

At a 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 8, 2018.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Angela M. Mazzarelli
Marcy L. Kahn
Peter H. Moulton, Justices.

-----X

Illinois Union Insurance Co.,
et al.,

Plaintiffs-Appellants-Respondents,

-against-

Grandview Palace Condominiums Association,
etc.,

Defendant-Respondent-Appellant.

- - - - -
[And Other Actions]

-----X

M-6239
Index Nos. 155113/12
273/13
2253/13
650748/14

Defendant-respondent-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court, entered on November 14, 2017 (Appeal Nos. 4942-4943),

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.

ENTERED:



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 8, 2018.

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,
Troy K. Webber
Marcy L. Kahn
Cynthia S. Kern, Justices.

-----X

In the Matter of

T.J.S. and B.C.S.,

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

- - - - -
Catholic Guardian Society of New York,
Petitioner,

Chenel Delora S.,
Respondent.

-----X

In the Matter of the Commitment of Guardianship and Custody of

T.J.S. and B.C.S.,

- - - - -
Catholic Guardian Society of New York,
Petitioner,

-against-

Chenel Delora S., and Donald R.,
Respondents.

-----X

In the Matter of a Guardianship Proceeding:

- - - - -
Marlo S.,
Petitioner/Intervenor-Appellant,

-against-

Chenel Delora S., Administration for Children's Services, and Bronx Catholic Guardianship Society of New York,
Respondents-Respondents.

-----X

CONFIDENTIAL

M-4801

Docket No.
NN-34406/10
NN-31267/12

CONFIDENTIAL

Docket No.
B-29494/13

CONFIDENTIAL

Docket No.
G-32955/14

-----X
In the Matter of a Guardianship Proceeding:

Marlo S.,
Petitioner/Intervenor-Appellant,

CONFIDENTIAL

Docket No.
G-32958/14

-against-

Donald Robinson, and Catholic Guardian
Society of New York,
Respondents-Respondents.

-----X

Respective respondents-respondents in the above-titled actions under Docket Nos. G-32955/14 and G-32958/14 having moved for the dismissal of the appeals taken from an Order on Oral Application of the Supreme Court, Bronx County, entered on or about November 20, 2015 and from the Order of Dismissal of said Family Court, entered on or about November 23, 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 and the appeals by petitioner Marlo S. (Docket Nos. G-32955/14 and G-32958/14) are dismissed.

ENTERED:



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 8, 2018.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
Barbara R. Kapnick
Ellen Gesmer
Peter H. Moulton, Justices.

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

-against-

M-16
Ind. No. 2674/12

Rondell Pinkerton,
Defendant-Appellant.

-----X

Defendant-appellant, pro se, having moved for an enlargement of time in which to file a notice of appeal from a judgement of the Supreme Court, Bronx County, rendered on or about May 26, 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.

ENTERED:



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 8, 2018.

Present - Hon. Barbara R. Kapnick, Justice Presiding,
Marcy L. Kahn
Ellen Gesmer
Cynthia S. Kern
Peter H. Moulton, Justices.

-----X

In the Matter of the Commitment of

Nicolas Keith G., also known as
Nicolas G., also known as
Nicolas H.,

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

- - - - -

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

CONFIDENTIAL

M-6141

Docket No. B-33823/15

Mark G.,
Respondent-Appellant.

- - - - -

Seymour W. James, Jr., Esq., The Legal
Aid Society, Juvenile Rights Division,
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 September 5, 2017, 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, Anne Reiniger, Esq., 801 Second Avenue, 10th Floor, New York, NY 10017, Telephone No. 646-627-8875, 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.**

ENTERED:


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 March 8, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

-against-

M-343
Ind. No. 5396/15

Michael Avery,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about June 23 2017,

Now, upon reading and filing the stipulation of the parties hereto, dated January 19, 2018, and due deliberation having been had thereon,

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

ENTERED:



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 8, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

Daniel J. Everett,
Defendant-Appellant.

-----X

M-5893
DC #13
Ind. No. 4005/11

An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, rendered on or about May 14, 2012,

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

And a calendar call having been held by the Clerk of the Court on October 26, 2017, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

It is ordered that appellant's time in which to perfect the appeal is enlarged to the September 2018 Term and counsel is directed to so perfect.

