-appellant, 20 Fifth Avenue Tenants Association, having moved to enlarge the time to perfect their appeal (M-5357),

And petitioner-respondent, 20 Fifth Avenue, LLC, having cross-moved to vacate the stay afforded respondent-appellant, New York State Division of Housing and Community Renewal, by the order of the Supreme Court entered on or about January 10, 2012; and to dismiss the appeal taken by respondent-appellant, 20 Fifth Avenue Tenants Association, as one taken from a non-final order and judgment (one paper), or, in the alternative, to direct 20 Fifth Avenue Tenants Association to perfect their

appeal concurrently with that of respondent-appellant New York State Division of Housing and Community Renewal, on one joint record (M-5150),

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

Ordered that respondents-appellants' respective motions (M-4613/M-5357) are granted to the extent of enlarging the time to perfect their appeals to the May 2013 Term. Petitioner-respondent's cross motion (M-5150) is granted to the extent of directing respondents-appellants to proceed with their appeals on a joint record and separate briefs, and the Clerk is directed to calendar both appeals for hearing together on the same day of the May 2013 Term. So much of the petitioner-respondent's cross motion which seeks to dismiss the appeal of respondent-appellant 20 Fifth Avenue Tenants Association, and to vacate the CPLR 5519(a)(1) stay, is denied. Sua sponte, the notice of appeal filed by respondent-appellant, 20 Fifth Avenue Tenants Association, is deemed an application for leave to appeal to this Court and, as such, is granted.

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 January 8, 2013.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,  
David Friedman  
Karla Moskowitz  
Helen E. Freedman  
Sallie Manzanet-Daniels, Justices.

-----X

Irene Mulcahy,  
Petitioner-Appellant,

-against-

M-5267  
Index No. 108422/10

New York City Department  
of Education,  
Respondent-Respondent.

-----X

Respondent-respondent 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 October 11, 2012 (Appeal No. 8271),

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 January 8, 2013.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,  
John W. Sweeny, Jr.  
Karla Moskowitz  
Leland G. DeGrasse  
Sheila Abdus-Salaam, Justices.

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

-against-

M-4212  
Ind. No. 3859/06

Kin Wong,  
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on February 1, 2011 (Appeal No. 4165), unanimously affirming a judgment of the Supreme Court, New York County (Bonnie Wittner, J.), rendered on August 15, 2007,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate 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 said application 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 January 8, 2013.

Present - Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Dianne T. Renwick  
Rosalyn H. Richter  
Nelson S. Román, Justices.

-----X  
In the Matter of the Commitment of

Dayjore Isaiah M., also known as  
Dayjore M., and  
Dyshawm Joshua Emmanuel M.,  
also known as DyShawn M.,

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

- - - - -  
Lutheran Social Services of New  
York, et al.,  
Petitioners-Respondents,

M-5525  
Docket No. B-28023/09  
B-28024/09

Dominique Shaniqua M., also known as  
Dominique M.,  
Respondent-Appellant.

- - - - -  
Mina McFarlane, Esq.,  
Attorney for the Child.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from orders of the Family Court, Bronx County, entered on or about September 28, 2012, 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 granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Steven N. Feinman, Esq., One North Broadway, Suite 412, White Plains, NY 10601, Telephone No. 914-949-8214, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the

record on appeal, the cost thereof to be charged against the City of New York from funds available therefor<sup>1</sup> **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with 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.**

ENTER:



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CLERK

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<sup>1</sup>Service 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 8, 2013.

PRESENT - Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
Rolando T. Acosta  
David B. Saxe, Justices.

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

-against-

M-3671  
Ind. No. 1884/06

Robert Bland,  
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on October 23, 2008 (Appeal No. 4366), unanimously affirming a judgment of the Supreme Court, New York County (Renee A. White, J.), rendered on December 12, 2006,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate 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 said application 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 January 8, 2013.

PRESENT - Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Dianne T. Renwick  
Rosalyn H. Richter  
Sheila Abdus-Salaam, Justices.

-----X  
O. Aldon James, Jr., et al.,  
Plaintiffs-Respondents,

-against-

M-5247  
Index No. 109945/11

The National Arts Club, et al.,  
Defendants-Appellants.

