

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 15, 2016.

PRESENT - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Barbara R. Kapnick, Justices.

-----X

In the Matter of

Thomas G.,

Petitioner-Appellant,

-against-

Tara G.,

Respondent-Respondent.

M-6517
V-26173/12
V-26622/12
IDV. No. 165/12

-----X

Respondent-respondent having moved to dismiss the appeal from the order of the Supreme Court, Bronx County, entered on or about June 23, 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 and the appeal is dismissed.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 15, 2016.

PRESENT - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Rosalyn H. Richter, Justices.

-----X
In the Matter of

Lesley B.,
Petitioner-Respondent,

-against-

M-218
Docket No. V43284-10/15G

Kenneth J.,
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Family Court, New York County, entered on or about December 9, 2015, for assignment of counsel, a free copy of the transcript, and related relief,

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

Ordered that the motion is 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 March 15, 2016.

PRESENT: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Rosalyn H. Richter, Justices.

-----X
The Community Preservation Corporation,
Plaintiff-Appellant,

-against-

M-438
Index No. 850168/14

2093 Amsterdam Avenue Housing
Development Fund Corporation,
Defendant-Respondent,

Workers Compensation Board of NY State,
et al.,
Defendants.

-----X

Appeals having been taken from the orders of the Supreme Court, New York County, entered on or about October 28, 2014 and April 6, 2015, respectively,

And an order of this Court entered November 10, 2015 (M-4134), inter alia, consolidating the aforesaid appeals,

And plaintiff-appellant having moved for an enlargement of time to perfect the consolidated appeals,

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 consolidated appeal to the December 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 March 15, 2016.

PRESENT: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Rosalyn H. Richter, Justices.

-----X
Prime Properties USA 2011 LLC,
Plaintiff-Appellant,

-against-

Laura Richardson, et al.,
Defendants-Respondents.

M-456
M-477
Index No. 651891/13E

-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about September 12, 2014 (M-456),

And defendants-respondents having cross-moved to dismiss the appeal (M-477),

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

Ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the September 2016 Term, with no further enlargements to be granted (M-456). The cross motion to dismiss the appeal is granted unless appellant perfects the appeal for said Term. Upon failure to so perfect, an order dismissing the appeal may be entered ex parte, provided that respondent serves a copy of this order upon appellant within 10 days from the date of entry hereof (M-477).

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 March 15, 2016.

PRESENT - Hon: Peter Tom, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta
Richard T. Andrias, Justices.

-----X
Anthony Zappin,
Plaintiff,

-against-

M-6527
Index No. 301568/14

Claire Comfort,
Defendant.

Sebastian Doggart,
Non-Party Proposed Appellant.

-----X

Non-party pro se Sebastian Doggart having moved for leave to appeal to this Court from the order of the Supreme Court, New York County, entered on or about November 6, 2015, and for a stay of the aforesaid order,

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 March 15, 2016.

PRESENT: Hon. Peter Tom, Justice Presiding,
Rolando T. Acosta
Karla Moskowitz
Judith J. Gische, Justices.

-----X
Aaron Jenkins,
Plaintiff-Respondent,

-against-

M-132
Index No. 154540/12

Motor Vehicle Accident Indemnification Corporation,
Defendant-Appellant.

-----X

Plaintiff-respondent having moved for an order staying the trial in the above-entitled action pending hearing and determination of the appeal taken from the judgment of the Supreme Court, New York County, entered on or about May 14, 2015,

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

It is ordered that the motion is granted.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 15, 2016.

PRESENT - Hon. Peter Tom, Justice Presiding,
David Friedman
David B. Saxe
Judith J. Gische, Justices.

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

-against-

M-87
Ind. No. 4595/08

Brandin Santiago,
Defendant-Appellant.

-----X

Defendant-appellant having moved for reargument of the decision and order of this Court entered on December 8, 2015 (Appeal No. 16348),

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 March 15, 2016.

PRESENT - Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Sallie Manzanet-Daniels, Justices.

-----X
Roseann Cilente, as Trustee of the
Alfonso N. Figliolia Family Trust,
et al.,
Plaintiffs-Appellants-Respondents,

-against-

M-359
Index No. 600313/08

Phoenix Life Insurance Company, et al.,
Defendants-Respondents-Appellants,

A.I. Credit Corp.,
Defendant.

-----X

Plaintiffs-appellants-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 December 15, 2015 (Appeal No. 16396),

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 March 15, 2016.

