

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 July 24, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-3279
Ind. No. 20008/13

Manuel Cedacero,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about March 15, 2013,

Now, upon reading and filing the stipulation of the parties hereto, dated June 20, 2014, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 July 24, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-3280
Case No. 35540C/05

Nathaniel Bradshaw, also known as
Nathan Bradshaw,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, rendered on or about October 14, 2010,

Now, upon reading and filing the stipulation of the parties hereto, dated May 28, 2014, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:



CLERK

CORRECTED ORDER - April 3, 2015

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 July 24, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-2101
Ind. No. 5448/12

Derrick Hughes,
Defendant-Appellant.

-----X
Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about February 14, 2014, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Seymour W. James, Jr., 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 July July 24, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-2102
Ind. No. 179/14

Bradley J. Hough,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 3, 2014, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Seymour W. James, Jr., Esq., 199 Water Street, 5th Floor, New York, New York 10004, 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 July 24, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-2103
Ind. No. 1376/11
Case No. 20207C/11

Julian James,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about February 6, 2014, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Seymour W. James, Jr., Esq., 199 Water Street, 5th Floor, New York, New York 10004, 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 July 24, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-2104
Ind. No. 2686N/13

Rahsean Jackson,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 21, 2014, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 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 July 24, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-2105
Ind. No. 4446/13

Derrick D. Jack,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about March 26, 2014, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Seymour W. James, Jr., Esq., 199 Water Street, 5th Floor, New York, New York 10004, 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 July 24, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-2106
Ind. No. 743/13

William E. Jenkins,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about March 20, 2014, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Seymour W. James, Jr., Esq., 199 Water Street, 5th Floor, New York, New York 10004, 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 July 24, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-2107
Ind. No. 4808/13

Salah Kebbati,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about March 26, 2014, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Seymour W. James, Jr., Esq., 199 Water Street, 5th Floor, New York, New York 10004, 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 July 24, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-2108
Ind. No. 3027/13

Shombe McBroom,
Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about March 5, 2014, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 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 July 24, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

Roberto Marcucci,
Defendant-Appellant.

M-2109
Ind. No. 4021/10
Case No. 67536C/10

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about March 28, 2013, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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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.

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 July 24, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-2110
Ind. No. 1956/12

Angel Ortega,
Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about March 7, 2014, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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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.

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 July 24, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

SEALED
M-2112

-against-

Ind. No. 176/12

Jose P.,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about March 20, 2014, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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Seymour W. James, Jr., Esq., 199 Water Street, 5th Floor, New York, New York 10004, 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 July 24, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-2113
Ind. No. 2438/09

Eduardo Rodriguez,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about July 17, 2012, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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Seymour W. James, Jr., Esq., 199 Water Street, 5th Floor, New York, New York 10004, 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 July 24, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-2114
Ind. No. 5578/10

Bernardo Rodriguez,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about February 7, 2014, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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Seymour W. James, Jr., Esq., 199 Water Street, 5th Floor, New York, New York 10004, 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 July 24, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-2115
Ind. No. 2619/13

Maximo Reinoso,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about March 21, 2014, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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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.

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 July 24, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-2117
Ind. No. 2670N/13

Juel Roundtree,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about February 24, 2014, 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,

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Seymour W. James, Jr., Esq., 199 Water Street, 5th Floor, New York, New York 10004, 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 July 24, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-2120
Ind. Nos. 433/14
2095/13

Kissima Sawo,
Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgments of the Supreme Court, Bronx County, rendered on or about March 4, 2014, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Seymour W. James, Jr., Esq., 199 Water Street, 5th Floor, New York, New York 10004, 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 July 24, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-2121
Ind. No. 1705/13

Edwin Smith,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about February 20, 2014, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Seymour W. James, Jr., Esq., 199 Water Street, 5th Floor, New York, New York 10004, 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 July 24, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-2122
Ind. No. 3791/13

Lamont Sloan,
Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about March 20, 2014, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 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 July 24, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-2123
Ind. No. 274/14

David Soto,
Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about March 13, 2014, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 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 July 24, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-2126
Ind. No. 262/11

Eddie T. Vastion,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 10, 2014, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Seymour W. James, Jr., Esq., 199 Water Street, 5th Floor, New York, New York 10004, 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 July 24, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-2127
Ind. No. 2144/13

Koran Wilkins,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about March 20, 2014, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Seymour W. James, Jr., Esq., 199 Water Street, 5th Floor, New York, New York 10004, 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 July 24, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-2128
Ind. No. 584/11

Robert Williams,
Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about July 18, 2013, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 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 July 24, 2014.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X

In the Matter of

Jason G.,
Jasmine G.,
and Jackie B.,

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

Commissioner of Administration for Children's Services, City of New York,
Petitioner-Respondent,

M-2753
Docket Nos. NN-51635/11
NN-51636/11
NN-51637/11

Pamela G.,
Respondent-Appellant.

