

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 28, 2016.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,
Karla Moskowitz
Barbara R. Kapnick
Ellen Gesmer, Justices.

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

-against-

M-1985
Ind. No. 3078/15

Michael Bell,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about April 5, 2016, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 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.

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Suite 1601, New York, NY 10007, Telephone No. (212) 402-4142, 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 28, 2016.

PRESENT - Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Richard T. Andrias
Barbara R. Kapnick
Marcy L. Kahn, Justices.

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

CONFIDENTIAL

M-2112

-against-

Ind. No. 1115/14

Manuel Encarnacion,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about March 24, 2016, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 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.

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 for purposes of prosecuting 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 28, 2016.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Sallie Manzanet-Daniels
Troy K. Webber
Ellen Gesmer, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-2690

Ind. Nos. 1752/12

1753/12

Latwoine Parker,

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 22, 2016, 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 8 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.

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 28, 2016.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Rolando T. Acosta
Paul G. Feinman
Barbara R. Kapnick
Troy K. Webber, Justices.

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

Respondent,

-against-

Demtrious Pickering,

Defendant-Appellant.
-----X

M-2725

Ind. Nos. 767/15
2892/14
1366/15

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 17, 2016, 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 8 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.

Marika Meis, Esq., The Bronx Defenders, 360 East 161st Street, Bronx, NY 10451, Telephone No. 718-838-7826, 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 28, 2016.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
 Rolando T. Acosta
 Paul G. Feinman
 Barbara R. Kapnick
 Troy K. Webber, Justices.

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

Respondent,

-against-

M-2726
Ind. No. 1868/13

Jose Rodriguez,

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 1, 2016, 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 8 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.

Robin Steinberg, Esq., The Bronx Defenders, 860 Courtlandt Avenue, Bronx, NY 10451, Telephone No. 718-838-7878, 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 28, 2016.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Sallie Manzanet-Daniels
Troy K. Webber
Ellen Gesmer, Justices.

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

-against-

M-2651
Ind. No. 15/15

Gaston Bonhof,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about June 10, 2015, for leave to prosecute the appeal as a poor person 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 deeming the notice of appeal as timely filed and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 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.

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 28, 2016.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,
Rolando T. Acosta
Sallie Manzanet-Daniels
Judith J. Gische
Ellen Gesmer, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-1727
Ind. No. 4716/13

Kiasheen D. Ward,
Defendant-Appellant.

-----X

An order of this Court having been entered on February 9, 2016 (M-6540), granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about December 8, 2014, and assigning Seymour W. James, Jr., Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such 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 striking the designation of assigned counsel Seymour W. James, Jr., Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Suite 1601, New York NY 10007, Telephone No. (212) 402-4142, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

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 28, 2016.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Sallie Manzanet-Daniels
Troy K. Webber
Marcy L. Kahn, Justices.

-----X

The People of the State of New York,

Appellant,

-against-

M-2749

Ind. No. 815/10

Timothy Newman,

Defendant-Respondent.

-----X

Defendant-respondent having moved for leave to respond, as a poor person, to the People's appeal from an order of the Supreme Court, Bronx County, entered on or about April 7, 2016, and for assignment of counsel,

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

It is ordered that the motion is granted to the extent of (1) 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 the People and 8 copies thereof are filed with this Court, and (2) assigning, pursuant to Section 722 of the County Law, Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10006, Telephone No. 212-577-2523, as counsel for purposes of responding to the appeal.

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 28, 2016.

Present - Hon. Rolando T. Acosta, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Troy K. Webber
Marcy L. Kahn, Justices.

-----x
Board of Managers of the Honto
88 Condominiums,
Plaintiff-Respondent,

-against-

Red Apple Child Development Center, M-3167
A Chinese School, Index No. 110827/07
Defendant-Appellant,

Bank of China, et al.,
Defendants-Respondents.

- - - - -
[And another action]

-----x
An appeal having been taken from the judgment of the Supreme Court, New York County, entered on or about April 7, 2016,

And defendant-appellant having moved for a stay of the judgment of foreclosure entered April 7, 2016, pending hearing and determination of the appeal taken therefrom,

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 continuing the interim relief granted by the order of a Justice of this Court dated June 24, 2016, and upon further condition the appeal be perfected on or before September 6, 2016 for the November 2016 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 28, 2016.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Troy K. Webber
Marcy L. Kahn, Justices.

-----X
Marguerite Camaio,
Plaintiff-Respondent,

-against-

M-1748
Index No. 350023/05

Frank Farance,
Defendant-Appellant.

-----X

Defendant-appellant having moved for a stay of the order pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about February 28, 2016,

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 \$100 costs, and the interim relief granted by an order of a Justice of this Court dated April 4, 2016 is hereby 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 28, 2016.

Present - Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
David B. Saxe
Rosalyn H. Richter
Judith J. Gische, Justices.

-----x
CRP/Extell Parcel I, L.P.,
Petitioner-Respondent,

-against-

Andrew M. Cuomo, in his capacity as
The Attorney General of the State of
New York, et al.,
Respondents,

M-2714
Index No. 113914/10

Edward M. Solomon and Barbara Solomon,
Respondents-Appellants,

Kyung Kim and Henry Myunghwan Kim,
Respondents-Appellants,

Glennis and Phil Politzer and Michael
Salerno,
Respondents-Appellants.

-----x

Respondents-appellants, Glennis and Phil Politzner and Michael Salerno, having moved for an enlargement of time to perfect their appeal from an order of the Supreme Court, New York County, entered on or about May 19, 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 granted to the extent of enlarging the time to perfect the appeal to the November 2016 Term, with leave to seek further enlargements if necessary. The Clerk is directed to calendar this "Politzner and Salerno" appeal to be heard together with the "Kim" appellants' appeal (see M-1468, decided May 26, 2016).

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 28, 2016.

PRESENT: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

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

-against-

M-3216
Ind. No. 2526/13

Melody Macken,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about October 17, 2013,

Now, upon reading and filing the stipulation of the parties hereto, dated June 27, 2016, 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 28, 2016.

Present: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

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

-against-

Juan Alvarez-Perez,
Defendant-Appellant.