-----X

Plaintiffs-respondents having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on October 11, 2012 (Appeal No. 8153),

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 January 8, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Dianne T. Renwick  
Rosalyn H. Richter  
Nelson S. Román, Justices.

-----X  
Admiral Indemnity Company as subrogee  
of Place 57 Condominium Association,  
Plaintiffs-Respondents,

-against-

M-5210  
Action No. 1  
Index No. 102772/08

Bovis Lend Lease LMB, Inc.,  
Defendant-Respondent,

R & J Construction Corp.,  
Defendant-Appellant.

-----X  
Admiral Indemnity Co. as subrogee  
of Place 57 Condominium Association,  
Plaintiffs-Respondents,

-against-

Action No. 2  
Index No. 102773/08

Bovis Lend Lease LMB, Inc. and EPIC  
Mechanical Contractors, LLC,  
Defendants-Respondents.

-----X

Defendant-appellant R & J Construction Corp. having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about February 7, 2011,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the May 2013 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 January 8, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Dianne T. Renwick  
Rosalyn H. Richter  
Nelson S. Román, Justices.

-----X  
Edwin Ronquillo, Guardian of the  
Person and Estate of Edison  
Ronquillo,  
Plaintiff-Appellant,

-against-

American Express Company, et al.,  
Defendants-Respondents.

M-5511  
Index No. 111679/03

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about January 13, 2012,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the May 2013 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 January 8, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Dianne T. Renwick  
Rosalyn H. Richter  
Nelson S. Román, Justices.

-----X  
Magdalena T. Jacobs,  
Plaintiff-Appellant,

-against-

M-5368  
Index No. 110094/09

Madison Plastic Surgery, P.C. and  
Robert M. Tornambe, M.D.,  
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about February 6, 2012,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the May 2013 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 January 8, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Dianne T. Renwick  
Rosalyn H. Richter  
Nelson S. Román, Justices.

-----X  
277 Mott Street LLC,  
Plaintiff-Appellant,

-against-

M-5320  
Index No. 603168/08

Fountainhead Construction, LLC  
and John Doe Nos. 1 through 10,  
Defendants,

Steven Abrams,  
Defendant-Respondent.

-----X  
Steven Abrams,  
Third-Party Plaintiff,

-against-

Third-Party  
Index No. 590925/11

Joseph DiPalermo,  
Third-Party Defendant.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about January 26, 2012 (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 to the extent of enlarging the time to perfect the appeal to the May 2013 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 January 8, 2013.

Present: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Dianne T. Renwick  
Rosalyn H. Richter  
Nelson S. Román, Justices.

-----X  
Deborah Golish,

Plaintiff-Respondent,

-against-

Steven Golish,

Defendant-Appellant.  
-----X

**M-4276**  
**M-4448**  
Index No. 350382/06

Defendant-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Supreme Court, New York County, entered on or about September 3, 2011, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for other relief (M-4276),

And plaintiff-respondent having cross-moved to dismiss the aforesaid appeal as untimely (M-4448),

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

It is ordered that plaintiff-respondent's cross motion is granted and the appeal is dismissed (M-4448). Defendant's motion is denied, as academic (M-4276).

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 January 8, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,  
David B. Saxe  
Dianne T. Renwick  
Leland G. DeGrasse  
Rosalyn H. Richter, Justices.

-----X

In re George Sun,  
Petitioner-Appellant,

-against-

Brian E. Lawlor, etc.,  
Respondent,

M-3549

Index No. 115206/10

210 West 94th Street LLC,  
Respondent-Respondent.

-----X

Petitioner-appellant 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 June 28, 2012 (Appeal No. 8049),

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 January 8, 2013.

PRESENT - Hon. Rolando T. Acosta, Justice Presiding,  
Helen E. Freedman  
Nelson S. Román  
Darcel D. Clark, Justices.

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

-against-

M-4210  
Ind. No. 5455/07

Sergio Rodriguez,  
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on December 28, 2010 (Appeal No. 2671), unanimously modifying a judgment of the Supreme Court, New York County (Edward McLaughlin, J.), rendered on October 14, 2008,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate 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 said application is denied.