Seymour W. James, Jr., Esq., The Legal Aid Society, Juvenile Rights Division,
Attorney for Jason G.,

Randall Carmel, Esq.,
Attorney for Jasmine G.,

Douglas Reiniger, Esq.,
Attorney for Jackie B.

-----X

An appeal having been taken from the Decision and Order on Fact-Finding of the Family Court, New York County, entered on or about July 15, 2013, and said appeal having been perfected,

And Seymour W. James, Jr., Esq., as successor Attorney-in-Chief, The Legal Aid Society, of Scott A. Rosenberg, Esq., Family Court counsel for two of the above-named subject children, Jasmine G. and Jackie B., having moved on said children's behalf for leave to respond, as poor persons, to the aforesaid appeal, for assignment of appellate counsel for said children, for a free copy of the transcript(s), 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, Randall Carmel, Esq., 53 Jackson Avenue, Syosset, NY 11791, Telephone No. (516) 921-8800, as counsel for purposes of responding to the appeal on behalf of the child, Jasmine G., and Douglas Reiniger, Esq., 801 Second Avenue, 10th Floor, New York, NY 10017, Telephone No. (212) 972-5430 as counsel for purposes of responding to the appeal on behalf of the child Jackie B.; (2) permitting said movants to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for respondent-appellant and 8 copies thereof are filed with this Court. Seymour W. James, Jr., Esq., as successor Attorney-in-Chief, The Legal Aid Society, of Scott A. Rosenberg, Esq., is assigned as counsel for purposes of responding to the appeal on behalf of the child Jason G. The perfected appeal is adjourned to the December 2014 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 July 24, 2014.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

Respondent,

-against-

Frank Pannizzo,

Defendant-Appellant.
-----X

M-1082
Docket No. 2012NY036054
N.Y. County Clerk's
No. 570918/12

A judgment of the Supreme Court, New York County, having been rendered on or about August 17, 2012 under Docket No. 2012NY036054,

And an order of the Appellate Term, First Department, having been entered in the office of the Clerk of the Supreme Court, New York County, on or about October 11, 2012, granting defendant leave to appeal from the aforesaid judgment of the Criminal Court, New York County, rendered on or about August 17, 2012, and assigning Scott A. Rosenberg, Esq., The Legal Aid Society, as counsel for purposes of prosecuting the appeal,

And defendant-appellant having moved before this Court for leave to prosecute, as a poor person, the appeal from the aforesaid judgment of the Criminal Court, New York County, rendered on or about August 17, 2012, as a poor person, 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 in this Court 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 ten reproduced copies of such brief, together with the original record, with this Court.

The court reporter if not already done, 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.

Seymour W. James, Jr., Esq., 199 Water Street, 5th Floor, New York, New York 10004, 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, in this Court. All without prejudice to a motion by assigned counsel for any further relief in the Appellate 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 July 24, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
David Friedman
Karla Moskowitz
Leland G. DeGrasse
Paul G. Feinman, Justices.

-----X
Raul Flores,
Plaintiff-Respondent,

-against-

M-1904
Index No. 400736/09

Infrastructure Repair Services, LLC,
et al.,
Defendants-Appellants.

-----X

Plaintiff-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 March 20, 2014 (Appeal No. 10167),

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 July 24, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
Leland G. DeGrasse
Paul G. Feinman
Judith J. Gische, Justices.

-----X

Joseph Pipia, et al.,
Plaintiffs-Appellants-Respondents,

-against-

M-1073
Index No. 105381/08

Turner Construction Company, et al.,
Defendant-Respondents-Appellant.

-----X

Defendants-respondents-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 February 4, 2014 (Appeal No. 11649, 11650 & 11651),

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 July 24, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
David B. Saxe
Paul G. Feinman
Judith J. Gische, Justices.

-----X
222 Funding Associates,
Plaintiff-Respondent,

-against-

M-2570
Index No. 380272/13

Latou Realty Corp., et al.,
Defendants,

Everton Sterling,
Defendant-Appellant.
-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about August 7, 2013,

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

It is ordered that the motion is denied, and sua sponte, 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 July 24, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Richard T. Andrias
David B. Saxe
Barbara R. Kapnick, Justices.

-----X
Martin Operating Corp.,
Plaintiff-Respondent,

-against-

TMM Group, Inc., and Claude Grunitzky,
Defendants-Appellants.

M-1743
M-2982
Index No. 600130/10

-----X

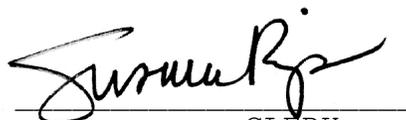
Plaintiff-respondent having moved for dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about May 20, 2013, for failure to timely perfect (M-1743),

And defendants-appellant having cross-moved for an enlargement of time to perfect the aforesaid appeal (M-2982),

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 the motion is granted and the appeal is dismissed (M-1743). The cross motion is denied (M-2982).

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 July 24, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Richard T. Andrias
David B. Saxe, Justices.