M-3230

Ind. Nos. 2471/14
1498/14

-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, rendered on or about September 29, 2014,

Now, upon reading and filing the stipulation of the parties hereto, dated June 20, 2016, 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 28, 2016.

PRESENT: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

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

-against-

M-3284
Ind. No. 1649/12

Tyshawn Stevens,
Defendant-Appellant.

-----X

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

Now, upon reading and filing the stipulation of the parties hereto, dated June 22, 2016, 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 28, 2016.

PRESENT: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

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

-against-

Tony Owens,
Defendant-Appellant.

M-3299
Ind. Nos. 1432/12
3251/13

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about February 18, 2014,

Now, upon reading and filing the stipulation of the parties hereto, dated July 5, 2016, 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 28, 2016.

PRESENT: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X
Oswaldo Salinas,
Plaintiff-Respondent,

-against-

M-3302X
Index No. 107438/11

Herald Towers, LLC, et al.,
Defendants-Appellants.
-----X

Appeals having been taken from an order of the Supreme Court, New York County, entered on or about January 22, 2016,

Now, after pre-argument conference, and upon reading and filing the stipulation of the parties hereto, "so ordered" July 5, 2016, and due deliberation having been had thereon,

It is ordered that the appeals are 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 28, 2016.

Present - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando Acosta, Justices.

-----X
In the Matter of

Aminah Yolanda Arzpaïma V.,

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

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

M-3307
Docket No. NN-11577/14

Dina A.,
Respondent,

Edwin V.,
Respondent.

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

-----X
An appeal having been taken from the order of the Family Court, Bronx County, entered on or about August 13, 2015,

Now, upon reading and filing the stipulation of the parties hereto, dated June 1, 2016, 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 28, 2016.

Present: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X
Shavonte Mathis, et al.,
Plaintiffs-Respondents,

-against-

Directions For Our Youth, Inc.,
et al.,
Defendants-Appellants.

M-3241
Index No. 350185/11

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about September 2, 2014,

Now, upon reading and filing the stipulation of the parties hereto, dated June 21, 2016, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected, 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 28, 2016.

Present - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando Acosta, Justices.

-----X
Marcus A. Guash,
Plaintiff-Respondent,

-against-

330 Hudson Street LLC, et al.,
Defendants,

Pearson Inc., M-3354
Defendant-Appellant, Index No. 160290/13

-and-

New York City Acoustics, Inc.,
Defendant-Respondent.

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

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about October 30, 2015,

Now, upon reading and filing the stipulation of the parties hereto, dated July 7, 2016, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected, 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 28, 2016.

Present: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X
In the Matter of the Retention/Release of

Jerome P.,
Respondent-Respondent,

M-2798
Index No. 530681/15

A Patient admitted to
Manhattan Psychiatric Center,
Petitioner-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 17, 2016,

And petitioner-appellant having moved for an order dismissing the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motion, as well as the correspondence from counsel for petitioner-appellant, dated May 12, 2016, and due deliberation having been had thereon,

It is ordered that the appeal is deemed withdrawn.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 28, 2016.

Present: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

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

211 West 14th Property Owner, L.L.C.,
Petitioner-Respondent,

M-2916
Index No. 151000/15

For an Order and Judgment pursuant to Section 881 of the Real Property Actions and Proceedings Law for access to adjoining property,

-against-

207 W. 14 Realty LLC,
Respondent-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 2, 2016,

And, respondent-appellant having moved for a stay of the aforesaid order,

Now, upon reading and filing the stipulation of the parties hereto, dated June 16, 2016, and due deliberation having been had thereon,

It is ordered that the motion for a stay is deemed 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 28, 2016.

Present: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
Rosalyn H. Richter
Marcy L. Kahn, Justices.

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

-against-

M-1362
Ind. No. 3350/14

Juan Felix Ramos,
Defendant-Appellant.

-----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 May 6, 2015, and for leave to prosecute the appeal as a poor person on the original record and upon a reproduced appellant's brief, and for assignment of counsel,

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

It is ordered that the motion is granted to the extent of deeming the moving papers a timely filed notice of appeal, and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 reproduced 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) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 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 28, 2016.

Present: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
Richard T. Andrias
Sallie Manzanet-Daniels
Ellen Gesmer, Justices.

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

Respondent,

CONFIDENTIAL

M-2090

Ind. No. 2829/14

-against-

Pedro Morales,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about April 5, 2016, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 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.

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Suite 1601, New York, NY 10007, Telephone No. (212) 402-4142, 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 28, 2016.

Present: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzairelli
Richard T. Andrias
Sallie Manzanet-Daniels
Ellen Gesmer, Justices.

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

-against-

M-2092
Ind. No. 602/15

William Quinones,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about April 11, 2016, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 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.

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Suite 1601, New York, NY 10007, Telephone No. (212) 402-4142, 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

CORRECTED ORDER SEPTEMBER 9, 2016

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 28, 2016.

Present: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzairelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

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

- - - - -
Rita F. H., M-2099
Petitioner-Appellant-Respondent, Docket No. F-2657-93/10E

-against-

Jesse M. H.,
Respondent-Respondent-Appellant.
-----X

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

- - - - -
Jesse M. H., Docket No. F-2657-93/11G
Petitioner-Respondent-Appellant,

-against-

Rita F. H.,
Respondent-Appellant-Respondent.
-----X

Respondent-respondent-appellant/petitioner-respondent-appellant having moved for leave to respond, as a poor person, to the appeal from the orders of the Family Court, New York County, entered on or about October 27, 2015 and on or about January 4, 2016, respectively, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Carol L. Kahn, Esq., 225 Broadway,

Suite 1510, New York, NY 10007, Telephone No. 212-227-0206, as counsel for purposes of 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/respondent-appellant and 8 copies thereof are filed with this Court.

ENTER:

A handwritten signature in cursive script, appearing to read "Susan R. Jones". The signature is written in black ink and is positioned above a horizontal line.

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 28, 2016.