ENTERED:


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 8, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick,
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-5918
DC #16
Ind. No. 765/12

Melvin Gardner,
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from a judgment of the Supreme Court, New York County, rendered on or about October 12, 2012,

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

And a calendar call having been held by the Clerk of the Court on October 26, 2017, pursuant to Rule 600.12(c) of said Rules of Practice, and there being no response thereto,

It is ordered that the aforesaid appeal is deemed withdrawn in accordance with the order of this Court, entered on December 7, 2017 (M-5198).

ENTERED:


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 8, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

Leonardo Gonzalez,
Defendant-Appellant.

-----X

M-5922
DC #20
Ind. No. 51354C/11

An appeal having been taken from a judgment of the Supreme Court, Bronx County, rendered on or about May 16, 2012,

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

And a calendar call having been held by the Clerk of the Court on October 26, 2017, pursuant to Rule 600.12(c) of said Rules and Practice, and there being no response thereto,

Now, upon the Court's own motion, it is ordered that the appeal is deemed withdrawn (see, M-5277).

ENTERED:


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 8, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

Miguel Guity,
Defendant-Appellant.

-----X

M-5924

DC#22

Ind. No. 9343/89

An appeal having been taken from a judgment of the Supreme Court, Bronx County, rendered on or about September 24, 2013,

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

And a calendar call having been held by the Clerk of the Court on October 26, 2017, pursuant to Rule 600.12(c) of said Rules of Practice,

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

Ordered that the aforesaid appeal is withdrawn.

ENTERED:


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 8, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

Donald Orta,
Defendant-Appellant.

-----X

M-5942
DC #36
Ind. No. 2384/13

An appeal having been taken from a judgment of the Supreme Court, Bronx County, rendered on or about July 1, 2014,

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

And a calendar call having been held by the Clerk of the Court on October 26, 2017, pursuant to Rule 600.12(c) of said Rules of Practice,

Now, upon reading and filing the stipulation between the parties hereto, dated October 23, 2017, and due deliberation having been had thereon,

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

ENTERED:


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 8, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

-against-

Luis Pastrana,
Defendant-Appellant.

M-5946
DC #39
Ind. No. 3022/13

-----X
An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about March 5, 2014,

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

And a calendar call having been held by the Clerk of the Court on October 30, 2018, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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

Ordered that appellant's time in which to perfect the appeal is enlarged to the September 2018 Term and counsel is directed to so perfect.

ENTERED:


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 8, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

Jose C.,
Petitioner-Respondent,

-against-

Janet V.,
Respondent-Appellant,

-and-

Kristina M.,
Respondent-Respondent.

CONFIDENTIAL

M-227

Docket Nos.

V-32447/16

V-32447/16/16A

V-32447/16/16B

V-32447/16/16C

-----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 December 7, 2017, 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, Lewis S. Calderon, Esq., 155-03 Jamaica Avenue, Jamaica, New York 11432, Telephone No. 718-883-1560, 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.** (See M-330 and M-6648, released simultaneously herewith).

ENTERED:



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 March 8, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

Jose C.,
Petitioner-Respondent,

-against-

Janet V.,
Respondent-Appellant,

-and-

Kristina M.,
Respondent-Respondent.

CONFIDENTIAL

M-330
Docket Nos.
V-32447/16
V-32447/16/16A
V-32447/16/16B
V-32447/16/16C

-----X
Respondent-respondent having moved for leave to respond, as a poor person, to the appeal from the order of the Family Court, New York County, entered on or about December 7, 2017, 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 §1120 of the Family Court Act, Hani M. Moskowitz, Esq., 225 Broadway, Suite #715, New York, New York 10007, Telephone No. 212-227-8208, 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. (See M-6648 and M-227, released simultaneously herewith).

ENTERED:


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 8, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

Jose C.,
Petitioner-Respondent,

-against-

Janet V.,
Respondent-Appellant,

-and-

Kristina M.,
Respondent-Respondent.