-----X
Bryan Hamill,
Plaintiff-Appellant,

-against-

M-2483
Index No. 110070/10

Glad Tidings Tabernacle, Inc.,
Defendant-Respondent.

-----X

Defendant-respondent having moved for dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about January 24, 2014, for failure to timely file a notice of appeal,

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

It is ordered that the motion is granted and the appeal is dismissed, as untimely taken.

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 July 24, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Richard T. Andrias
David B. Saxe, Justices.

-----X
Dante Dodge,
Plaintiff-Appellant,

-against-

M-2836
Index No. 307283/11

American United Transportation and Sergio
A. Veloz,
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 July 8, 2013, for failure to timely perfect,

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 July 24, 2014.

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

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

-against-

M-2807
Ind. No. 4140/10

Radhames Rodriguez,
Defendant-Appellant.

-----X

Respondent People having moved to dismiss the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about March 26, 2013, and said appeal having been perfected,

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

It is ordered that the motion is granted and the appeal is dismissed, as moot.

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 July 24, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Richard T. Andrias
David B. Saxe, Justices.

-----X
Stephen M. Duffy,

Plaintiff-Appellant,

M-2837

Index No. 108061/11

-against-

1646 Amsterdam Avenue Housing Development
Fund Corporation,

Defendant-Respondent.

-----X

An appeal having been taken from an order and judgment (one paper) of Supreme Court, New York County, entered on or about August 6, 2013,

And defendant-respondent having moved for an order dismissing the aforesaid appeal as untimely (CPLR 5513[a]),

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 July 24, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Richard T. Andrias
David B. Saxe, Justices.

-----X
Juliana Espinal,
Plaintiff-Appellant,

-against-

M-3024
Index No. 100308/11

Hidalgo Martin and Laureano Castillo,
Defendants-Respondents.
-----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 June 5, 2013, for failure to timely perfect,

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 July 24, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Richard T. Andrias
David B. Saxe, Justices.

-----X
Peter S. Collins and Matthew H. Reines,
Individually and derivatively on behalf
of 400 West 14th, doing business as The
Gaslight,
Plaintiffs-Appellants,

-against-

M-3031
Index No. 100401/13

William C. Reddy, et al.,
Defendants-Respondents.

-----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 May 23, 2013, for failure to timely perfect,

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 July 24, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Richard T. Andrias
David B. Saxe, Justices.

-----X
In the Matter of the Application of
Barron Ricks,
Petitioner-Appellant,

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

M-3076
Index No. 103619/12

-against-

New York City Housing Authority,
Respondent-Respondent.
-----X

Respondent-respondent having moved for dismissal of the appeal taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about August 14, 2013, for failure to timely perfect,

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 July 24, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Richard T. Andrias
David B. Saxe, Justices.

-----X
Susan Ciminelli,
Plaintiff-Appellant,

-against-

M-3078
Index No. 111386/09

Bergdorf Goodman Inc., and John Barrett,
Inc.,
Defendants-Respondents.

-----X

Defendant-respondent John Barrett, Inc. having moved for dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about July 22, 2013, for failure to timely perfect,

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 July 24, 2014.

PRESENT - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Richard T. Andrias
David B. Saxe, Justices.

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

-against-

M-2984
Ind. No. 3627/12

Cecily McMillan,
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 May 19, 2014, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth facts sufficient to establish that defendant has no funds or assets with which to prosecute the appeal, said affidavit to include a statement or other proof explaining whether she is at all connected with, inter alia, the websites named in paragraph 3 of the People's affirmation in opposition to defendant's motion, and whether she received, or is due funds from same, and the extent that there are any such funds remaining.

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 July 24, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Richard T. Andrias
David B. Saxe, Justices.

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

- - - - -
Lisette R.,
Petitioner-Appellant,

M-3065
Docket Nos. V-20216-7/13
V-20316-7/13

-against-

Coral T. C.,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about May 15, 2014, and for assignment of counsel, a free copy of the transcript, and 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, Randall Carmel, Esq., 53 Jackson Avenue, Syosset, NY 11791, Telephone No. (516) 921-8800, as counsel for purposes of prosecuting the appeal and responding to the appeal taken by the subject children Leroy A.T. and Ashely S.,; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the

record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order** and; (4) directing appellant to perfect this appeal **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** (See M-3066, decided simultaneously herewith).

ENTER:


CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 24, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Richard T. Andrias
David B. Saxe.

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

Lisette R.,
Petitioner-Appellant,

M-3066
Docket Nos. V-20216-7/13
V-20316-7/13

-against-

Coral T. C.,
Respondent-Respondent.

-----X

Respondent-respondent having moved for leave to respond, as a poor person, to the appeal from the order of the Family Court, New York County, entered on or about May 15, 2014, 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, Andrew Baer, Esq., 299 Broadway, Suite 1414, New York, NY 10008, Telephone No. (212) 233-0318, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this Court (See M-3065, decided simultaneously herewith).

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 July 24, 2014.

PRESENT - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Richard T. Andrias
David B. Saxe, Justices.

