

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 24, 2012.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-1907  
D.C. #9  
Case No. 48932C/05

Noel Bruno, Jr., also known as  
Sleep,

Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about December 3, 2009,

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 May 17, 2012 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 January 2013 Term and counsel is directed to so perfect.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 24, 2012.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

Julio Cruz,  
Defendant-Appellant.

-----X

M-1913  
D.C. #15  
Ind. No. 602/07

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about July 8, 2009,

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 May 17, 2012 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 January 2013 Term and counsel is directed to so perfect.

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Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

Glenmore Foster,  
Defendant-Appellant.

M-1919  
D.C. #20  
Ind. No. 3808/06

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about February 19, 2010,

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 May 17, 2012 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 January 2013 Term and counsel is directed to so perfect.

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PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-1925  
D.C. #26  
Ind. No. 4069/07

Willie Harris,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about July 21, 2008,

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 May 17, 2012 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 January 2013 Term and counsel is directed to so perfect.

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Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-1926  
D.C. #27  
Ind. No. 1633/07

Brian Hawkins,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about November 14, 2007,

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 May 17, 2012 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 January 2013 Term and counsel is directed to so perfect.

ENTER:



DEPUTY CLERK

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Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

William Hill,  
Defendant-Appellant.

M-1928  
D.C. #29  
Ind. No. 2620/06

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about March 1, 2010,

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 May 17, 2012 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 January 2013 Term and counsel is directed to so perfect.

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DEPUTY CLERK

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PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzaelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-1931  
D.C. #31  
Ind. No. 5704N/08

Alejandrina Jaen, also known as  
Alejandrin Jaen,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about September 1, 2010,

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 May 17, 2012 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 January 2013 Term and counsel is directed to so perfect.

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PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-1934  
D.C. #34  
Ind. No. 5485/08

Joey Lopez, also known as Joan  
Lopez,

Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about November 29, 2009,

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 May 17, 2012 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 January 2013 Term and counsel is directed to so perfect.

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Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-1941  
D.C. #40  
Ind. No. 4399/06

Gavin Murray,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about March 5, 2010,

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 May 17, 2012 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 January 2013 Term and counsel is directed to so perfect.

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Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-1948  
D.C. #46  
Ind. No. 6165/08

Jason Riley,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about March 2, 2010,

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 May 17, 2012 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 January 2013 Term and counsel is directed to so perfect.

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Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-1950  
D.C. #48  
Ind. No. 4205/06

Andrew Rodriguez,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about January 30, 2008,

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 May 17, 2012 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 January 2013 Term and counsel is directed to so perfect.

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Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-1952  
D.C. #50  
Ind. No. 4586/03

Hernando Ruiz,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the order of the Supreme Court, New York County, entered on or about September 21, 2006,

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 May 17, 2012 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 January 2013 Term and counsel is directed to so perfect.

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Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-1955  
D.C. #53  
Ind. No. 4301/08

Auvryn Scarlett,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about November 18, 2009,

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 May 17, 2012 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 January 2013 Term and counsel is directed to so perfect.

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PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

Timothy Tate,  
Defendant-Appellant.

-----X

M-1958  
D.C. #55  
Ind. No. 4129/08

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about July 23, 2009,

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 May 17, 2012 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 January 2013 Term and counsel is directed to so perfect.

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DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 24, 2012.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-1965  
D.C. #61  
Ind. No. 2778/03

Tyrone Williams, also known as  
Tyrone L. Williams,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about January 5, 2004,

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 May 17, 2012 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 January 2013 Term and counsel is directed to so perfect.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 24, 2012.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-1213  
Ind. No. 474/03

Tyrone Jackson,  
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on April 24, 2007 (Appeal No. 858), unanimously affirming a judgment of the Supreme Court, New York County (Edwin Torres, J.), rendered on February 26, 2004,

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

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

It is ordered that said application is denied.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 24, 2012.

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

-----X

The People of the State of New York,

Respondent,

-against-

**M-2444**

Ind. No.4458/07

Edwin Cortorreal,

Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about October 25, 2010,

And assigned counsel, Robert S, Dean, Esq., having moved for withdrawal of defendant's appeal,

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

Ordered that the motion is granted and the appeal is deemed withdrawn.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 24, 2012.