CONFIDENTIAL

M-6648
Docket Nos.
V-32447/16
V-32447/16/16A
V-32447/16/16B
V-32447/16/16C

-----X

Petitioner-respondent having moved for leave to respond, as a poor person, to the appeal from the order of the Family Court, New York County, entered on or about December 7, 2017, 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 §1120 of the Family Court Act, John R. Eyerman, Esq., 225 Broadway, Suite #1800, New York, NY 10007, Telephone No. 212-921-0069, 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. (See M-330 and M-227, released simultaneously herewith).

ENTERED:


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 8, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

Chanel J. C.,
Petitioner-Respondent,

-against-

Omar M.,
Respondent-Appellant.

CONFIDENTIAL

M-6663

M-6610

Docket No. F-12772-12/17G

-----x

Respondent-appellant having moved for leave to appeal to this Court from the Order of Commitment of the Family Court, New York County, entered on or about October 11, 2017, and for other relief (M-6663),

And respondent-appellant having moved, by separate motion, for withdrawal of the motion seeking leave to appeal to this Court (M-6610),

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

It is ordered that respondent's motion seeking to withdraw his earlier motion is granted (M-6610) and the motion for leave to appeal to this Court (M-6663) is deemed withdrawn.

ENTERED:


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 8, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

Respondent,
-against-

M-501
Ind. No. 3865/16

Jamel Munroe,

Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about April 25, 2017, 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, 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.

ENTERED:

A handwritten signature in black ink, appearing to read "Susan R. Jones", written in a cursive style.

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 8, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

Respondent,

-against-

M-502
Ind. No. 4787/16

Michael Murphy,

Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about May 11, 2017, 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.

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

ENTERED:

A handwritten signature in black ink, appearing to read "Seymour W. James, Jr.", written in a cursive style.

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 8, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

Respondent,

-against-

M-503
Ind. No. 2940/16

Francisco Perez,

Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about April 21, 2017, 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.

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

ENTERED:

A handwritten signature in black ink, appearing to read "Seymour W. James, Jr.", written in a cursive style.

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 8, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

Respondent,
-against-

M-504
Ind. No. 4471/15

China Perry,

Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about May 10, 2017, 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.

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

ENTERED:

A handwritten signature in black ink, appearing to read "Seymour W. James, Jr.", written in a cursive style.

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 8, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

Respondent,

-against-

M-506
Ind. No. 1611/14

Steven Rogers,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about April 4, 2017, 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, 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.

ENTERED:



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 8, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

Respondent,
-against-

M-507
Ind. No. 202/17

Tomas Romero,

Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about February 17, 2017, 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.

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

ENTERED:

A handwritten signature in black ink, appearing to read "Seymour James, Jr.", written in a cursive style.

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 8, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

Respondent,
-against-

M-508
Ind. No. 3418/16

Avis Ruiz,

Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about May 10, 2017, 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.

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

ENTERED:

A handwritten signature in black ink, appearing to read "Seymour W. James, Jr.", written in a cursive style.

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 8, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

Respondent,
-against-

M-509
Ind. No. 4514/16

Pilar Sanchez also known as
Pilar M. Pilar,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about April 17, 2017, 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.

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

ENTERED:



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 8, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

Respondent,
-against-

M-510
Ind. No. 3295/16

William Sanders,

Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about January 18, 2017, 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, 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.

ENTERED:

A handwritten signature in black ink, appearing to read "Susan R. Jones", written in a cursive style.

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 8, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

Respondent,

-against-

M-511
Ind. No. 2242/16

Justyn Smith,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about May 10, 2017, 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.

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

ENTERED:

A handwritten signature in black ink, appearing to read "Seymour W. James, Jr.", written in a cursive style.

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 8, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

Respondent,
-against-

M-513
Ind. No. 3686/15

Harvel Thomas,

Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about May 16, 2017, 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.

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

ENTERED:

A handwritten signature in black ink, appearing to read "Seymour W. James, Jr.", written in a cursive style.

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 8, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

Respondent,
-against-

M-514
Ind. No. 2913/16

John Vargas,

Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about May 9, 2017, 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.