-----X
José Borges,
Plaintiff-Respondent,

-against-

M-2571
Index No. 570722/06

Alfred Placeres,
Defendant-Appellant.
-----X

Defendant-appellant having moved for leave to appeal to this Court from the decision and order of the Appellate Term, entered in the office of the Clerk of the Supreme Court, New York County on or about March 5, 2014, and for a stay of enforcement of the judgment appealed, pending hearing and determination of the appeal,

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

It is ordered that the motion for leave to appeal to this Court is granted and the motion insofar as it seeks a stay of enforcement of the underlying judgment of the Civil Court of the City of New York, New York County, entered on September 14, 2012 is accordingly granted, pending hearing and determination of the appeal, on condition the appeal is perfected on or before September 29, 2014 for the December 2014 Term. Appellant shall file two copies of the pre-argument statement and of this order with the Clerk of the Appellate Term with proof of service, pursuant to Section 600.17 of the Rules of this 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 July 24, 2014.

PRESENT - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Richard T. Andrias
David B. Saxe, Justices.

-----X
Bilig Realty Corp.,
Petitioner-Landlord-Appellant,

-against-

M-2577
Index No. 570018/14

Charles Owasa & Rose Okoruwe
Respondents-Tenants-Respondents,

Juliet Owasa, "John Doe" & "John Doe",
Respondents-Undertenants.
-----X

Respondents-tenants-respondents having moved for leave to appeal to this Court from the decision and order of the Appellate Term, entered in the office of the Clerk of the Supreme Court, New York County on or about February 28, 2014,

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, an the interim relief granted by a Justice of this Court on May 14, 2014 is 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 July 24, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Richard T. Andrias
David B. Saxe, Justices.

-----X
Michael Hedges, as Guardian Ad Litem
of Marion Hedges, An Incapacitated
Person and Michael Hedges, Individually,
and Dayton Hedges, an Infant by his
Father and Natural Guardian Michael
Hedges and Michael Hedges, Individually,
Plaintiffs-Respondents,

-against-

M-2735
Index No. 101854/12

East River Plaza, et al.,
Defendants-

Bob's Discount Furniture of NY, LLC,
Defendant-Appellant.

-----X
(And other actions)
-----X

Defendant-appellant Bob's Discount Furniture of NY, LLC 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 July 31, 2013,

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 December 2014 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 July 24, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Richard T. Andrias
David B. Saxe, Justices.

-----X
PS 157 Lofts LLC, et al.,
Petitioner-Landlord-Appellant,

-against-

M-2737
Index No. 570467/13

Kimberly Austin, et al.,
Respondents-Tenants-Appellants.

-----X

Respondents-tenants-appellants having moved for leave to appeal to this Court from the decision and order of the Appellate Term entered in the office of the Clerk of the Supreme Court, New York County, on or about December 31, 2013,

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 July 24, 2014.

PRESENT - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Richard T. Andrias
David B. Saxe, Justices.

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

-against-

M-2916
Ind. No. 4989/11

Michael Johnson, also known as
Michael A. Johnson,
Defendant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about February 22, 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 denied (CPL §460.30).

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 July 24, 2014.

PRESENT - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Richard T. Andrias
David B. Saxe, Justices.

-----X

The People of the State of New York,

-against-

M-2931

Ind. No. 3987N/11

Carlos J. Sanchez,

Defendant.

-----X

Defendant having moved for an extension of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about April 10, 2012, and for leave to prosecute the appeal as a poor person, and for leave to have the appeal heard on the original record and typewritten briefs, and for assignment of appellate counsel, and 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 (CPL §460.30).

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 July 24, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Richard T. Andrias
David B. Saxe, Justices.

-----X
135 East 57th Street, LLC,
Plaintiff-Respondent,

-against-

M-2936
Index No. 602167/09

57th Street Day Spa, LLC, et al.,
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about September 20, 2013,

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 December 2014 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 July 24, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Richard T. Andrias
David B. Saxe, Justices.

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

-against-

M-2970
Ind. No. 2883/12

David Sheard,
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to file a pro se supplemental brief in connection with an appeal from a judgment of the Supreme Court, New York County, rendered on or about April 3, 2013, for a copy of the trial transcripts and for an enlargement of time in which to file said pro se supplemental brief,

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

It is ordered that the motion is granted to the extent of directing defendant to serve and file 9 copies of his pro se supplemental brief on or before September 29, 2014 for the December 2014 Term, to which Term the appeal is adjourned. The Clerk of the Court is directed to forward to the Warden at the State correctional facility wherein defendant is incarcerated a transcript of the minutes relating to defendant's appeal, said transcript to be made available to appellant and returned by appellant to this Court when submitting the pro se supplemental brief hereto. The appeal will not be heard unless and until all material furnished to appellant has been returned.

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 July 24, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Richard T. Andrias
David B. Saxe, Justices.