PRESENT - Hon. Peter Tom, Justice Presiding,
Dianne T. Renwick
Richard T. Andrias
Karla Moskowitz
Sallie Manzanet-Daniels, Justices.

-----X
J. Zupnick & Co., LLC,
Plaintiff-Respondent,

-against-

M-5618
Index No. 603434/09

S. Rafael Corp., et al.,
Defendants,

Sol Rafael,
Defendant-Appellant.

-----X

Defendant-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court, entered on October 27, 2015 (Appeal No. 15979),

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 March 15, 2106.

PRESENT - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

-----X
Anron Heating and Air Conditioning,
Inc.,
Plaintiff

-against-

SEALED
M-6395
Index No. 302331/11

AMCC Corp., et al.,
Defendants-Appellants,

New York City School Construction
Authority,
Defendant,

Franco Belli Plumbing and Heating and
Sons, Inc.,
Defendant-Respondent,

J.C. Ryan Ebco/H&G LLC, et al.,
Defendants.

-----X

Defendant-appellant AMCC Corp. having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court, entered on November 24, 2015 (Appeal No. 16218-16219N),

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 March 15, 2016.

PRESENT - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Rosalyn H. Richter, Justices.

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

-against-

Marc Smith,
Defendant-Appellant.

CONFIDENTIAL

M-281

Ind. No. 1544/03

-----X

An appeal having been taken from the judgment of the Supreme Court, Bronx County, rendered on or about May 11, 2005,

And assigned counsel having moved for an order enlarging the record on appeal to include, and directing the Court Reporter to transcribe the minutes of the pre-trial court appearances, set forth in detail in the Addendum to the motion herein,

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

It is ordered that the motion is granted to the extent of directing the Clerk of the Supreme Court, Bronx County, to have transcribed all minutes of the proceedings held herein as not yet transcribed as indicated in the addendum attached to the moving papers, for inclusion in the record on appeal, within 30 days from the date of service upon the Clerk of a copy of this order, which counsel is directed to serve upon the Clerk and the individual court reporter(s) within 10 days from the date of entry hereof. If the minutes are unavailable or do not exist, the Clerk of said Court is directed to provide a statement to that effect.

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 March 15, 2016.

PRESENT - Hon. Peter Tom, Justice Presiding,
David Friedman
David B. Saxe
Judith J. Gische, Justices.

-----X
James Pettus and Charlene Thompson,
Petitioners,

-against-

M-287
Index Nos. 251413/14
250113/15

Board of Directors, Owners 800 Grand
Concourse, Charles H. Greenthal,
Agent/Mgmt.,
Respondent.

-----X

Petitioners having moved pursuant to CPLR 5704(a) for certain relief denied by a Justice of the Supreme Court, New York County, on or about January 7, 2016, as well as an order recusing a certain Supreme Court Justice,

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; the Clerk is directed to accept no further filings from petitioners in this matter without prior leave of this Court.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 15, 2016.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----X
BMW Financial Services NA, LLC, etc.,
Petitioner-Respondent,

-against-

M-308
Index No. 159680/13

A1 NY Collision Inc.,
Respondent-Appellant.

-----X

Petitioner-respondent having moved to dismiss the appeal from the order of the Supreme Court, New York County, entered on or about March 14, 2014 (mot. seq. no. 002),

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 15, 2106.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----X
Rochelle Donaldson,
Plaintiff-Appellant,

-against-

Salif A. Ndiaye, et al.,
Defendants-Respondents.

M-340
Index No. 106261/10

-----X

Defendants-respondents having moved to dismiss the appeal from the order of the Supreme Court, New York County, entered on or about November 5, 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 and the appeal is dismissed.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 15, 2016.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----X
E*Trade Bank, formerly known as
Telebank,
Plaintiff-Respondent,

-against-

Emmanuel Delvalle, also known as
Emanuel Delvalle, et al.,
Defendants,

Adam Plotch,
Defendant-Appellant.

M-531
Index No. 380411/13

-----X
Defendant-appellant Adam Plotch having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about April 21, 2015,

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

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 15, 2016.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

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

-against-

M-457
Ind. Nos. 925/14
3332/14

Richard Romo,
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 August 12, 2015, for leave to prosecute the appeal as a poor person upon 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 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, 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 March 15, 2016.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Sallie Manzanet-Daniels, Justices.