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

-----X

Stephen Sicilia,  
Plaintiff,

**M-2823**

**M-2569**

-against-

Index No. 103443/03

City of New York, et al.,  
Defendants-Respondents,

JB Electric LLC,  
Defendant-Appellant.

-----X

(And third-party actions)

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about May 3, 2011,

And an order of this Court having been entered on December 1, 2011 (M-3874) referring the matter to the Office of Referees, Supreme Court, New York County, for a Traverse Hearing,

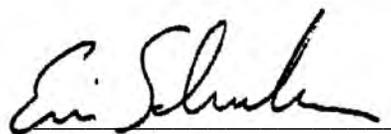
And defendants having moved for an order confirming the Traverse Hearing decision and report so ordered April 25, 2012 (M-2823),

And defendant-appellant having cross-moved for an order disaffirming the aforesaid Traverse Hearing decision and report, and for related relief (M-2569),

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 defendants' motion (M-2823) is granted, the cross motion denied (M-2569) and the appeal is dismissed, as untimely taken.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 24, 2012.

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

-----X  
In the Matter of

Monarch Consulting, Inc., Elite Management, Inc., Brentwood Television Funnies, Inc., Professional Employer Options, Inc., Recurrent Software Solutions, Ahill, Inc., The Accounting Group, LLC, PES Payroll, IA, Inc.,  
Petitioners-Appellants,

-against-

M-540  
Index No. 102187/11

National Union Fire Insurance Company of Pittsburgh, PA., etc.,  
Respondent-Respondent.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about January 31, 2012,

And petitioners-appellants having moved for an order staying enforcement of the aforesaid order pending hearing and determination of the appeal,

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

It is ordered that the motion is denied and the interim relief granted by an order of a Justice of this Court dated February 3, 2012 is hereby vacated.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 24, 2012.

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

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

-against-

**M-2192**

Ind. No. 1168/07

Rafael Garcia,  
Defendant-Appellant.

-----X

Defendant-appellant 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 May 20, 2010, or, in the alternative, a writ of error coram nobis, for a review of his claim of ineffective assistance of retained trial counsel, and for related relief,

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

It is ordered that said application is denied.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 24, 2012.

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

-----x  
Eugene Washington, et al.,

Plaintiffs-Respondents,

-against-

M-2455

Index No. 300713/07

Fausto Atenco and National Retail  
Systems, Inc.,

Defendants-Appellants.

-----x

Appeals having been taken to this Court by defendants-appellants from the judgment of the Supreme Court Bronx County, entered on or about August 16, 2011 and from the order of said Court entered on or about January 10, 2012, respectively,

And defendants-appellants having moved for consolidation of the aforesaid appeals, and for an enlargement of time in which to perfect said 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 permitting appellants to prosecute the appeals upon 9 copies of one record and one set of appellants' points covering the appeals and enlarging the time in which to perfect the consolidated appeals to the January 2013 Term.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 24, 2012.

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

-----X  
Mui Cam Lieu, et al.,  
Plaintiffs-Respondents,

-against-

M-2531  
Index No. 24168/95

New York Medical Group, P.C., et al.,  
Defendants,

Rawya El-Gaweet, as Executrix of the  
Estate of E. El-Gaweet, M.D.,  
Defendant-Appellant.  
-----X

Defendant-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about May 27, 2011,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the November 2012 Term.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 24, 2012.

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

-----x  
Ann Chisom,  
Plaintiff-Appellant,

-against-

Columbia Mutual Life Insurance Co.,  
Defendant-Respondent.

M-2546  
Index No. 307442/09

-----x

Plaintiff-appellant having moved for a further enlargement of time in which to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about January 20, 2011,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the November 2012 Term, with no further enlargements to be granted.

ENTER:

  
\_\_\_\_\_  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 24, 2012.