-----x

Michael Robinson,
Plaintiff-Appellant,

-against-

M-2988
Index No. 6839/07

1528 White Plains Realty, Inc., et al.,
Defendants-Respondents.

-----x

Appeals having been taken to this Court by plaintiff-appellant from an order of the Supreme Court, Bronx County, entered on or about August 16, 2014 and from an order of the same Court and Justice, entered on or about November 6, 2013, respectively,

And plaintiff-appellant having moved for consolidation of the aforesaid appeals, and enlargement of time to perfect same,

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

It is ordered that the motion is granted to the extent of permitting to prosecute the appeals upon 9 copies of one record and one set of appellant's points covering the appeals and enlarging the time in which to perfect the consolidated appeals to the December 2014 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 July 24, 2014.

PRESENT - Hon: David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Richard T. Andrias
David B. Saxe, Justices.

-----X
Aurora Loan Services, LLC,
Plaintiff-Respondent,

-against-

M-2989
Index No. 8919/06

Sandra Castro,
Defendant-Appellant,

Hermina Castro, et al.,
Defendants.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about February 7, 2013,

And plaintiff-respondent having moved for, inter alia, an order vacating the stay granted by the order of this Court on June 18, 2013 (M-1241), and dismissing said appeal,

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

It is ordered that the motion is granted and the appeal is dismissed; the stay granted by an order of a Justice of this Court on June 18, 2013 (M-1241) is 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 July 24, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Richard T. Andrias
David B. Saxe, Justices.

-----X
In the Matter of a Proceeding Under
Article 10 of the Family Court Act.

Jose R., Gloria R., Ninoshka M.,
and Moises M.,

Children Under 18 Years of Age
Alleged to be abused and/or
Neglected,

Administration for Children's
Services,
Petitioner-Respondent,

M-2995
Docket Nos. NN3842/11
NN3843/11
NN3844/11
NN3845/11

Liz R.,
Respondent-Appellant.

Judith Waksberg, Esq.
The Legal Aid Society,
Lawyer for Subject Child
Moises M.,

Elizabeth Posse, Esq.,
Attorney for Subject
Children Jose R.,
Gloria R. and Ninoshka M.

-----X

Respondent-appellant mother having moved for an enlargement of time to perfect the appeal from a fact finding order of the Supreme Court, Bronx County, entered on or about February 1, 2013,

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 December 2014 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 July 24, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Richard T. Andrias
David B. Saxe, Justices.

-----X
Arrowhead Target Fund, Ltd.,
Plaintiff-Respondent,

-against-

Peter Hoffman, et al.,
Defendants-Appellants.

M-3098
Index No. 651481/10

-----X

Defendants-appellants 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 October 4, 2013,

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 January 2015 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 July 24, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Richard T. Andrias
David B. Saxe, Justices.

-----X
PSKW, LLC on behalf of itself and
as assignee of Touch Tone Media, Inc.,
Plaintiff-Appellant,

-against-

M-3087
Index No. 602921/07

McKesson Specialty Arizona, Inc.,
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 24, 2013,

And plaintiff-appellant and defendant-respondent having moved jointly for an order permitting the respective parties to file confidential documents in a separate volume under seal,

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.

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 July 24, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Richard T. Andrias
David B. Saxe, Justices.

-----X
In the Matter of

Clarence Davion M. and
Sebastian Desean M.,

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

- - - - -
Catholic Guardian Society of New York
and Home Bureau,
Petitioner-Respondent,

M-3129

Docket No.B-14449-50/11

Clarence M. Sr.,
Respondent-Appellant,

Douglas Reiniger, Esq.,
Attorney for the Children.

-----X

An appeal having been taken from the order of the Family Court, Bronx County, entered on or about September 25, 2013,

And Jessica M. Brown, Esq. attorney for the children having moved to withdraw as counsel, and 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 granted to the extent of relieving Jessica M. Brown, Esq. as counsel and (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Douglas Reiniger, Esq., 801 Second Avenue 10th FL, New York, NY 10017, Telephone No. (212) 972-5430, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this Court. The appeal is adjourned to the December 2014 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 July 24, 2014.

PRESENT : Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Richard T. Andrias
David B. Saxe, Justices.

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

The Bank of New York Mellon, etc., et al.,
Petitioners-Appellants-Respondents,

M-3132
Index No. 651786/11

for an order, pursuant to CPLR §7701,
seeking judicial instructions and
approval of a proposed settlement.

-----X

Petitioners-appellants-respondents having moved for a preference in the hearing of the appeal from the order of the Supreme Court, New York County, entered on or about February 21, 2014, and said appeal having been perfected,

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 in accordance with the stipulation of the parties dated May 22, 2014, so ordered by a Justice of this Court on June 18, 2014, and the parties are directed to abide by the briefing schedule therein. The Clerk of this Court is directed to calendar the appeal during the last week of the October 2014 Term, if so perfected.

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 July 24, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Richard T. Andrias
Judith J. Gische
Darcel D. Clark, Justices.