Present: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X
In the Matter of

Ramel R.,

A Person Alleged to Be a Juvenile
Delinquent,

M-2168
Docket No.
D-40982/15/16A

Respondent-Appellant.
-----X

Respondent-appellant having moved for leave to prosecute the appeal from an order of the Family Court, New York County, entered on or about April 12, 2016, as a poor person, for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Section 35 of the Judiciary Law and Section 1120 of the Family Court Act, Randall Carmel, Esq., 53 Jackson Avenue, Syosset, NY 11791, Telephone No. 516-921-8800, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the State of New York from funds available therefor;¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) directing appellant to perfect this appeal, in compliance

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

with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 28, 2016.

PRESENT - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
Richard T. Andrias
Sallie Manzanet-Daniels
Ellen Gesmer, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-2193
Ind. No. 5590/13

Darrell Williams,
Defendant-Appellant.

-----X

An order of this Court having been entered on September 15, 2015 (M-3775) granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about January 7, 2015, and assigning Seymour W. James, Jr., Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such 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 striking the designation of assigned counsel Seymour W. James, Jr., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. (212)402-4100, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

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 28, 2016.

PRESENT - Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Rosalyn H. Richter
Ellen Gesmer, Justices.

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

-against-

M-2335
Ind. No. 3664/92

Alexis Irizarry,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County, entered on or about November 10, 2015, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 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.

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 28, 2016.

Present - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X

In the Matter of

Jackie Ann W., also known as
Jackie A. W., also known as
Jackie W.,

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

- - - - -
St. Dominic's Home, et al.,
Petitioners-Respondents,

M-2400
Docket No. B-31199/14

Leticia Ann W., also known as
Leticia A. W., also known as
Leticia W.,
Respondent-Appellant.

- - - - -
Ann Schissel, Esq., Lawyers for
Children, Inc.,
Attorney for the Child.

-----X

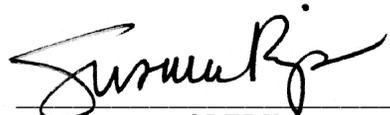
Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about March 22, 2016, and for assignment of counsel, a free copy of the transcript, and for related relief,

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, Randall Carmel, Esq., 53 Jackson Avenue, Syosset, NY 11791, Telephone No. 516-921-8800, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the

proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:


CLERK

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 28, 2016.

Present: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
Sallie Manzanet-Daniels
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X
In the Matter of a Family Offense
Proceeding Under Article 8 of the
Family Court Act.

Donna C.,
Petitioner-Appellant.

M-2567
Docket No. O-39458-15/16A

-against-

Kuni C.,
Respondent-Respondent.

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

-----X
Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, New York County, entered on or about April 26, 2016, 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, Leslie S. Lowenstein, Esq., 567 Sunset Drive, Woodmere, NY 11598, Telephone No. (516) 374-1962, as counsel for purposes of prosecuting the appeal; (2) directing

the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor;¹ **within 30 days (FCS 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



CLERK

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 28, 2016.

Present: Hon. Peter Tom, Justice Presiding,
David Friedman
Rosalyn H. Richter
Barbara R. Kapnick
Ellen Gesmer, Justices.

-----X

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

M-2740
Index No. 251403/13

For a Judgment Pursuant to Article 10
of the Mental Hygiene Law,

-against-

Keith F.,
Respondent-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about February 19, 2016,

And respondent-appellant pro se having moved, pursuant to Mental Hygiene Law §10.13[c], for leave to prosecute the appeal as a poor person, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for the assignment of counsel,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard upon the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the Attorney General of the State of New York and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record.

The court reporter shall promptly make and file with the Supreme Court one transcript of the stenographic minutes of any proceedings in this matter, and the Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Marvin Bernstein, Esq., Director of Mental Hygiene Legal Services, 41 Madison Avenue, 26th Floor, New York, NY 10010, Telephone No. (646) 386-5891, is assigned as counsel for purposes of prosecuting the appeal on respondent's behalf.

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 28, 2016.

Present: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

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

Nekia Gerell C., also known as
Nekie G. C., also known as
Nekia C., also known as
Nekai Gerrell C., also known as
Nekai G. C., also known as
Nekai C.,

M-2857
Docket No. B-26336/11
B-02451-2/12

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

Saint Dominic's Home and Commissioner of the Administration for Children's Services of the City of New York,
Petitioners-Respondents,

Kevin Ebedmelech C., also known as
Kevin E. C., also known as Kevin C.,
also known as Kevin Ebedmelech C.,
Sr., also known as Kevin E. C., Sr.,
also known as Kevin C., Sr.,
Respondent-Appellant,

Laurel Shavonne McC., also known as
Laurel S. McC., also known as Laurel
McC.,
Respondent.

Paul Sweeney, Esq.,
Attorney for the Child,
Nekia, etc.

-----X

-----X

In the Matter of the Commitment of

Ziah Xzavion C., also known as
Ziah C., also known as Ziah McC.,
also known as Zian McC.,

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

Docket No. B-2451/12

- - - - -
SCO Family of Services and Commissioner
of the Administration for Children's
Services of the City of New York,
Petitioners-Respondents,

Kevin Ebedmelech C., also known as
Kevin E. C., also known as Kevin C.,
also known as Kevin Ebedmelech C.,
Sr., also known as Kevin E. C., Sr.,
also known as Kevin C., Sr.,
Respondent-Appellant,

Laurel Shavonne McC., also known as
Laurel S. McC., also known as Laurel
McC.,
Respondent.

- - - - -
Rina Mais, Esq.,
Attorney for the Child,
Ziah, etc.

-----X

In the Matter of the Commitment of

Damani Makai Naseyre C., also
known as Damani C., also known as
Damani MCC., also known as Damani
McC.,

Docket No. B-2454/12

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

- - - - -

- - - - -
 SCO Family of Services and Commissioner
 of the Administration for Children's
 Services of the City of New York,
 Petitioners-Respondents,

Kevin Ebedmelech C., also known as
 Kevin E. C., also known as Kevin C.,
 also known as Kevin Ebedmelech C.,
 Sr., also known as Kevin E. C., Sr.,
 also known as Kevin C., Sr.,
 Respondent-Appellant,

Laurel Shavonne McC., also known as
 Laurel S. McC., also known as Laurel
 McC.,
 Respondent.