-----X
Wilmer Urbina,
Plaintiff-Respondent,

-against-

M-216
Index No. 305360/10

Aguilar Gardens, Inc., Metro Management & Development, Inc., Skyline Restoration Inc.,
Defendants-Appellants.

-----X
Aguilar Gardens, Inc., Metro Management & Development, Inc., Skyline Restoration Inc.,

Third-Party Plaintiffs-Appellants,

Third-Party
Index No. 838114/11

-against-

Site Works Inc.,
Third-Party Defendant-Appellant.

-----X

Third-party defendant-appellant Site Works Inc. having moved for an enlargement of time to perfect the appeals from the order of the Supreme Court, Bronx County, entered on or about April 17, 2015,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeals to 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 March 15, 2016.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Rosalyn H. Richter
Paul G. Feinman, Justices.

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

-against-

M-5720
Ind. No. 1534/06

Dexter Roman,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on November 7, 2013 (Appeal No. 10963), unanimously affirming a judgment of the Supreme Court, Bronx County (Michael Sonberg, J.), rendered on January 5, 2009,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate counsel, and for related relief,

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

It is ordered that said application is denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 15, 2016.

PRESENT - Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
David B. Saxe
Paul G. Feinman, Justices.

-----X

James Pettus and Charlene Thompson,
Petitioners-Appellants,

-against-

M-302

M-375

Index No. 251751/14

Board of Directors, Owners 800 Grand
Concourse, Charles H. Greenthal,
Agent/Mgmt.,
Respondents-Respondents.

-----X

Petitioners 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 December 17, 2015, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief (M-302),

And respondents having cross-moved for sanctions and for an order enjoining petitioners from filing further papers with this Court without just cause shown (M-375),

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 leave to prosecute the appeal as a poor person is denied (M-302). The cross motion seeking sanctions and other relief is denied (M-375).

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 March 15, 2016.

PRESENT - Hon: David Friedman, Justice Presiding,
John W. Sweeny, Jr.
David B. Saxe
Judith J. Gische, Justices.

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

-against-

Alex Ortiz,
Defendant-Appellant.

M-381
Ind. Nos. 5320/13
5135/13

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about April 2, 2015,

And defendant-appellant having moved for an order holding the appeal in abeyance,

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 September 2016 Term, with leave to seek further enlargements if necessary.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 15, 2016.

PRESENT : Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
David B. Saxe
Judith J. Gische, Justices.

-----X

Tanya Lapsley-Cockett, et al.,
Plaintiffs-Respondents,

-against-

M-191
Index No. 451341/13

Metropolitan Transit Authority,
Defendant,

New York City Transit Authority,
Defendant-Appellant.

-----X

Defendant-appellant having moved for consolidation of the perfected appeal from the order of the Supreme Court, New York County, entered on or about March 21, 2016 with the appeal from the order of said Court entered on or about December 22, 2015,

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 appellant leave to perfect the second appeal on a supplemental brief and a supplemental appendix to be filed with the perfected appeal on or before July 11, 2016, and granting plaintiffs-respondents leave to respond to both appeals on a single brief. The perfected appeal is adjourned to 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 March 15, 2016.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
David B. Saxe
Judith J. Gische, Justices.

-----X
Salvador Rivera,
Plaintiff-Respondent,

-against-

M-91
Index No. 303196/12

The New York City Transit Authority,
MV Transportation, Inc., Metropolitan
Transportation Authority, Paul R. Watson,
Access-A-Ride,
Defendants-Appellants.

-----X

Defendants-appellants having moved for an order staying all proceedings pending hearing and determination of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about April 17, 2015,

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 March 15, 2016.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----x
In the Matter of the Application of
Robin Watson,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78
of the CPLR,

M-816
Index No. 102032/15

-against-

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

An appeal having been taken to this Court from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about February 1, 2016,

And petitioner-appellant having moved for a stay of the order pending hearing and determination of the appeal taken therefrom, 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 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 March 15, 2016.

PRESENT - Hon. John W. Sweeny, Jr., Justice Presiding,
Rolando T. Acosta
Dianne T. Renwick
Richard T. Andrias, Justices.

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

-against-

M-6430
Ind. No. 832/03

Joseph McNeil,
Defendant-Respondent.

-----X

Defendant-appellant having moved for reargument of the decision and order of this Court, entered on June 23, 2009 (Appeal No. 885),

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 March 15, 2016.