-----X
Harch International Limited, etc.,
Plaintiff-Respondent,

-against-

M-2564
Index No. 601312/05

Harch Capital Management, Inc., etc.,
Defendant-Appellant,

Harch CLO I Limited, etc., et al.,
Defendants.
-----X

Defendant-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 May 8, 2014 (Appeal No. 12232-12233),

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 July 24, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Karla Moskowitz
Rosalyn H. Richter
Paul G. Feinman, Justices.

-----X

Giovanni Acevedo, et al.,
Plaintiffs-Appellants,

-against-

M-1937
Index No. 302014/07

William Scotsman, Inc.,
Defendant,

Mr. John Inc., et al.,
Defendants-Respondents.

-----X

Plaintiffs-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 April 1, 2014 (Appeal No. 12106),

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 July 24, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Helen E. Freedman
Paul G. Feinman, Justices.

-----X

Board of Managers of Central
Park Place Condominium,
Plaintiff-Appellant,

-against-

M-6680
Index No. 118205/09

Hubert Potoschnig, etc.,
Defendant-Respondent,

American Express Centurion,
Defendants.

-----X

Defendant-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 November 26, 2013 (Appeal No. 11196N),

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 July 24, 2014.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Richard T. Andrias
David B. Saxe
Barbara R. Kapnick, Justices.

-----X
Vista Developers Corp., a New York Corporation care of The Arker Companies,
Plaintiff-Appellant,

-against-

M-2614
Index No. 651378/14

The Board of Managers of the Diocesan Missionary and Church Extension Society of The Protestant Episcopal Church in the Diocese of New York,
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 12, 2014,

And plaintiff-appellant having moved for certain relief in the nature of a preliminary appellate injunction, inter alia, enjoining a purported "time of the essence" closing of a certain property, 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 July 24, 2014.

PRESENT - Hon: John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Richard T. Andrias
Helen E. Freedman
Paul G. Feinman, Justices.

-----X
Marina Krylov,
Petitioner-Appellant-Respondent,

-against-

M-2061
Index No. 103608/09

Nikolai Krylov,
Respondent-Respondent-Appellant.
-----X

An appeal having been taken from order and judgment (one paper) of the Supreme Court, New York County, entered on or about October 3, 2013,

And an order of this Court having been entered on January 30, 2014 (M-5279), denying respondent's Krylov's motion to dismiss the appeal, and referring the matter for a traverse hearing with respect to, inter alia, the timeliness of the appeal,

And petitioner-appellant-respondent having moved for an order disaffirming the report of the Special Referee entered April 15, 2014, pursuant to the aforesaid order of this Court (M-5279) entered on January 30, 2014,

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

It is ordered that the motion is denied, and sua sponte, the aforesaid report of the Special Referee is confirmed and the appeal is dismissed, as untimely taken (CPLR §5513).

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 July 24, 2014.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
David B. Saxe
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X

Koya Abe,
Plaintiff-Appellant,

-against-

M-3033
Index No. 113150/10

Nancy Barton, et al.,
Defendants-Respondents.

-----X

Plaintiff-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 May 13, 2014 (Appeal No. 12465-12466N),

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 July 24, 2014.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Leland G. DeGrasse
Judith J. Gische, Justices.

-----X

In re ROM Reinsurance Management
Company, Inc., et. al.,
Petitioners-Appellants,

-against-

M-1783
Index No. 654480/12

Continental Insurance Company, Inc.,
as successor to Harbor Insurance Company,
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 March 11, 2014 (Appeal No. 11809),

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 July 24, 2014.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
David B. Saxe
Karla Moskowitz
Darcel D. Clark, Justices.

-----X
Metropolitan Taxicab Board
Of Trade, et al.,
Petitioners-Appellants,

-against-

M-2201
Index No. 110594/09

New York City Taxi & Limousine
Commission, etc., et al.,
Responndents-Respondents.
-----X

Petitioners-Appellants having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on March 18, 2014 (Appeal No. 11437),

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 July 24, 2014.

PRESENT - Hon: Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Paul G. Feinman, Justices.

-----X

Julie Conason, et al.,
Plaintiffs-Respondents,

-against-

M-1039
Index No. 106560/11

Megan Holding, LLC, et al.,
Defendants-Appellants.

-----X

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about October 17, 2012 (mot. seq. nos. 005 and 006),

And an order of this Court having been entered on January 10, 2013 (M-5742) granting a stay of the aforesaid order of Supreme Court entered on or about October 17, 2012, pending hearing and determination of the appeal, on condition defendants-appellants post an undertaking in the amount of \$67,449.19

And a decision and order of this Court having been entered on September 24, 2013 (Appeal Nos. 10219-10219A) deciding the aforesaid appeal,

And an order of this Court having been entered December 12, 2013 (M-5063) granting defendants-appellants leave to appeal to the Court of Appeals from the aforesaid decision and order of this Court entered September 24, 2013 (Appeal Nos. 10219-10219A),

And plaintiffs having moved for modification of the aforementioned January 10, 2013 (M-5742) order to the extent of increasing the amount of the undertaking to not less than \$270,000.00,

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 conditioning the stay afforded by the order of this Court entered

on January 10, 2013 (M-5742), upon defendants-appellants posting an additional undertaking sufficient to increase the total amount of the aforesaid undertaking from \$67,449.19 to \$116,920 within 60 days of the date hereof.