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

ENTERED:

A handwritten signature in black ink, appearing to read "Seymour W. James, Jr.", written in a cursive style.

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 8, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-512

Ind. No. 1701/15

Ralph Suarez-Santos,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about May 8, 2017, 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.

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

ENTERED:

A handwritten signature in black ink, appearing to read "Seymour W. James, Jr.", written in a cursive style.

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 8, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

-against-

M-2422
Ind. No. 937/11

Eddy Coello,

Defendant.
-----x

Defendant having moved for an extension of time to file a notice of appeal from the order of the Supreme Court, Bronx County, entered on or about March 31, 2017,

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 moot (see M-2435 [July 6, 2017]).

ENTERED:


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 8, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Judith J. Gische
Peter Tom, Justices.

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

Respondent,

-against-

M-6375
Docket No. 2017BX025136

Nyoka McKenzie,

Defendant-Appellant.
-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal taken from a judgment of the Criminal Court, Bronx County, rendered on or about October 3, 2017,

Now, upon reading and filing the papers with respect to the motion, including the correspondence from Gilbert Zelaya, Esq., The Bronx Defenders, and due deliberation having been had thereon,

It is ordered that the within motion is withdrawn.

ENTERED:



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 8, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Judith J. Gische
Peter Tom, Justices.

-----X

In the Matter of
Tiara Dora S., also known as Tiara S., and Victor Manuel Del C., Jr., also known as Victor M. Del C., Jr., also known as Victor Del C., Jr.,

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

- - - - -
Saint Dominic's Family Services
formerly known as St. Dominic's Home/
Commissioner of the Administration of
Social Service of the City of New York,
Petitioners-Respondents,

CONFIDENTIAL
M-6423
Docket No.B-13550-51/16

Debbie S.,
Respondent-Appellant,

Victor Manuel Del C., also known as
Victor M. Del C., also known as
Victor Del C., also known as Jose C.,
Respondent-Respondent.

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

-----X

Assigned counsel for respondent-appellant having moved to be relieved as counsel, for assignment of new appellate counsel, for leave to prosecute, as a poor person, the appeal from an order and judgement (one paper) of the Family Court, Bronx County, entered on or about November 3, 2017, and for a stay of adoption proceedings pending determination of said appeal,

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

Ordered that the motion is granted to the extent of striking the designation of Edward I. Arfe, Esq., as respondent-appellant's counsel and (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Randall Carmel, Esq. 410 Jericho Turnpike, Suite 302, Jericho, NY 11753, Telephone No. (603) 313-1951, 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.** So much of the motion seeking a stay of adoption proceedings is granted on condition the appeal is perfected on or before July 9, 2018 for the September 2018 Term.

ENTERED:



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 March 8, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Judith J. Gische
Peter Tom, Justices.

-----x
In the Matter of

Cheron B., Jr.,

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

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

CONFIDENTIAL
M-6488
Docket No. NN-47963/16

Vanessa G.,
Respondent-Appellant,

Cheron B.,
Respondent-Respondent.

- - - - -
Hani M. Moskowitz, Esq.,
Attorney for the Child.

-----x

An order of this Court having been entered on October 26, 2017 (M-4977), granting respondent-appellant leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about August 4, 2017, and assigning Steven N. Feinman, Esq., as counsel on the appeal for respondent-appellant,

And assigned counsel having moved to be relieved as assigned counsel and to substitute other 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 to the extent of striking the designation of assigned counsel Steven N. Feinman, Esq., as counsel to prosecute appellant's appeal and

substituting, pursuant to Article 18b of the County Law and § 1120 of the Family Court Act, Neal D. Futerfas, Esq., 50 Main Street, Suite 1000, White Plains, NY 10606, Telephone No. 914-552-6076, as such counsel. The poor person relief previously granted is continued.

ENTERED:


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 8, 2018.

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

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

-against-

M-3495
Ind. No. 3888/07

Anthony Walker,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on May 2, 2013 (Appeal No. 9977), unanimously affirming a judgment of conviction of the Supreme Court, New York County (Robert Seewald, J.), rendered on June 16, 2010,

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.

ENTERED:



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 8, 2018.

