

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 December 24, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David Friedman, Justices.

-----X
In the Matter of the Guardianship and
Commitment of

Natina F., also known as
Natina Marie Nicole F., and
Nicholas F., also known as
Nicholas Jaden F.,

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

The Children's Aid Society, et al., M-1724
Petitioners-Respondents, Docket Nos. B-29718-9/12

Zena F.,
Respondent-Appellant.

Steven Banks, Esq., The Legal Aid
Society, Juvenile Rights Division,
Attorney for the Children.

-----X
Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from orders of the Family Court, New York County, entered on or about January 17, 2013, 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, Tennille M. Tatum-Evans, Esq., 260 Convent Avenue, Ste. 34, New York, NY 10031, Telephone No. 347-645-6660, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the

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

ENTER:



DEPUTY CLERK

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

Lawrence Fleischer, Esq., 100 Lafayette Street, Ste. 404, New York, NY 10010, Telephone No. 212-966-5897, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

A handwritten signature in black ink, appearing to read "Eric Schuck", written in a cursive style. The signature is positioned above a horizontal line.

DEPUTY CLERK

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

ENTER:

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

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 December 24, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David Friedman, Justices.

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

Gracie C.,
Petitioner-Respondent,

M-5036
Docket No. O-03228/12

-against-

Nelson C.,
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an Order of Protection of the Family Court, Bronx County, entered on or about July 11, 2013, 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, Neal D. Futerfas, Esq., 50 Main Street, Ste. 1000, White Plains, NY 10606, Telephone No. 914-682-2171, 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

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

the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



DEPUTY CLERK

Richard M. Weinstein, Esq., 1133 Broadway, Ste. 708, New York, NY 10279, Telephone No. 212-233-1216, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

A handwritten signature in black ink, appearing to read "Eric Schuck", written in a cursive style. The signature is positioned above a horizontal line.

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 December 24, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David Friedman, Justices.

-----X

In the Matter of

Karma C.,

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,

M-5097
Docket No. NN-26072/12

Tenequa A.,
Respondent-Appellant.

- - - - -

Steven Banks, 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 Fact-Finding the Family Court, New York County, entered on or about April 19, 2013, and from the Order of Disposition of said Court entered on or about September 4, 2013, respectively, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Lewis S. Calderon, Esq., 153-01 Jamaica Avenue, Ste. 201, Jamaica, NY 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.**

ENTER:



DEPUTY 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 December 24, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David Friedman, Justices.

-----X

In the Matter of

Jalicia G.,

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,

M-5208
Docket No. NN-12252/12

Jacquelin G., also known as Jacqueline G.,

Respondent-Appellant,

Randolf W.,
Respondent.

- - - - -

Steven Banks, 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, Bronx County, entered on or about September 12, 2013, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Carol L. Kahn, Esq., 225 Broadway, Ste. 1510, New York, NY 10007, Telephone No. 212-227-0206, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the

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

ENTER:



DEPUTY 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 December 24, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David B. Saxe
David Friedman, Justices.

-----X

In the Matter of

Angelica D.,
Angela D.,
Adam Christopher S., and
Joshua Ahmed S.,

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

M-5526
Docket Nos. NN-5149/13
NN-5150/13
NN-5151/13
NN-5152/13

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

Deborah D.,
Respondent-Appellant.

- - - - -
Steven Banks, Esq., The Legal Aid
Society, Juvenile Rights Division,
Attorney for the Children.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from the Order of Fact-Finding of the Family Court, New York County, entered on or about June 19, 2013, and from the Order of Disposition of said Court entered on or about September 16, 2013, respectively and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Steven N. Feinman, Esq., One North Broadway, Ste. 412, White Plains, NY 10601, Telephone No. 914-949-8214, as counsel for purposes of prosecuting the appeal; (2)

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

ENTER:



DEPUTY 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 December 24, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David Friedman, Justices.