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,

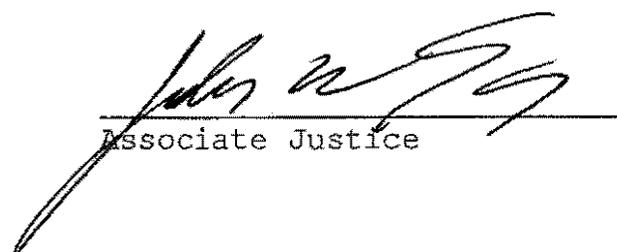
-against-

Melic Bradford,

Defendant.  
-----X

M-5314  
Ind. Nos. 3092/07  
1324/07  
CERTIFICATE  
DENYING LEAVE

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, entered on or about November 30, 2011 (Rena K. Uviller, J.) is hereby denied.

  
Associate Justice

Dated: December 17, 2012  
New York, New York

ENTERED: JAN 8 2013

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-5516  
Ind. No. 1004/07

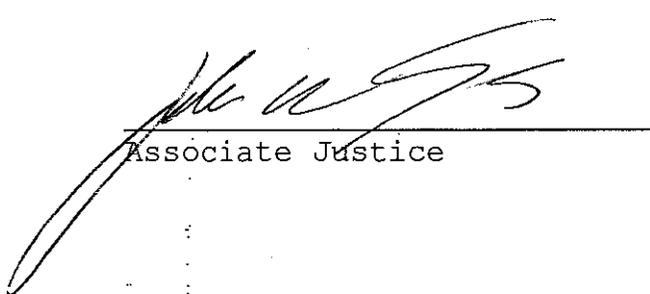
-against-

CERTIFICATE  
DENYING LEAVE

Eric Harding,

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, entered on or about September 7, 2012 (Bruce Allen, J.) is hereby denied.

  
Associate Justice

Dated: December 17, 2012  
New York, New York

ENTERED: JAN 8 2013

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

BEFORE: Hon. Rolando T. Acosta  
Justice of the Appellate Division

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

M - 5658  
Ind. No. 12836/90

-against-

CERTIFICATE  
DENYING LEAVE

Tommy Tam,

Defendant.

-----X

I, Rolando T. Acosta, 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 orders of the Supreme Court, New York County, entered on or about March 13, 2012 is denied.



Hon. Rolando T. Acosta  
Associate Justice

Dated: December 17, 2012  
New York, New York

ENTERED:



STATE OF NEW YORK  
APPELLATE DIVISION : FIRST DEPARTMENT

BEFORE: Hon. David B. Saxe  
Justice of the Appellate Division

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

M-4783  
Bronx Co.  
Ind No. 4174/05  
C-No. 46762C-2005

-against-

CERTIFICATE  
DENYING LEAVE

Rene Bonilla,

Defendant.

-----X

I, David B. Saxe, 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 section 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, Bronx County, entered on or about July 31, 2012, is hereby denied.

Dated: New York, New York

January 2, 2013

Entered: January 8, 2013

  
Justice of the Appellate Division

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

BEFORE: Hon. David B. Saxe  
Justice of the Appellate Division

-----X

Probate Proceeding,  
Last Will and Testament of  
Huguette M. Clark,  
Deceased,

Surrogate's Court  
File No. 1995-1375/A  
M-5388

Wallace Bock,  
Petitioner-Appellant

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Petitioner having moved, pursuant to CPLR 5701(c), for leave to appeal to this Court from the order of the Surrogate's Court, New York County, entered on or about September 21, 2012,

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.

  
\_\_\_\_\_  
David B. Saxe  
Associate Justice

Dated: January 2, 2013  
New York, New York

Entered: January 8, 2013

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

BEFORE: Hon. Leland G. DeGrasse  
Justice of the Appellate Division

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

M-5361  
Ind. No. 3578/09

-against-

CERTIFICATE  
DENYING LEAVE

Rajmohan Autar,  
Defendant.

-----X

I, Hon. Leland G. DeGrasse, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about November 30, 2011, is hereby denied.

Dated: New York, New York  
December 14, 2012

Entered: January 8, 2013



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Hon. Leland G. DeGrasse  
Justice of the Appellate Division