PRESENT - Hon. John W. Sweeny, Jr., Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
Karla Moskowitz, Justices.

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

-against-

M-6516
Ind. No. 2102/10

Jaime DeJesus,
Defendant-Appellant.

-----X

Respondent People having moved for reargument of the decision and order of this Court, entered on December 8, 2015 (Appeal No. 16328),

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 March 15, 2016.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----x
Beth A. Travers,
Plaintiff-Respondent,

-against-

M-601
Index No. 107720/11

John Kulynych,
Defendant-Appellant.
-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about March 19, 2014, and said appeal having been perfected,

And plaintiff-respondent having moved for leave to file a supplemental record on 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 eight copies of said supplemental brief submitted with the moving papers timely filed.

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 March 15, 2016.

PRESENT - Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Richard T. Andrias
Karla Moskowitz, Justices.

-----X
In the Matter of the Arbitration
Between

J.C. Penney Corporation, Inc.,
Petitioner-Respondent,

Pursuant to Article 75 of the CPLR
To Confirm the Award Entered in
Arbitration,

-against-

M-364
Index No. 652690/14

Linda Thomas,
Respondent-Appellant.

-----X

Petitioner-respondent having moved to dismiss the appeal from the order of the Supreme Court, New York County, entered on or about February 18, 2015 (mot. seq. no. 002),

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 15, 2016.

Present: Hon. Rolando T. Acosta, Justice Presiding,
Diane T. Renwick
Richard T. Andrias
Karla Moskowitz, Justices.

-----X
Dariana Luperon, also known as
Dariana Luperon Reyes,
Plaintiff-Appellant,

-against-

M-419
Index No. 308347/08

The City of New York,
Defendant-Respondent.

-----X
Edwin Suero,
Plaintiff-Appellant,

-against-

Index No. 309023/08

The City of New York,
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about September 9, 2014,

And plaintiffs-appellants having moved for an enlargement of time to perfect the appeal,

Now, upon reading and filing the papers with respect to motion, and the correspondence from plaintiff-appellant's counsel dated February 23, 2016, and due deliberation having been had thereon,

It is ordered that plaintiff's motion and appeal are deemed withdrawn in accordance with the aforesaid correspondence.

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 March 15, 2016.

PRESENT - Hon. Rolando T. Acosta, Justice Presiding,
Richard T. Andrias
David B. Saxe
Karla Moskowitz, Justices.

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

-against-

M-280
Docket No. 2013BX61225
Case No. 61125C/13

Malik Bah, also known as
Malick Bah,
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 February 24, 2015, for leave to prosecute the appeal as a poor person upon 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 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, 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 March 15, 2016.

Present: Hon. Rolando T. Acosta, Justice Presiding,
Diane T. Renwick
Richard T. Andrias
Karla Moskowitz, Justices.

-----X
Mohamed Fall,

Plaintiff-Respondent,

-against-

Binta Diallo,

Defendant-Appellant.
-----X

M-411

Index No. 308749/12

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from a Judgment of Divorce of the Supreme Court, New York County, entered on or about March 18, 2015,

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 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 March 15, 2016.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Richard T. Andrias
Karla Moskowitz, Justices.

-----X
Deborah Adler, as Administratrix of
the Estate of Sol Adler,
Plaintiff-Appellant,

-against-

M-534
Index No. 159339/14

The 92nd Street Young Men's and
Young Women's Hebrew Association,
Defendant-Respondent.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about February 3, 2015,

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 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 March 15, 2016.

Present: Hon. Rolando T. Acosta, Justice Presiding,
Diane T. Renwick
Richard T. Andrias
Karla Moskowitz, Justices.

-----X

Shavonte Mathis, an infant, by his
mother, and natural guardian, Sharon
Mathis and Sharon Mathis, individually,
Plaintiffs-Respondents,

M-416
Index No. 350185/11

-against-

Directions for Youth, Inc., et al.,
Defendants-Appellants.

-----X

Defendants having moved for an order staying the trial in the above-entitled action pending hearing and determination of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about September 2, 2014,

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

It is ordered that the motion is denied.

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 March 15, 2016.

Present: Hon. Rolando T. Acosta, Justice Presiding,
Diane T. Renwick
Richard T. Andrias
Karla Moskowitz, Justices.