-----X

In the Matter of

Albert A.,
Tamyra A., and
Jasmine A.,

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

- - - - -

Commissioner of Social Services
of the City of New York,
Petitioner-Respondent,

M-5649
Docket Nos. NN-37956/11
NN-37957/11
NN-37958/11

Albert G.,
Respondent-Appellant.

- - - - -

Steven Banks, Esq., The Legal Aid
Society, Juvenile Rights Division,
Attorney for the Children.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from the Decision and Order of Fact-Finding of the Family Court, New York County, entered on or about August 12, 2013, and from the Order of Disposition of said Court entered on or about October 9, 2013, respectively, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Steven N. Feinman, Esq., One North Broadway, Ste. 412, White Plains, NY 10601, Telephone No. 914-949-8214, as counsel for purposes of prosecuting the appeal; (2)

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

ENTER:



DEPUTY 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 December 24, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David Friedman, Justices.

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

-against-

M-5846
Ind. No. 917/00

Nicholas Simpson,
Defendant-Appellant.

-----X

Defendant having renewed the motion for leave to prosecute, as a poor person, the appeal from a judgment of **resentence** of the Supreme Court, New York County, rendered on or about May 24, 2012, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief,

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

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

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York, 10007, Telephone No. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:



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 December 24, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzaelli
Richard T. Andrias
David Friedman, Justices.

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

-against-

M-4886
Ind. No. 4540/07

Alejandro Sierra,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Wittner, J.), entered on or about September 20, 2013, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, 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 and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Wittner as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Robert S. Dean, Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed.

The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:



DEPUTY CLERK

CORRECTED ORDER - February 26, 2014

(M-4722)

-2-

December 24, 2013

the cost thereof to be charged against the City of New York from funds available therefor¹ **within 60 days 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 Surrogate's Court to this Court. **The Clerk of the Surrogate's 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 Surrogate's Court.**

ENTER:



DEPUTY 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 December 24, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
 Peter Tom
 Angela M. Mazzarelli
 Richard T. Andrias
 David Friedman, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-6058
Ind. No. 1007/12

Wesley Jones,

Defendant-Appellant.

-----X

An order of this Court having been entered on August 20, 2013 (M-3213), granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about May 16, 2013, and assigning Rogert S. Dean, Esq., as counsel to prosecute the appeal,

Now, upon the Court's own motion,

It is ordered that the designation of Robert S. Dean, Esq., as counsel to prosecute defendant's appeal is stricken, and, pursuant to Section 722 of the County Law, Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York, 10007, Telephone No. 212-402-4100, is substituted as counsel to prosecute the appeal. The poor person relief previously granted is continued, and the time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

ENTER:



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 December 24, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David Friedman, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-5673
Ind. No. 3782/07

Egor Shevelev,
Defendant-Appellant.

-----X

An order of this Court having been entered on October 10, 2013 (M-4267), granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about July 25, 2013, and assigning Robert S. Dean, Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Robert S. Dean, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Lawrence Fleischer, Esq., 100 Lafayette Street, Ste. 404, New York, NY 10013, Telephone No. 212-966-5897 as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

ENTER:



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 December 24, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David Friedman, Justices.

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

-against-

M-5982
Ind. No. 3477/11

Lenny Abreu,
Defendant-Appellant.

-----X

An order of this Court having been entered on September 18, 2012 (M-3282), granting defendant leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about March 19, 2012, and assigning Steven Banks, Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Steven Banks, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, NY 10007, Telephone No. 212-402-4100, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

ENTER:



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 December 24, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David Friedman, Justices.

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

-against-

M-5901
Ind. No. 2843/12

Wilson Cuevas,
Defendant-Appellant.

-----X

An order of this Court having been entered on December 11, 2012 (M-4166), granting defendant leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about July 24, 2012, and assigning Steven Banks, Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Steven Banks, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York, 10007, Telephone No. 212-402-4100, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

ENTER:



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 December 24, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David Friedman, Justices.

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

-against-

Lanair Milton,
Defendant-Appellant.