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 July 24, 2014.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
Leland G. DeGrasse
Helen E. Freedman
Rosalyn H. Richter, Justices.

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

-against-

M-2544
Ind. No. 2678/97

John Francis, also known as Alphonso
Lester, also known as Tyrone Lester,
also known as Kevin Howard, also known
as Tyrone Ford,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on October 30, 2001 (Appeal No. 4766), unanimously affirming a judgment of the Supreme Court, New York County (Michael Obus, J.), rendered on July 27, 1998,

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 July 24, 2014.

PRESENT: Hon. David B. Saxe, Justice Presiding,
Karla Moskowitz
Leland G. DeGrasse
Paul G. Feinman
Darcel D. Clark, Justices.

-----X
Tower Insurance Company of New York,
Plaintiff-Appellant,

-against-

M-1926
Index No. 113336/08

NHT Owners LLC, et al.,
Defendants-Respondents,

Robert Riccio,
Defendant.

-----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 March 20, 2014 (Appeal No. 11912N),

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 July 24, 2014.

PRESENT - Hon. David B. Saxe, Justice Presiding,
Karla Moskowitz
Leland G. DeGrasse
Darcel D. Clark, Justices.

-----X
JF Capital Advisors, LLC,
Plaintiff-Appellant-Respondent,

-against-

M-2042
Index No. 651902/11

The Lightstone Group, LLC, et al.,
Defendants-Respondents-Appellants.
-----X

Plaintiff-appellant-respondent having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on March 25, 2014 (Appeal No. 11903),

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 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 order of the Supreme Court, as modified and otherwise affirmed by this 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 July 24, 2014.

Present: Hon. Karla Moskowitz, Justice Presiding,
Leland G. DeGrasse
Helen E. Freedman
Darcel D. Clark
Barbara R. Kapnick, Justices.

-----X
Washington Davis,
Plaintiff-Appellant,

-against-

M-2776
Index No. 400538/12

The City of New York,
Defendant-Respondent.

-----X

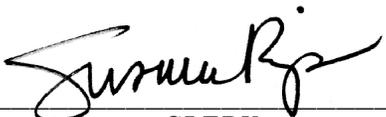
An appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 21, 2014,

And plaintiff-appellant, pro se, having moved to enjoin the issuance of a decision upon a certain motion pending in Supreme Court, for the transfer of said case to a different Justice of the Supreme Court, for leave to file a late notice of appeal, and for leave to prosecute said 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 so much of the motion seeking leave to file a late notice of appeal from the aforesaid order entered on or about March 21, 2014 is denied, as unnecessary, and the motion is otherwise denied.

ENTER:


CLERK

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

BEFORE: Hon. Peter Tom
Justice of the Appellate Division

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

Respondent,

-against-

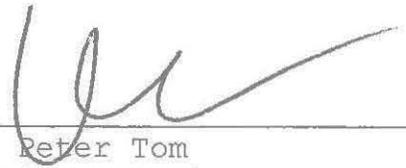
Charles Black,

Defendant.
-----X

M-1449
Ind. No. 3466/06,
4904/06

CERTIFICATE
DENYING LEAVE

I, Peter Tom, 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 October 15, 2013 is hereby denied.



Hon. Peter Tom
Associate Justice

Dated: June 19, 2014
New York, New York

ENTERED

JUL 24 2014

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

BEFORE: Hon. DAVID FRIEDMAN
Justice of the Appellate Division

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

M-723
Ind. No. 1563/90

-against-

CERTIFICATE
DENYING LEAVE

Elias Rodriguez,
Defendant-Appellant.
-----X

I, DAVID FRIEDMAN, a Justice of the Appellate Division,
First Judicial Department, do hereby certify that, to the extent
application has been 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 May16, 2013, is hereby denied.

Dated: New York, New York
June 25, 2014

ENTERED JUN 24 2014



DAVID FRIEDMAN
Justice of the Appellate Division

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

BEFORE: Hon. DAVID FRIEDMAN
Justice of the Appellate Division

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

M-4177
Ind. No. 8230/99

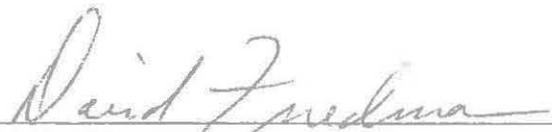
-against-

CERTIFICATE
DENYING LEAVE

Lerone Grant,
Defendant-Appellant.
-----X

I, DAVID FRIEDMAN, 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, New York County, entered on or about May 14, 2013, is hereby denied.