- - - - -
 Beatrice Mayol, Esq.,
 Attorney for the Child,
 Damani.

-----X

Paul Sweeney, Esq., court attorney for the subject child
 Nekia Gerell, etc., having moved on the child's behalf to be
 relieved as counsel and for assignment of appellate counsel, for
 leave to respond, as a poor person, to the appeal from the order
 of the Family Court, Bronx County, entered on or about April 1,
 2016, 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, Kenneth M. Tuccillo, Esq., 591
 Warburton Avenue, #576, Hastings on Hudson, NY 10706, Telephone
 No. 914-439-4843, 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 respondent-appellant and 8 copies thereof are filed with 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 28, 2016.

Present - Hon. Peter Tom, Justice Presiding,
David Friedman
Rosalyn H. Richter
Barbara R. Kapnick
Ellen Gesmer, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-2761
Ind. No. 694/14

Travis Moore,
Defendant-Appellant.

-----X

An order of this Court having been entered on March 8, 2016 (M-526), granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about November 12, 2015,

And assigned counsel, Seymour W. James, Jr., Esq., having moved for an order to be relieved as counsel for defendant and to substitute other counsel to prosecute defendant's appeal,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Seymour W. James, Jr., Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Robert S. Dean, Esq., Center For Appellate Litigation, 120 Wall Street, 28th Floor, New York, NY 10005, Telephone No. (212) 577-2523, as such counsel. The poor person relief previously granted is continued, and appellant's time to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

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 28, 2016.

Present - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Sallie Manzanet-Daniels
Barbara R. Kapnick
Ellen Gesmer,, Justices.

-----X

Naquan Clarke, et al.,
Plaintiffs-Appellants,

-against-

Verizon New York, Inc., etc.,
Defendant-Respondent,

M-2395
Index No. 156226/12

Marymount Manhattan, Co.,
Defendant.

-----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 12, 2016 (Appeal No. 812),

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 28, 2016.

Present - Hon. Peter Tom, Justice Presiding,
David Friedman
Rosalyn H. Richter
Barbara R. Kapnick
Ellen Gesmer, Justices.

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

-against-

M-2750
Ind. No. 2350/09

Darrell Joe,
Defendant-Appellant.

-----x

An appeal having been taken to this Court from the judgment of the Supreme Court, Bronx County, rendered on or about October 4, 2011,

And, an order of this Court having been entered on February 23, 2016 (M-6415), granting defendant leave to file a pro se supplemental brief for the June 2016 Term,

And, an order of this Court having been entered on May 12, 2016 (M-1145), recalling and vacating the order of this Court entered on February 23, 2016 (M-6415),

And, defendant-appellant having moved for reinstatement or renewal of the order of this Court entered February 23, 2016 (M-6415),

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 28, 2016.

Present: Hon. Peter Tom, Justice Presiding,
David Friedman
Rosalyn H. Richter
Barbara R. Kapnick
Ellen Gesmer, Justices.

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

Respondent,

-against-

Anonymous,

M-2782
Ind. Nos. 3982/11
116/14

Defendant-Appellant.
-----X

Defendant-appellant having moved for an order granting movant anonymity in connection with an appeal from a judgment of the Supreme Court, Bronx, rendered on or about July 22, 2014, designating the case as *People v Anonymous*, and sealing the record on appeal, including the minutes of the proceedings, appellate briefs, motions and records in the above-entitled appeal,

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

It is ordered that the motion is granted to the extent that the record on appeal and brief are sealed. The Clerk is directed to calendar the appeal under *People v Anonymous*.

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 28, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David B. Saxe
Judith J. Gische
Marcy L. Kahn, Justices.

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

-against-

M-2650
Ind. No. 5444/12

Kevin Goodman,
Defendant-Appellant.

-----X

The People having moved for dismissal of the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about April 30, 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

CORRECTED ORDER - AUGUST 2, 2016

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 28, 2016.

Present: Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Rosalyn H. Richter
Ellen Gesmer, Justices.

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

William Green, M-2085
Petitioner, M-2119
M-2504
For a Judgment Pursuant to Article 78 Index No. 102060/15
of the Civil Practice Law and Rules,

-against-

City University of New York,
Respondent.
-----X

An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about March 29, 2016, to review a determination of respondent,

And, petitioner having moved for leave to prosecute the proceeding as a poor person, upon the original record and reproduced petitioner's brief (M-2085),

And, petitioner having moved to seal the record on appeal filed in this Court (M-2119),

And, petitioner having moved for leave to file an amended petition (M-2504),

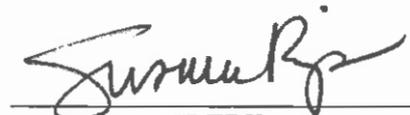
Now, upon reading and filing the papers with respect to the motions, and due deliberation having been had thereon,

It is ordered that petitioner's motion (M-2085) is granted to the extent of permitting the proceeding to be heard on the original record and upon a reproduced petitioner's brief, on condition that petitioner serve one copy of such brief upon the

attorney for the respondent and file 9 copies of such brief, together with the original record, with this Court. Petitioner is permitted to dispense with payment of the required fee for the subpoena and filing of the record, and

It is further ordered that petitioner's motion to seal the record on appeal (M-2119) is denied; and petitioner's motion to file an amended petition (M-2504) is granted to the extent of directing the Clerk of this Court to **accept** the amended petition annexed to the motion papers to the original record in this matter on file with this Court, and granting respondent leave to file an answer to the amended petition, if so advised.

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 28, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Sallie Manzanet-Daniels
Barbara R. Kapnick
Troy K. Webber, Justices.

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

- - - - -
Georgianna N.,
Petitioner-Appellant,

M-2662
Docket Nos. V-43479/13
V-43480/13

-against-

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

- - - - -
John R. Eyerman, Esq.,
Attorney for the Children.
-----X

Petitioner-appellant grandmother having renewed her motion for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about April 15, 2015, 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, Randall Carmel, Esq., 53 Jackson Avenue, Syosset, NY 11791, Telephone No. (516) 921-8800, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on

appeal, the cost thereof to be charged against the City of New York from funds available therefor;¹ **within 30 days (FCS 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



CLERK

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 28, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David B. Saxe
Judith J. Gische
Marcy L. Kahn, Justices.