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

-----X  
Constantine Spathis,  
Plaintiff-Respondent,

-against-

M-2642  
Index No. 302534/08

Alina Dulimof Spathis,  
Defendant-Appellant.

-----X

Appeals having been taken from an order of the Supreme Court, New York County, entered on or about May 31, 2011 (mot. seq. no. 010), a judgment of said Court entered on or about August 24, 2011 and an order of said Court entered on or about April 26, 2012, respectively,

And defendant-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about April 26, 2012,

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

It is ordered that the motion is granted to the extent of, sua sponte, consolidating the aforesaid appeals and enlarging the time in which to perfect the consolidated appeals to on or before October 1, 2012 for the December 2012 Term.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 24, 2012.

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

-----X  
Andres Restrepo,  
Plaintiff-Appellant,

-against-

M-2664  
Index No. 117421/05

Yonkers Racing Corporation, Inc.,  
et al.,  
Defendants-Respondents,

Tishman Construction Corporation of  
New York,  
Defendant.

-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about August 8, 2011 (mot. seq. nos. 002 and 003),

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the November 2012 Term.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 24, 2012.

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

-----X  
Devash LLC,  
Plaintiff-Appellant,

-against-

German American Capital Corporation,  
et al.,  
Defendants-Respondents.  
-----X

M-2673  
Index No. 651839/10

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about September 9, 2011,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the November 2012 Term.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 24, 2012.

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

-----X  
Eve & Mike Pharmacy, Inc.,  
Plaintiff-Appellant,

-against-

Greenwich Pooh, LLC,  
Defendant-Respondent.

M-2760  
Index No. 651845/10

-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about September 7, 2011,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the January 2013 Term.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 24, 2012.

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

-----X  
Andrea Gilchrist,  
Plaintiff-Appellant,

-against-

M-2773  
Index No. 103400/08

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

-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about September 6, 2011 (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 to the extent of enlarging the time in which to perfect the appeal to the November 2012 Term.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 24, 2012.

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

-----X  
Alla Agronin,  
Petitioner-Appellant,

-against-

M-2792  
Index No. 101835/11

City University of New York, et al.,  
Respondents-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about July 28, 2011,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the December 2012 Term.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 24, 2012.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
David Friedman  
John W. Sweeny, Jr.  
James M. Catterson, Justices.

-----x  
In the Matter of a Proceeding  
Concerning Child Custody Jurisdiction  
and Enforcement Under Article 5A of  
the Domestic Relations Law.

- - - - -  
Maura B.,  
Petitioner-Appellant,

M-2843  
Docket Nos. V-12307-07/11  
V-15207/11

-against-

Giovanni P.,  
Respondent-Respondent.

-----x

An appeal having been taken to this Court by petitioner from the order of the Family Court, New York County, entered on or about February 7, 2012,

And petitioner-appellant having moved for an enlargement of time in which to perfect the aforesaid appeal, and for consolidation of this appeal with a potential appeal to be taken from any adverse order emanating from a motion presently scheduled for hearing in the Family Court, New York County, on July 18, 2012, 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 only to the extent of enlarging the time in which to perfect the appeal from the order entered on or about February 7, 2012 to the December 2012 Term and continuing the interim relief granted by a Justice of this Court on February 14, 2012 and February 28, 2012 and otherwise denied, with leave to renew upon the taking of a timely appeal from an order entered on the aforesaid pending motion.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 24, 2012.

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

-----X  
Carlos Pacheco,  
Plaintiff-Respondent,

-against-

M-2844  
Index No. 16368/07

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

-----X

Defendants-appellants having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, Bronx County, entered on or about April 8, 2011,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the November 2012 Term.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 24, 2012.

PRESENT - Hon. Angela M. Mazzairelli, Justice Presiding,  
Richard T. Andrias  
David Friedman  
John W. Sweeny, Jr.  
James M. Catterson, Justices.

-----X  
Premier Company,  
Petitioner-Landlord-Respondent,

-against-

M-2851  
Index No. 570160/11

Georgine Assante,  
Respondent-Tenant-Appellant.