Dated: New York, New York
June 25, 2014



DAVID FRIEDMAN
Justice of the Appellate Division

ENTERED

JUL 24 2014

SUPREME COURT OF THE 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,
Respondent,

M-1625
Ind. No. 701/99

-against-

CERTIFICATE
GRANTING LEAVE TO APPEAL
TO THE COURT OF APPEALS

Raymond Denson,
Defendant-Appellant.
-----X

I, David B. Saxe, Justice of the Appellate Division, Supreme Court, First Department, do hereby certify that in the record and proceedings herein¹ questions of law are involved which ought to be reviewed by the Court of Appeals and pursuant to CPL 460.20, it is ORDERED, that permission be, and it hereby is granted to the above-named appellant to appeal to the Court of Appeals.

Dated: New York, New York
April 23, 2014

ENTERED

APR 24 2014

David B. Saxe
Justice of the Appellate Division

Notice: Within 10 days from the issuance of this certificate, a jurisdictional statement must be filed with the Clerk of the Court of Appeals pursuant to Rule 500.2 of the Court of Appeals rules.

¹Description of Order:
9/19/2002 Sup. Ct. New York Co. Affd. 2/18/2014
App. Div. 1st Dept.
Appeal No. 9969-9970

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

BEFORE: Hon. Rosalyn H. Richter
Justice of the Appellate Division

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

M-1656
Ind. No. 5497/99

-against-

CERTIFICATE
DENYING LEAVE

Frederick Walker, also known as
Fredrick Walker,

Defendant.

-----X

I, Rosalyn H. Richter, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon the 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 25, 2013, is hereby denied.



Hon. Rosalyn H. Richter

Dated: June 26, 2014
New York, New York

ENTERED: JUL 24 2014

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

BEFORE: Hon. Rosalyn H. Richter
Justice of the Appellate Division

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

M-1948
Ind. No. 11562/92

-against-

CERTIFICATE
DENYING LEAVE

Robert Cabeza,

Defendant.

-----X

I, Rosalyn H. Richter, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon the 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 February 26, 2014, is hereby denied.



Hon. Rosalyn H. Richter

Dated: June 26, 2014
New York, New York

ENTERED:

JUL 24 2014

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

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

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

M-2689
Ind. No. 64579C/07

-against-

Norma Whatts,

Defendant.

-----X
I, Sallie Manzanet-Daniels, a Justice of the Appellate Division, Supreme Court, First Department, do hereby certify that, upon application timely made by the above-named appellant for a certificate pursuant to CPL 460.20, and upon the record and proceedings herein,* there is no question of law presented which ought to be reviewed by the Court of Appeals and permission to appeal, and related relief, is hereby denied.

Dated: June 18, 2014
New York, New York

ENTERED: JUL 24 2014


Justice of the Appellate Division

*Description of order:

Supreme Court, New York County, entered on June 30, 2011,
affirmed by App.Div., 1st Dept., on April 8, 2014
(Appeal No. 10812).

Notice: The Clerk is directed to immediately file a copy of this Certificate with the Clerk of the Court of Appeals Pursuant to CPL § 460.20 subd. 5.

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

BEFORE: Hon. Paul G. Feinman,
Justice of the Appellate Division

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

M-1679
Ind. No. 3262/2011

-against-

CERTIFICATE
DENYING LEAVE

Daryl Norrell,

Defendant.
-----X

I, Paul G. Feinman, 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 (Cassandra M. Mullen, J.), entered on or about December 2, 2013, is hereby denied.

Paul G. Feinman

Justice

Dated: New York, New York
June 19, 2014

ENTERED

JUL 24 2014

P.M ORDERS
FOR JULY 24,
2014

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 July 24, 2014.

Present: Hon. Karla Moskowitz, Justice Presiding,
Leland G. DeGrasse
Helen E. Freedman
Darcel D. Clark
Barbara R. Kapnick, Justices.

-----X

In the Matter of the Application of
Cherry Elizabeth,
Petitioner-Appellant,

M-3335

For the Appointment of a Guardian of
the Person and Property Management of

Index No. 2750/13

Cherry Elizabeth,
An Alleged Incapacitated Person,

3572 GL LLC,
Respondent-Respondent.

-----X

An appeal having been taken from an order and judgment (one paper) of the Supreme Court, Bronx County, entered on or about November 12, 2013,

And an order of this Court having been entered on February 25, 2014 (M-401), granting petitioner-appellant a stay of eviction upon certain terms and conditions including petitioner-appellant perfecting the aforesaid appeal for the September 2014 Term,

And an order of this Court having been entered on June 17, 2014, inter alia, permitting Marvin Bernstein, Esq., Mental Hygiene Legal Services, to withdraw as counsel on the appeal and denying the appointment of new counsel to prosecute the appeal (M-1773), granting clarification of the order of this Court entered February 25, 2014 (M-1912) to the extent indicated, and enlarging the time to perfect the appeal to the October 2014 Term, with no further enlargements to be granted,

And petitioner-appellant pro se having moved for an expedited decision on this motion, for re-appointment of Marvin Bernstein, Esq., as counsel on the appeal, and for other 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 motion is denied in its entirety.

ENTER:


CLERK