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

Michelle Williams,
Petitioner,

M-2757
Index No. 250476/15

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

-against-

State of New York Office of Children
and Family Services,
Respondent.

-----X

An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, Bronx County, entered on or about August 26, 2016, to review a determination of respondent,

And, petitioner having moved for leave to prosecute the proceeding as a poor person, upon the original record and reproduced petitioner's brief, and for an enlargement of time to perfect the proceeding,

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

It is ordered that the motion is granted to the extent of permitting the proceeding to be heard on the original record and upon a reproduced petitioner's brief, on condition that petitioner serve one copy of such brief upon the attorney for the respondent and file 8 copies of such brief, together with the original record, with this Court. Petitioner is permitted to dispense with payment of the required fee for the subpoena and filing of the record. The time to perfect the proceeding is enlarged to the October 2016 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 28, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
Richard T. Andrias
Karla Moskowitz
Marcy L. Kahn, Justices.

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

-against-

M-1491
Ind. 3907/15

Daniel Maldonado,
Defendant-Appellant.

-----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 County, rendered on or about December 2, 2015, and for leave to prosecute the appeal as a poor person on the original record and upon a reproduced appellant's brief, and for assignment of counsel,

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

It is ordered that the motion is granted to the extent of deeming the notice of appeal timely filed, and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 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 transcript to appellant's counsel, without charge, the transcript to be returned to this Court when appellant's brief is filed.

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, NY 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 28, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
Richard T. Andrias
Karla Moskowitz
Marcy L. Kahn, Justices.

-----X

The People of the State of New York,
Respondent,

CONFIDENTIAL

M-1494

-against-

Ind. No. 3583/14

Brian Arias,
Defendant-Appellant.

-----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 May 11, 2015, and for leave to prosecute the appeal as a poor person on the original record and upon a reproduced appellant's brief, and for assignment of counsel,

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

It is ordered that the motion is granted to the extent of deeming the notice of appeal timely filed, and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 reproduced 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) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 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 28, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David B. Saxe
Judith J. Gische
Marcy L. Kahn, Justices.

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

-against-

M-2689
Ind. No. 2124N/14

Guido Piondeleon,
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 January 5, 2015, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 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.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 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 28, 2016.

Present: Hon. Angela M. Mazzairelli, Justice Presiding,
Richard T. Andrias
David B. Saxe
Judith J. Gische
Marcy L. Kahn, Justices.

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

-against-

M-2614
Ind. No. 1995/15

Angelo Amaral,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, Bronx County, rendered on or about October 29, 2015, and for leave to prosecute the appeal as a poor person on the original record and upon a reproduced appellant's brief, and for assignment of counsel,

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

It is ordered that the motion is granted to the extent of deeming the moving papers a timely filed notice of appeal, and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 reproduced 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) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 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 28, 2016.

Present: Hon. Angela M. Mazzairelli, Justice Presiding,
Diane T. Renwick
Karla Moskowitz
Judith J. Gische
Ellen Gesmer, Justices.

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

-against-

M-2777
Ind. No. 3007/14

Willie Tookes,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, County, rendered on or about September 22, 2015, 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), including the amount and sources of his income, his bank account(s) and listing his property with its value.

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 28, 2016.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Dianne T. Renwick
Karla Moskowitz
Judith J. Gische
Ellen Gesmer, Justices.

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

Respondent,

-against-

M-2779
Ind. No. 3843/14

Kashawn Ruffin,

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 4, 2015, 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 the amount and sources of funds to post the \$50,000 bail in the Supreme Court, the disposition thereof, and an explanation as to why similar funds are not available to prosecute the appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 28, 2016.

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

-----x
Oscar Hernandez, et al.,
Plaintiffs-Respondents-Appellants,

-against-

M-2900
M-3073
Index No. 105657/11

The PAR Group, LLC and Par Plumbing
Co., Inc.,
Defendants-Appellants-Respondents,

NYU Hospital Center,
Defendant-Respondent.

NYU Hospital Center,
Defendant/Third-Party Plaintiff-
Respondent,

Index No. 590935/12

-against-

Interior Construction Corp.,
Third-Party Defendant.

-----x

An appeal and cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about July 17, 2015,

And defendant defendants-appellants-respondents The PAR Group, LLC and Par Plumbing Co., Inc. (M-2900) and defendant-respondent third-party plaintiff NYU Hospital Center (M-3073) having respectively moved for dismissal of plaintiffs-appellants' cross appeal,

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

It is ordered that the appeal taken by defendants The PAR Group, LLC and Par Plumbing Co., Inc. is withdrawn in accordance with the notice of withdrawal dated May 10, 2016, and plaintiffs are deemed the direct appellants, and it is further,

Ordered that plaintiffs' appeal is dismissed unless perfected on or before September 6, 2016 Term for the November 2016 Term, to which Term the time to perfect the appeal is enlarged.

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 28, 2016.

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

-----X
Terry Lane,
Plaintiff-Respondent,

-against-

M-3123

Index No. 155708/14

Lydell Tyson,
Defendant-Appellant.
-----X

An appeal having been taken from a final judgment of partition and sale of the Supreme Court, New York County, entered on or about November 21, 2014,

And plaintiff-respondent having moved for the dismissal of defendant's appeal from said final judgment,

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 aforesaid appeal is dismissed as untimely; moreover, this Court has previously rejected defendant's arguments in the prior appeal (See Appeal No. 16200, decided November 24, 2015.)

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 28, 2016.

Present: Hon. David Friedman, Justice Presiding,
Diane T. Renwick
Karla Moskowitz
Rosalyn H. Richter
Barbara R. Kapnick, Justices.

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

-against-

M-1746
Ind. No. 7312/01

Sanford Williams, also known as
Stanford Williams,
Defendant-Appellant.