-----X

Respondent-tenant-appellant having moved for leave to appeal to this Court from decision and order of the Appellate Term, entered in the office of the Clerk of the Supreme Court, New York County on or about March 15, 2012,

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

It is ordered that the motion is denied.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 24, 2012.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
James M. Catterson  
Rolando T. Acosta  
Helen E. Freedman, Justices.

-----X  
Drucilla Alfonso,  
Plaintiff-Respondent,

-against-

M-2352  
Index No. 400038/09

Metropolitan Transit Authority,  
Defendant,

-and-

New York City Transit Authority,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, New York County, entered on or about July 25, 2011,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the November 2012 Term.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 24, 2012.

Present - Hon. Rolando T. Acosta, Justice Presiding,  
Dianne T. Renwick  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----x

Rene Chavez,  
Plaintiff-Respondent,

-against-

M-2795  
Index No. 117921/09

The City of New York and the New York  
City Police Department,  
Defendants-Appellants.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about September 28, 2011,

And defendants-appellants having moved for a declaration of a statutory stay in effect pursuant to CPLR 5519(a)(1) or, in the alternative, for a discretionary stay pursuant to CPLR 5519(c), pending hearing and determination of the aforesaid appeal,

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

It is ordered that a discretionary stay of all proceedings is granted on condition the defendants perfect their appeal on or before September 4, 2012 for the November 2012 Term.

ENTER:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 24, 2012.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,  
Dianne T. Renwick  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----X

Lynn & Cahill LLP,  
Plaintiff-Respondent,

-against-

Nadine Witkin,  
Defendant-Appellant.

-----X

M-2817  
M-3031  
Index No. 114676/09

Appeals having been taken from an order of the Supreme Court, New York County, entered on or about January 6, 2012, an order of the same Court and Justice entered on or about April 2, 2012 and a judgment of the same Court and Justice entered on or about June 4, 2012, and said appeals having been perfected,

And defendant-appellant having moved for to stay enforcement of the aforesaid orders being appealed and any money judgment entered thereupon, pending hearing and determination of the appeal, and for related relief (M-2817),

And plaintiff-respondent having cross-moved to strike defendant-appellant's brief, for sanctions and for leave to supplement the record on appeal to include certain information from a related lawsuit (M-3031),

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, without prejudice to further proceedings in Supreme Court with respect to the validity and adequacy of any posted undertaking (M-2817). The cross motion is denied, without prejudice to argument of the issues raised in the respondent's brief (M-3031).

ENTER:



DEPUTY CLERK

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

BEFORE: Hon. John W. Sweeny, Jr.  
Justice of the Appellate Division

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

SEALED

M-2804

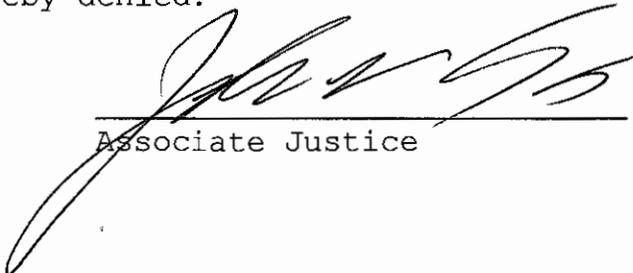
Ind. No. 6544/85

-against-

CERTIFICATE  
DENYING LEAVE

Travis Funches, a/k/a Trevis L. Funches,  
  
Defendant.

-----X  
I, John W. Sweeny, Jr., a Justice of the Appellate  
Division, First Judicial Department, do hereby certify that,  
upon application timely made by the above-named defendant for  
a certificate pursuant to Criminal Procedure Law, sections  
450.15 and 460.15, and upon the record and proceedings herein,  
there is no question of law or fact presented which ought to  
be reviewed by the Appellate Division, First Judicial  
Department, and permission to appeal from the order of the  
Supreme Court, New York County, entered on or about March 26,  
2012 (Carol Berkman, J.) is hereby denied.

  
\_\_\_\_\_  
Associate Justice

Dated: July 3, 2012  
New York, New York

ENTERED: July 24, 2012