M-5787
Ind. Nos. 5958/11
1930/11

-----X

An order of this Court having been entered on December 11, 2012 (M-4543), inter alia, granting defendant's motion for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about May 22, 2012, under Indictment No. 5958/11, and assigning counsel therefor,

And defendant-appellant having moved for an order amending the notice of appeal and the aforementioned order to include Indictment No. 1930/11,

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

It is ordered that said motion is granted to the extent of amending defendant's notice of appeal and the aforementioned order to include Indictment No. 5958/11 and 1930/11, and extending the poor person relief previously granted to cover same.

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 December 24, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
David B. Saxe
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----x

The People of the State of New York,
Respondent,

-against-

M-4629
Ind. No. 3280/10

Hipolito Ramos,
Defendant-Appellant.

-----x

An order of this Court having been entered on May 17, 2012 (M-1373), deeming the notice of appeal from the judgment of the Supreme Court, Bronx County, rendered on or about September 15, 2011 as timely filed, and granting poor person relief and assignment of appellate counsel,

And defendant-appellant having moved for an order deeming the notice of appeal and order of assignment to include the appeal from the order entered, pursuant to the Sex Offender Registration Act, on or about February 2, 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, without prejudice to a request for such relief upon demonstration that a timely filed notice of appeal was filed from the order entered on or about February 2, 2012. (See Correction Law 168-n[3].)

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 December 24, 2013.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Richard T. Andrias
David B. Saxe
Rosalyn H. Richter
Darcel D. Clark, Justices.

-----X

Red Zone LLC,

Plaintiff-Respondent,

-against-

Cadwalader, Wickersham & Taft LLP,

Defendant-Appellant.
-----X

SEALED

M-5842

Index No. 650318/11

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about October 11, 2013 and May 24, 2013, and an appeal having been taken from the order of said Court entered on or about September 3, 2013,

And plaintiff-respondent having moved for an order dismissing defendant's appeal taken from the aforesaid order entered on or about October 11, 2013,

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

Ordered that the motion is denied without prejudice to addressing issue directly on appeal and, sua sponte, the aforesaid appeals are consolidated, and defendant-appellant is directed to perfect the aforesaid appeals upon 9 copies of one record and one set of appellant's points covering the consolidated appeals for the April 2014 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 December 24, 2013.

Present - Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Sallie Manzanet-Daniels
Paul G. Feinman
Darcel D. Clark, Justices.

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

Appellant,

-against-

M-4622
Ind. No. 2857/11

Demetrius Lathon,

Defendant-Respondent.
-----X

Defendant-respondent having moved for leave to respond, as a poor person, to the People's appeal from an order of the Supreme Court, Bronx County, entered on or about October 9, 2012, and for assignment of counsel,

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

It is ordered that the motion is denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, in compliance with CPLR 1101(a), setting forth the terms of defendant's retainer agreement with trial counsel, Alberto Ebanks, Esq., the amount and sources of funds for trial counsel's fee and an explanation as to why similar funds are not available to respond to this appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

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 December 24, 2013.

Present: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
David B. Saxe
Leland G. DeGrasse
Dianne T. Renwick, Justices.

-----X
In the Matter of the Arbitration
of Local 891, International Union
of Operating Engineers, AFL-CIO,
by its Business Manager-President,
Robert J. Troeller,

M-5963
Index No. 101423/11

Petitioner-Respondent,

-against-

Department of Education of the
City School District of the City
of New York and Cathleen Black,
as Chancellor of the Department
of Education of the City School
District of the City of New York,

Respondents-Appellants.
-----X

Respondents-appellants having moved for an enlargement of time to perfect the appeal from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about January 7, 2013,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the May 2014 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 December 24, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
David B. Saxe
Leland DeGrasse
Rosalyn H. Richter, Justices.

-----x
In re: New York City Asbestos Litigation
-----x

Robert Germain, Sr.,
Plaintiff-Respondent,

-against-

M-5946
Index No. 190281/12

A.O. Smith Water Products Co., et al.,
Defendants,

Liberty Mutual Insurance Company,
Appellant.