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

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

-against-

David Kelly.
Defendant-Appellant.

M-5710
Ind. Nos. 9862/90
5564/91

-----X

A decision and order of this Court having been entered on April 22, 1997 (Appeal No. 60584), unanimously affirming a judgment of the Supreme Court, Bronx County (John Collins, J.), rendered on December 8, 1992,

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.

ENTERED:



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 8, 2018.

Present - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Marcy L. Kahn
Ellen Gesmer
Anil C. Singh, Justices.

-----X
Sonja Valenta,

Plaintiff-Appellant,

-against-

M-115
Index No. 152824/14

Spring Street Natural and PMW, Inc.,

Defendants-Respondents.
-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about March 29, 2017,

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 2018 Term.

ENTERED:



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 8, 2018.

Present - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Marcy L. Kahn
Ellen Gesmer
Anil C. Singh, Justices.

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

Ivan J.,
Petitioner,

CONFIDENTIAL
M-6589
Docket Nos. V-10292-16
V-32100-16

-against-

Kathryn G.,
Respondent.

Bryan S. Greenberg, Esq.
Attorney for the Child.

-----x
Petitioner having moved for leave to appeal from, and for a stay of all proceedings pending hearing and determination of the appeal taken from the order of the Family Court, Bronx County, entered on or about November 8, 2017,

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

It is ordered that since the final order is appealable, the motion is deemed as one solely for a stay, which stay is granted on condition the appeal is perfected for the September 2018 Term.

ENTERED:



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 8, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Marcy L. Kahn
Ellen Gesmer
Anil C. Singh, Justices.

-----X

Acadia Brandywine Holdings, LLC.
Plaintiff-Appellant,

-against-

M-6741
Index No. 657035/17

Wilmington - 5190 Brandywine Parkway,
LLC,
Defendant-Respondent.

-----X

Plaintiff-appellant having moved for an order restraining defendant-appellant's use of certain funds and directing the release of funds to pay for certain services pending hearing and determination of the appeal taken from an order of the Supreme Court, New York County, entered on or about December 19, 2017, and for a calendar preference in scheduling 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 and the interim relief granted by an order of a Justice of this Court, dated December 22, 2017, is hereby vacated.

ENTERED:



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 8, 2018.

Present - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Marcy L. Kahn
Ellen Gesmer
Anil C. Singh, Justices.

-----X
Bayview Loan Servicing, LLC.
Plaintiff-Respondent,

-against-

M-6771
Index No. 810056/11

Alleyne Sylvester and Celeste Wenegieme
Defendants-Appellants,

-and-

New York City Environmental Control
Board, et al.,
Defendants.

-----X

Defendants-Appellants having moved for an enlargement of time to perfect the appeal from a judgment of the Supreme Court, New York County, entered on or about August 2, 2016,

And for an order compelling plaintiff's counsel to provide certain motion papers which are missing from the New York County Supreme Court Clerk's file,

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

It is ordered that, within seven days of the within order, plaintiff's counsel, Barclay Damon LLP, will make available to the moving parties the documents which defendants-appellants had requested by e-mail dated December 18, 2017, expenses to be borne by defendants-appellants,

(M-6771)

-2-

March 8, 2018

It is further ordered, that the time to perfect the appeal is enlarged to the September 2018 Term.

ENTERED:

A handwritten signature in black ink, appearing to read "Susan R. [unclear]", written in a cursive style.

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 8, 2018.

Present - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Marcy L. Kahn
Anil C. Singh
Peter H. Moulton, Justices.

-----x
Catherina Park, et al.,

Plaintiffs-Appellants,

-against-

M-280
Index No. 156500/17

27 Washington Sq. North Owner LLC,

Defendant-Respondent.
-----x

Plaintiffs-appellants having moved for a stay of eviction pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about January 3, 2018,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties hereto, dated January 26, 2018, and due deliberation having been had thereon,

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

ENTERED:


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 8, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,
Peter Tom
Angela M. Mazzairelli
Anil C. Singh, Justices.

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

-against-

Richard Gordon,
Defendant-Appellant.