-----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 October 14, 2015, and for leave to prosecute the appeal as a poor person on the original record and upon a reproduced appellant's brief, and for assignment of counsel,

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

It is ordered that the motion is granted to the extent of deeming the moving papers a timely filed notice of appeal, and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of this Court.

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

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

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 28, 2016.

Present: Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Judith J. Gische
Troy K. Webber, Justices.

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

-against-

M-1907
Ind. No. 2847/13

Lashawn Cook,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about January 5, 2016, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 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.

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Suite 1601, New York, NY 10007, Telephone No. (212) 402-4142, 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 28, 2016.

PRESENT - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Richard T. Andrias
Judith J. Gische
Troy K. Webber, Justices.

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

-against-

M-2446
Ind. No. 2599N/14

Stalin Y. Alcantra,
Defendant-Appellant.

-----X

An order of this Court having been entered on January 14, 2016 (M-6345) granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about October 17, 2014, and assigning Seymour W. James, Jr., Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such 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 striking the designation of assigned counsel Seymour W. James, Jr., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. (212)402-4100, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

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 28, 2016.

Present: Hon. David Friedman, Justice Presiding,
David B. Saxe
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
In the Matter of the Application of
Manuel Martinez,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78 **M-2369**
of the Civil Practice Law and Rules, Index No. 401061/13

-against-

District Attorney of the County
of New York and the New York City
Police Department,
Respondents-Respondents.
-----X

An order of this Court having been entered on October 6, 2015 (M-3177) assigning Richard M. Weinstein, Esq., as counsel to prosecute petitioner's appeal taken from an order of the Supreme Court, New York County, entered on or about April 15, 2015,

And, Richard M. Weinstein, Esq. having moved to be relieved as assigned counsel and for the appointment of new counsel to prosecute the appeal,

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

It is ordered that the motion is granted only to the extent of relieving Richard M. Weinstein, Esq., as counsel on the appeal, the civil poor person relief granted in our October 6, 2015 order is continued and, sua sponte, petitioner's time to perfect the appeal is enlarged to the November 2016 Term. The motion is otherwise denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 28, 2016.

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

-----X
Bleecker Street Investors, LLC,
Petitioner-Landlord-Respondent,

-against-

M-2767

Doron Zabari,
Respondent-Tenant-Appellant,

Index No. 570731/15

-and-

"John Doe" and "Jane Doe"
Respondents-Undertenants.

-----X

Respondent-tenant 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 May 10, 2016, and for a stay of eviction pending hearing of the appeal,

And an interim stay of eviction having been issued by a Justice of this Court on May 23, 2016, on condition that respondent-tenant continue to pay use and occupancy,

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. Respondent-tenant-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. The stay of eviction is granted, pending hearing and determination of the appeal, on the conditions set forth in the interim order.

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 28, 2016.

Present: Hon. David Friedman, Justice Presiding,
Richard T. Andrias
David B. Saxe
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York
ex rel. Calvin Brooks,

Petitioner,

M-899

Ind. No. 1184/14

-against-

Warden, George Motchan Detention Center,
et al.,

Respondents.

-----X

The above-named petitioner having moved for, inter alia, a writ of habeas corpus to be issued from this Court, and for poor person relief,

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

It is ordered that the motion is denied in its entirety.

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 28, 2016.

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
Joseph Motta,
Plaintiff-Respondent,

-against-

CONFIDENTIAL
M-2717
Index No. 3360/11

Jacquelin Motta,
Defendant-Appellant.
-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, entered on or about April 20, 2016,

And, defendant-appellant having moved to stay the aforesaid judgment, leave to enlarge the record on appeal, for leave to prosecute the appeal as a poor person, 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 granting a limited stay of the listing of defendant's home on condition the appeal is perfected for the November 2016 Term, and otherwise denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 28, 2016.

PRESENT: Hon. David Friedman, Justice Presiding,
Richard T. Andrias
David B. Saxe
Rosalyn H. Richter
Marcy L. Kahn, Justices.

-----X

Tarek Daka,
Plaintiff-Appellant,

-against-

Melissa Muller,
Defendant-Respondent.

-----X

M-2701
M-2924
Index No. 303134/16

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about April 27, 2016,

And, plaintiff-appellant having moved to stay of so much of the aforesaid order granting defendant control over certain restaurants and for a temporary restraining order allowing plaintiff to manage and operate said restaurants, pending hearing and determination of the aforesaid appeal (M-2701),

And, defendant-respondent having cross moved to vacate certain provisions from an interim order by a Justice of this Court, entered on May 18, 2016, enjoining her from leaving the New York area for more than 5 days, or in the alternative, to modify said order to enlarge the time period to 21 days (M-2924),

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 for a stay and related relief is denied (M-2701). The cross motion is granted and so much of the order by a Justice of this Court entered on May 18, 2016, enjoining defendant-respondent from leaving the New York area for more than 5 days, 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 28, 2016.

Present: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
David B. Saxe
Rosalyn H. Richter
Marcy L. Kahn, Justices.

-----X
Patrick Quintavalle,

Plaintiff-Appellant,

-against-

Nestor Perez, III, et al.,

Defendants-Respondents.
-----X

M-2764
Index No. 303665/14

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 April 26, 2016 (Appeal No. 794),

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 28, 2016.

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

-----x

Jeanne Atkinson,
Plaintiff-Respondent,

-against-

M-3011

Index No. 104274/11

Key Real Estate Associates, LLC,
et al.,
Defendants-Appellants.

-----x

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about April 12, 2016,

And plaintiff-respondent having moved for an "appellate preference" in the perfecting and hearing of the appeal,

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

It is ordered that the motion is granted, and defendants-appellants are directed to perfect their appeal on or before September 6, 2016 for the November 2016 Term. The Clerk is directed to calendar the appeal during the first week of said 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 28, 2016.

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

-----X
GE Oil & Gas, Inc.,
Plaintiff-Respondent,

-against-

Turbine Generation Services, L.L.C.,
and Michael B. Moreno,
Defendants-Appellants.

M-2977
Index No. 652296/15

- - - - -
Turbine Generation Services, L.L.C.,
and Michael B. Moreno,
Plaintiffs-Appellants,

-against-

General Electric Company,
Third-Party Defendant-Respondent.