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

-against-

M-342
Ind. No. 589/12

John Draper,
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about March 25, 2014,

And defendant, via retained counsel, having moved for an order enlarging the record on appeal to include two documents annexed as Exhibit A to the Notice of Motion for use in perfecting 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 denied, as unnecessary.

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 March 15, 2016.

Present - Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Richard T. Andrias
Karla Moskowitz, Justices.

-----X
The People of the State of New York
ex rel. Rodolfo Abreu-Crisostomo,
Petitioner,

-against-

M-412
Ind. No. 2106/15

Warden, Rikers Island, GMDC,
Respondent(s).

-----X

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

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 granted only to the extent of transferring the proceeding to and be heard before a Justice of the Supreme Court of the State of New York, New York County, forthwith, and

It is further ordered that service by mail of a copy of this writ of habeas corpus, petition and supporting papers, by the Clerk of this Court, contemporaneous with the entry hereof, upon the Warden at Rikers Island, GMDC, 15-15 Hazen Street, East Elmhurst, NY, 11370; the Attorney General of the State of New York, 120 Broadway, New York, New York 10271; and the District Attorney of New York County, One Hogan Place, New York, NY 10013, be deemed due and sufficient notice.

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 March 15, 2016.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Richard T. Andrias
David B. Saxe
Rosalyn H. Richter, Justices.

-----X
Scarlet Diaz, an infant by her
mother and natural guardian, Rene Diaz,
and Rene Diaz, individually,
Plaintiffs-Appellants,

-against-

Yaw Barimah, et al.,
Defendants-Respondents.

M-85
Index No. 350465/11

-----X
Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about May 18, 2015,

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 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 March 15, 2016.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Richard T. Andrias
David B. Saxe
Rosalyn H. Richter, Justices.

-----X
Darren James, Tracy James, Baltazar
Andrade, Helena Andrade,
Plaintiffs-Appellants,

-against-

M-303
Index No. 302140/10

Alpha Painting & Construction Co.,
Inc., et al.,
Defendants-Respondents.

(And third-party actions)
-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about April 1, 2015,

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 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 March 15, 2016.

PRESENT - Hon. Dianne T. Renwick, Justice Presiding,
Richard T. Andrias
David B. Saxe
Rosalyn H. Richter, Justices.

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

Respondent,

-against-

Kenneth Genao,

Defendant-Appellant.
-----X

M-352
Ind. No. 2477/14

Defendant having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, New York County, rendered on or about May 8, 2015,

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 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 March 15, 2016.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Richard T. Andrias
David B. Saxe
Rosalyn H. Richter, Justices.

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

Edwin L. Christian, etc.,
Petitioner-Respondent,

For a Judgment Pursuant to Article
78 of the CPLR,

-against-

M-213
Index No. 102788/12

City of New York, Michael Bloomberg,
as Mayor of the City of New York,
Robert Limandri, as Commissioner of
the New York City Department of
Buildings,
Respondents-Appellants.

-----X

Municipal respondents-appellants having moved for a stay of the order and judgment (one paper) of the Supreme Court, New York County, entered on or about November 10, 2015, 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.

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 March 15, 2016.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Richard T. Andrias
David B. Saxe
Rosalyn H. Richter, Justices.

-----X
Pascale Levine,
Plaintiff-Respondent,

-against-

Alexander Levine,
Defendant-Appellant.

M-5820
M-6086
Index No. 309880/12

-----X

Defendant-appellant having moved for an order staying the enforcement of the order of the Supreme Court, New York County, entered on or about July 7, 2015, pending hearing and determination of the appeal taken therefrom (M-5820),

And plaintiff-respondent having cross-moved for an order seeking sanctions and attorney's fees (M-6086),

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

It is ordered that the motion is denied (M-5820). The cross motion seeking sanctions and attorney's fees is denied (M-6086).

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 March 15, 2016.

PRESENT - Hon. Dianne T. Renwick, Justice Presiding,
Richard T. Andrias
David B. Saxe
Rosalyn H. Richter, Justices.

-----X
In the Matter of the Application of
Tzvi Barax, as the Administrator of
Dumont Center for Rehabilitation and
and Nursing Care,
Petitioner,

For an Appointment of a Special
Guardian of Property of

M-6509
Index No. 91679/15

Rose W.,
An Alleged Incapacitated Person.

-----X

Petitioner having moved pursuant to CPLR 5704(a) for certain relief denied by a Justice of the Supreme Court, Bronx County, on or about February 20, 2015,

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