M-85
Ind. Nos. 2686/11
3553/15

-----X

Defendant-appellant, pro se, 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 January 25, 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.

ENTERED:


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 8, 2018.

Present - Hon. David Friedman, Justice Presiding,
Peter Tom
Troy K. Webber
Cynthia S. Kern, Justices.

-----x
Veg 83 LLC,
Plaintiff-Respondent,

-against-

M-448
Index No. 158216/15

JTED83, Inc., and Ron Braverman,
Defendants-Appellants.
-----x

Appeals having been taken to this Court from orders of the Supreme Court, New York County, entered on or about October 4, 2017 and May 4, 2016, and the judgment of said Court, entered on or about September 29, 2016, and the appeal from the order entered on or about May 4, 2016 having been perfected,

And defendants-appellants having moved, inter alia, for an enlargement of time to perfect the appeals from the order and judgment entered on or about May 4, 2016 and September 29, 2016, and for consolidation of the appeals with the appeal from the order entered on or about October 4, 2017,

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

It is ordered that, sua sponte, the pro se brief filed by defendant-appellant Braverman on July 10, 2017 (see order of this Court entered January 5, 2018), is deemed stricken. The appendix filed on that date is deemed to pertain to both defendants-appellants, and the perfected appeal from the order entered on or about May 4, 2016 is adjourned to the September 2018 Term. It is further,

Ordered that counsel for defendants-appellants is directed to file the following on or before July 9, 2018 for the September 2018 Term: 1) a supplemental appendix correcting any deficiencies in the appendix filed on July 10, 2017, inclusive of the order of Supreme Court entered October 4, 2017, the notice of appeal from said order, and all other documents pertinent to that appeal; and

2) an amended brief from defendants-appellants addressing all arguments that counsel is advised to make as to both of defendants' appeals from the order entered on or about May 4, 2016, and the judgment entered on or about September 29, 2016, and the order entered on or about October 4, 2017, inclusive of any arguments set forth in the previously filed pro se brief, if so advised. The corporate defendant-appellant's time to perfect its appeals is enlarged to the September 2018 Term.

ENTERED:



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 8, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Sallie Manzanet-Daniels
Judith J. Gische
Marcy L. Kahn
Jeffrey K. Oing, Justices.

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

-against-

M-48
Ind. No. 3197/15

Sabastian Bryant also known as
Sebastian Bryant,
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, New York County, rendered on or about January 11, 2017, 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 moving papers as 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.

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.

ENTERED:

A handwritten signature in black ink, appearing to read "Susan R. Jones", written in a cursive style.

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 8, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Jeffrey K. Oing
Peter H. Moulton, Justices.

-----x
In the Matter of the Application of

Wasył Kinach, et al.,
Petitioners-Appellants,

For a Judgment Pursuant to Article 78
of the CPLR, etc.,

M-179
Index No. 153833/16

-against-

The Honorable Bill de Blasio, etc.,
et al.,
Respondents-Respondents.

-----x
Appeals having been taken to this Court by petitioner from orders of the Supreme Court, New York County, entered on or about November 21, 2016 and January 8, 2018, and the appeal from the order entered on or about November 21, 2016 having been perfected,

And petitioners-appellants having moved for consolidation of the aforesaid appeals, for an enlargement of time to perfect same, and permitting petitioners-appellants to file a supplemental record on appeal with respect to the appeal from the order entered on or about January 8, 2018,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties dated January 29, 2018, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting appellants to prosecute the consolidated appeals upon 9 copies of one record and one set appellants' points covering the consolidated appeals. The attention of the parties is

directed to 22 NYCRR § 600.11. The time to perfect the consolidated appeals is enlarged to the June 2018 Term, and petitioners are permitted to file a supplemental record with respect to the January 9, 2018 order along with their replacement appellant's brief on or before March 19, 2018, the replacement respondents' and reply briefs are due April 18, 2018 and April 27, 2018 respectively.

ENTERED:


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 8, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Jeffrey K. Oing
Peter H. Moulton, Justices.