-----X

An appeal having been taken from orders of the Supreme Court, New York County, entered on or about May 18, 2016 and May 27, 2016, respectively,

And defendant/third-party plaintiff-appellant Turbine Generation Services, L.L.C., having moved for a stay of execution of the aforesaid order entered May 27, 2016, pending hearing and determination of the appeal taken therefrom,

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

It is ordered that the motion is granted to the extent of staying execution of so much of the May 27, 2016 order, which directed an inquest be held before a Special Referee.

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 28, 2016.

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

-----x
Joseph McManus,

Plaintiff-Respondent,

-against-

M-2930
Index No. 307029/12

The City of New York,

Defendant-Appellant.
-----x

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about June 11, 2015, and said appeal having been perfected,

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

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

It is ordered that the motion is granted, and the Clerk is directed to maintain the appeal on the calendar for the September 2016 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 28, 2016.

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

-----x

11 Essex Street Corp.,
Plaintiff-Appellant,

-against-

Tower Insurance Company of New York,
Defendant.

-----x

11 Essex Street Corp.,
Plaintiff-Appellant,

-against-

7 Essex Street, LLC, et al.,
Defendants.

-----x

7 Essex Street, L.L.C.,
Plaintiff,

-against-

11 Essex Street Corp.,
Defendant-Appellant.

-----x

Jeffrey M. Brown Associates, Inc.,
Third-Party Plaintiff-Appellant,

-against-

Casino Development Group Inc., et al.,
Third-Party Defendant-Respondent.

-----x

M-2897
M-3015
Index No. 600176/04

Index No. 110019/04

Index No. 101984/05

Index No. 590172/06

-----x
 Big Apple Wrecking and Construction
 Corp.,
 Second Third-Party Plaintiff,

Index No. 590479/06

-against-

Safeway Environmental Corp.,
 Second Third-Party Defendant.
 -----x

Tower Insurance Company of New York,
 Third Third-Party Plaintiff-
 Respondent,

Index No. 590879/06

-against-

7 Essex Street, L.L.C., c/o Vesta
 Development Group, et al.,
 Third Third-Party Defendant
 Appellant.
 -----x

Casino Development Group, Inc., et al.,
 Fourth Third-Party Plaintiff,

Index No. 590972/06

-against-

Danna Construction Corp., et al.,
 Fourth Third-Party Defendant.
 -----x

Appeals having been taken to this Court from orders of
 the Supreme Court New York County, entered on or about August 27,
 2015, October 13, 2015, and April 28, 2016, respectively,

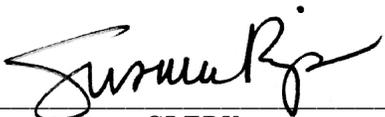
And, plaintiff-appellant having moved for consolidation
 of its three appeals from the aforesaid orders and for an
 enlargement of time to perfect same (M-2807),

And, third-party plaintiff-appellant having moved to
 consolidate its two appeals taken from the aforesaid orders and
 for an enlargement of time to perfect same (M-3015),

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

It is ordered that the appeals are consolidated and the motions granted to the extent of permitting appellants to prosecute all five appeals upon 9 copies of one record and one set of appellants' points covering the appeals and enlarging the time in which to perfect the consolidated appeals to the November 2016 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 28, 2016.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,
Rolando T. Acosta
Paul G. Feinman
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X
In the Matter of

Julian D.,

CONFIDENTIAL

M-2682

Docket No. D-52081/13

A Person Alleged to Be a Juvenile
Delinquent,

Respondent-Appellant.
-----X

An appeal having been taken from an order of the Family Court, New County, entered on or about August 18, 2015,

And, Randall Carmel, Esq., assigned counsel for respondent-appellant having moved for the dismissal of the aforesaid appeal, said appellant having been released to his home without supervision,

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

Ordered that the motion is granted to the extent of deeming the appeal withdrawn.

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 28, 2016.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,
Karla Moskowitz
Barbara R. Kapnick
Ellen Gesmer, Justices.

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

-against-

M-1913
Ind. No. 310/14

Gerson Flores-Arzu,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about April 4, 2016, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 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.

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Suite 1601, New York, NY 10007, Telephone No. (212) 402-4142, 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 28, 2016.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,
Karla Moskowitz
Barbara R. Kapnick
Ellen Gesmer, Justices.

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

-against-

Kenneth Washington,
Defendant-Appellant.

-----X

CONFIDENTIAL

M-1914

Ind. No. 3239/14

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about March 30, 2016, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 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.

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Suite 1601, New York, NY 10007, Telephone No. (212) 402-4142, 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 28, 2016.

PRESENT - Hon. John W. Sweeny, Jr., Justice Presiding,
Karla Moskowitz
Barbara R. Kapnick
Ellen Gesmer, Justices.

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

-against-

M-1915
Ind. No. 1344/14

James Mirabel-Leon,
Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about August 12, 2015, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 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.

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

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

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

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

M - 2134
Ind. No. 196/2010

-against-

CERTIFICATE
DENYING LEAVE

George White, a.k.a. Georgehar White,
Defendant.

-----X

I, Rolando T. Acosta, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from orders of the Supreme Court, New York County, entered on or about February 26, 2016, is hereby denied.



Hon. Rolando T. Acosta
Associate Justice

Dated: July 5, 2016
New York, New York

ENTERED: JUL 28 2016

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

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

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

M - 2047
Ind. No. 38583C/05

-against-

CERTIFICATE
DENYING LEAVE

Randy Tillman,

Defendant.

-----X

I, Rolando T. Acosta, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from orders of the Supreme Court, Bronx County, entered on or about December 23, 2015, is hereby denied.



Hon. Rolando T. Acosta
Associate Justice

Dated: July 5, 2016
New York, New York

ENTERED: JUL 28 2016

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

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

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

M - 2477
Ind. No. 5416/92

-against-

CERTIFICATE
DENYING LEAVE

Carlos Santana,

Defendant.

-----X

I, Rolando T. Acosta, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and other relief, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from orders of the Supreme Court, Bronx County, entered on or about March 11, 2016, is hereby denied.