-----x
Scott Meyer,

Plaintiff-Respondent,

-against-

M-435

Index No. 152786/16

224 Lafayette St. Corp., et al.

Defendants-Appellants.
-----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 May 19, 2017,

And defendants-appellants having moved: to hold plaintiff and his counsel in contempt of court and to sanction plaintiff's conduct; to relieve defense counsel; to refer the matter to a Special Referee to determine legal fees; to continue the stay granted by the order of this Court, entered November 2, 2017 (M-5300), and to enlarge the time to perfect 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 to the extent of continuing the interim stay granted by the order of this Court, entered November 2, 2017 (M-5300), on condition the appeal is perfected for the September 2018 Term, and it is further,

Ordered that that branch of the motion in which defense counsel requests to be relieved, is denied, with leave to renew, upon proof of service of the moving papers upon defendants and submission of documentary evidence that the law firm has communicated to defendants in writing that they seek to be relieved as counsel, and it is further,

Ordered that the motion, to the extent it seeks to refer the matter to a Special Referee, is denied, without prejudice to further proceedings in Supreme Court. The motion is otherwise denied.

ENTERED:


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 8, 2018.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Judith J. Gische
Marcy L. Kahn
Anil C. Singh, Justices.

-----X
Yessenia Damas,
Plaintiff-Respondent,

-against-

William J. Biggs,
Defendant-Appellant,

M-292
Index No. 303874/07

Netherland Gardens Corp.,
Defendant-Respondent,

HSBC Mortgage Corporation (USA),
Defendant.

-----X

Defendant-appellant, pro se, 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 January 4, 2018 (Appeal No. 5380N),

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.

ENTERED:



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 8, 2018.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Marcy L. Kahn
Peter H. Moulton, Justices.

-----X

Colebrooke Theatrical LLP,
Plaintiff-Respondent,

-against-

Stephane Bibeau, et al.,
Defendants-Appellants,

Jean-Francois Rodrigue,
Defendant.

M-162
Index No. 651440/14

-----X

Defendants-appellants having moved for reargument of the decision and order of this Court, entered on November 30, 2017 (Appeal No. 5082),

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.

ENTERED:


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 8, 2018.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Richard T. Andrias
Barbara R. Kapnick
Ellen Gesmer, Justices.

-----X
In Re New York County Asbestos Litigation:
-----X

Ivette Montanez and Peter Montanez,
Plaintiffs-Appellants,

-against-

M-168
Index No. 190409/14

Beck/Arnley Worldparts, Inc., et al.,
Defendants-Respondents.

-----X

Defendant-respondent Beck/Arnley Worldparts, Inc. having moved for dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about February 9, 2017,

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.

ENTERED:


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 8, 2018.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Judith J. Gische
Peter Tom
Angela M. Mazzarelli, Justices.

-----X

Joseph Korff,

Plaintiff-Appellant-Respondent,

-against-

Richard A. Corbett, et al.,

Defendants-Respondents-Appellants.

-----X

SEALED

M-6406

Index No. 601425/03

Plaintiff-appellant-respondent having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on November 2, 2017 (Appeal Nos. 4414-4414A),

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.

ENTERED:



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 8, 2018.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Angela M. Mazzaelli
Troy K. Webber
Cynthia S. Kern
Jeffrey K. Oing, Justices.

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

-against-

M-70
Ind. No. 3116/16

Conrad Hunter,
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, New York County, rendered on or about June 15, 2017, 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 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.

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

ENTERED:


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 8, 2018.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Angela M. Mazzarelli
Troy K. Webber
Cynthia S. Kern
Jeffrey K. Oing, Justices.

-----X

Wayne Charles,
Plaintiff-Appellant,

M-6377

M-6499

-against-

M-71

Index No. 100117/16

Levitt & Kaizer, Richard Levitt,
Nicholas Kaizer and Brendan White,
Defendants-Respondents.

-----X

Plaintiff, pro se, having moved for an enlargement of time to perfect the appeals taken from orders of the Supreme Court, New York County, entered on or about February 8, 2017, and September 21, 2016 (M-71 and M-6377, respectively),

And defendants-respondents having moved to dismiss plaintiff's appeal from the order entered on or about September 21, 2016 (M-6499),

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

It is ordered, sua sponte, that plaintiff's appeals from the orders entered on or about February 8, 2017 and September 21, 2016 are hereby consolidated and plaintiff's time to perfect the consolidated appeals is enlarged to the September 2018 Term, with no further enlargements to be granted (M-6377 and M-71).