Hon. Rolando T. Acosta
Associate Justice

Dated: July 5, 2016
New York, New York

ENTERED: JUL 28 2016

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

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

Respondent,

M-2810
Ind. No. 1868/13

-against-

ORDER DENYING BAIL
AFTER APPEAL TAKEN

Jose Rodriguez,

Defendant-Appellant.

-----X

An appeal having been taken to this Court by the above-named defendant-appellant from the judgment of the Supreme Court, Bronx County, rendered on or about March 1, 2016, and defendant-appellant having moved, pursuant to CPL 460.50 and 530.50, for a stay of execution of the judgment and to be admitted to bail pending the hearing and determination of the aforesaid appeal,

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

It is ordered that the motion be and the same hereby is denied.



Justice of the Appellate Division

Dated: June 30, 2016
New York, New York

ENTERED

JUL 28 2016

CLERK OF COURT



STATE OF NEW YORK
APPELLATE DIVISION : FIRST DEPARTMENT

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

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

M-2361
Ind. No. 2405/09

-against-

Christian Jaguez (A/K/A Christian Jaguez),
Defendant.

ORDER
DENYING
REINSTATEMENT
WITHOUT PREJUDICE

-----X

I, David B. Saxe, a Justice of the Appellate Division, First Judicial Department, do hereby order that the application made by the above-named defendant for reinstatement of a certificate previously granted on May 29, 2014 pursuant to Criminal Procedure Law section 460.15, to appeal from the order of the Supreme Court, New York County, entered on or about March 18, 2014, is hereby denied without prejudice to a petition for a writ of error coram notice (see *People v Syville*, 15 NY3d 391 [2000]).

Dated: July 5, 2016
New York, New York


Justice of the Appellate Division

ENTERED JUL 28 2016

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

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

-----x

The People of the State of New York,

Respondent,

M-3233
SCI 2542/11

-against-

CERTIFICATE
GRANTING LEAVE TO APPEAL
TO THE COURT OF APPEALS

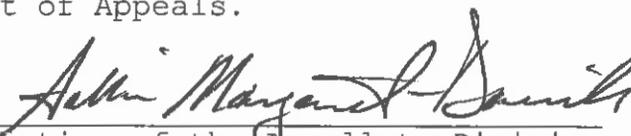
Natalio Pastor,

Defendant-Appellant.

-----x

I, Sallie Manzanet-Daniels, a Justice of the Appellate Division, Supreme Court, First Department, do hereby certify that in the record and proceedings herein* 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 hereby is granted to the above-named appellant to appeal to the Court of Appeals.


Justice of the Appellate Division

Dated: July 11, 2016
New York, New York

ENTERED: **JUL 28 2016**

*Description of Order:

Supreme Court, Bronx County, entered on October 5, 2011,
App. Div., First Dept., Appeal No. 16650, Affd on Feb. 11, 2016.

Notice: Within 10 days from the issuance of this certificate, a preliminary appeal statement must be filed with the Clerk of the Court of Appeals pursuant to Rule 500.9 of the Court of Appeals Rules.

✓

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

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

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

M-1224
Ind. No. 12131/91

-against-

CERTIFICATE
DENYING LEAVE

Lorenzo Martinez,
Defendant.

-----X

I, Judith J. Gische, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County (Hon. Edwardo Padro, J.), entered on or about February 1, 2016 is hereby denied.



Associate Justice

Dated: June 29, 2016
New York, New York

ENTERED JUL 28 2016

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

BEFORE: Hon. Barbara R. Kapnick
Justice of the Appellate Division

-----X

The People of the State of New York,

M-1824
Ind. No. 5441/11

-against-

CERTIFICATE
DENYING LEAVE

DeMariano Fagairo,

Defendant.

-----X

I, Barbara R. Kapnick, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon the application 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, dated January 5, 2016, is hereby denied.

Dated: June 27, 2016
New York, New York



Hon. Barbara R. Kapnick
Associate Justice

ENTERED
JUL 28 2016

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

BEFORE: Hon. Troy K. Webber
Associate Justice of the Appellate Division

-----X
The Nonhuman Rights Project, Inc., on M-2819
behalf of Kiko, Ind. No. 150149/16
Petitioner-Appellant,

-against-

Carmen Presti, individually and as an
officer and director of the Primate Sanctuary,
Inc., Christie E. Presti, individually and as an
officer and director of the Primate Sanctuary,
Inc.,

Respondents.

-----X

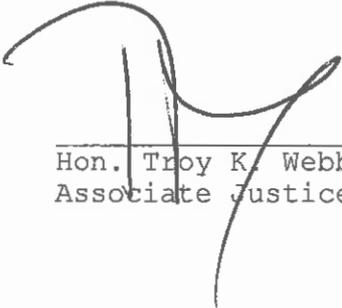
Petitioner-Appellant moved to appeal the matter as of right pursuant to CPLR 7011. I, Troy K. Webber, a Justice of the Appellate Division, deem this a motion brought pursuant to CPLR 5701(c), for leave to appeal to the Appellate Division, First Department, from the order of Supreme Court Justice Barbara Jaffe of the Supreme Court, New York County, entered on or about January 29, 2016,

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

Ordered that the application for leave to appeal is denied.

Dated: June 30, 2016
New York, New York

ENTERED



Hon. Troy K. Webber
Associate Justice

JUL 28 2016



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

BEFORE: Hon. Marcy L. Kahn
Justice of the Appellate Division

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

M-2638
Ind. No. 5809/13

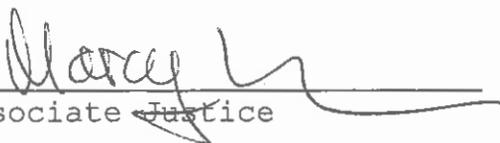
-against-

CERTIFICATE
DENYING LEAVE

Dary Ramirez,
Defendant.

-----X

I, Marcy L. Kahn, 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 (Hon. Richard D. Carruthers), entered on or about December 17, 2015, is hereby denied.


Associate Justice

Dated: New York, New York
June 23, 2016

ENTERED: **JUL 28 2016**