(M-6377/M-6499/M-71)

-2-

March 8, 2018

Defendants motion to dismiss plaintiff's appeal from the order entered on or about September 21, 2016 is granted unless the appeal is perfected for the September 2018 Term.

ENTERED:

A handwritten signature in black ink, appearing to read "Susan R.", written in a cursive style.

CLERK

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

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

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

M-357
Ind. No. 1404/2013

-against-

Raymond Teran,

Defendant.
-----X

The above-named defendant having moved for an extension of time to file a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15 for leave to appeal the order of Supreme Court, New York County, entered on or about, June 6, 2016,

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

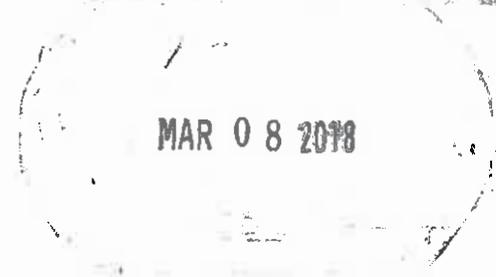
It is ordered that the motion is denied.



Hon. Troy K. Webber
Associate Justice

Dated: February 26, 2018
New York, New York

ENTERED:



MAR 08 2018

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

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

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

M-6668
Ind. No. 8054/93

-against-

CERTIFICATE
DENYING LEAVE

Ron Summers,

Defendant.

-----X

I, Rosalyn H. Richter, 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, Bronx County (Steven Barrett, J.), entered on or about October 17, 2017, is hereby denied.

ENTERED

MAR 08 2018

Justice



Dated: New York, New York

2/13/18

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

BEFORE: Hon. DAVID FRIEDMAN
Justice of the Appellate Division

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

M-235
Ind. No. 43314C/05

-against-

CERTIFICATE
DENYING LEAVE

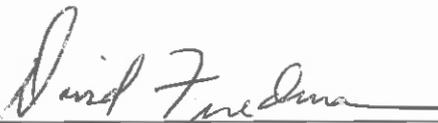
Damon Smith,
Defendant.
-----X

I, DAVID FRIEDMAN, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, section 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the Order of the Supreme Court, Bronx County, entered on or about August 4, 2017, is hereby denied.

Dated: New York, New York
February 26, 2018



MAR 08 2018



DAVID FRIEDMAN
Justice of the Appellate Division

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

BEFORE: Hon. Rolando T. Acosta, Presiding Justice

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

M - 349
Ind. No. 2801/03

Respondent

- against -

CERTIFICATE
DENYING LEAVE

Delroy Pitterson,

Defendant-Appellant
-----X

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

Dated: February 27, 2018
New York, New York

ENTERED
MAR 08 2018



Presiding Justice of the Appellate
Division, First Department

*Description of order:

By order of this Court dated November 16, 2017 (M-4773), defendant-appellant's motion for a writ of error coram nobis was denied.

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

✓

CORRECTED ORDER - MARCH 2, 2018

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 22, 2018.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Richard T. Andrias, Justices.

-----x
John McCabe,
Plaintiff-Appellant-Respondent,

-against-

M-6534
Index No. 101565/15

Consulate General of Canada,
Defendant-Respondent-Appellant.
-----x

Appeals having been taken to this Court by plaintiff-appellant-respondent from orders of the Supreme Court, New York County, entered on or about January 23, 2017 and October 10, 2017, and a cross appeal having been taken from the October 10, 2017 order by defendant-respondent-appellant,

And defendant-respondent-appellant having moved for consolidation of the aforesaid 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 granting consolidation of said appeals, permitting **defendant-respondent to file a supplemental appendix**. The attention of the parties is directed to 22 NYCRR § 600.11. The time to perfect the **cross appeal** is enlarged to the November 2018 Term and the consolidated appeals are adjourned to said Term.

ENTERED:


CLERK