-----x

Appeals having been taken to this Court by Liberty Mutual Insurance Company on behalf of Defendant Jenkin Bros. from orders of the Supreme Court, New York County, entered on or about October 29, 2013 and October 30, 2013, respectively,

And Liberty Mutual Insurance Company 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 permitting appellant to prosecute the appeals upon 9 copies of one record and one set of appellant's points covering the appeals and enlarging the time in which to perfect the consolidated appeals to the May 2014 Term. The interim relief granted by an order of a Justice of this Court dated November 15, 2013, is 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 December 24, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
David B. Saxe
Leland DeGrasse
Dianne T. Renwick, Justices.

-----X

Carolyn Le Bel, as Executrix of the Estate of Marya Lenn Yee,
Plaintiff-Appellant,

-against-

Mary A. Donovan and Donovan 7 Yee, LLP,
Defendants-Respondents.

M-5970
M-6087
Index No. 652200/10

-----X

Defendants-respondents having moved for dismissal of the appeal taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about October 1, 2013 (M-5970),

And plaintiff-appellant having cross-moved for an enlargement of time to perfect the aforesaid appeal and for leave to file portions of the record on appeal under seal (M-6087),

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

It is ordered that the motion is granted to the extent of dismissing the appeal unless perfected for the June 2014 Term (M-5970). The cross motion is granted to the extent of enlarging the time to perfect the appeal to said June 2014 Term and permitting plaintiff leave to file, in a separate supplemental record under seal, certain documents e-filed as "secured" pursuant to the confidentiality stipulation attached as "Exhibit B" to the affirmation of Adam M. Felsenstein, Esq. submitted in support of the cross motion (M-6087).

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 December 24, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
David Friedman
Helen E. Freedman
Darcel D. Clark, Justices.

-----X

American Transit Insurance Company,
Plaintiff-Appellant,

-against-

M-6003

Index No. 302091/12

Maria Marte-Rosario, et al.,
Defendants,

Empire Acupuncture, PC, et al.,
Defendants-Respondents.

-----X

Defendants-respondents Multiple Medical Health Services, P.C. and Infinite Chiropractic, PLLC, 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 12, 2013 (Appeal No. 10996),

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 December 24, 2013.

PRESENT: Hon. Angela M. Mazzairelli, Justice Presiding,
Richard T. Andrias
Leland DeGrasse
Helen E. Freedman
Judith J. Gische, Justices.

-----X
Lower East Side II Associates, L.P.,
Plaintiff-Respondent,

-against-

349 E. 10th Street, LLC,
Defendant-Appellant.

M-6107
Index No. 653362/11

-----X

Plaintiff-respondent having moved to dismiss the appeal taken from the order of the Supreme Court, New York County, entered on or about September 25, 2013 (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 to dismiss the appeal is granted unless the appeal is perfected on or before February 18, 2014 for the May 2014 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 December 24, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Leland DeGrasse
Helen E. Freedman
Judith J. Gische, Justices.

-----X
Vicky Dean,
Plaintiff-Appellant,

-against-

M-5764
Index No. 303201/11

Gianni Persich, D.P.M.,
Defendant-Respondent.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about September 26, 2013,

And defendant-respondent having moved for dismissal of the aforesaid appeal upon the grounds that plaintiff-appellant accepted a certain payment of sanctions,

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, without prejudice to raising the issue directly on appeal.

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 December 24, 2013.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Leland G. DeGrasse
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

-----X
Lisa Kirchner,
Plaintiff-Appellant,

-against-

Dr. Robert Winegarten, et al.,
Defendants-Respondents.

M-5113
M-5674
Index No. 800150/10

-----X
An appeal having been taken from a judgment of the Supreme Court, New York County, entered on or about July 12, 2013,

And defendant Dr. Robert Weingarten having moved for an order dismissing plaintiff's appeal (M-5113),

And defendant Sol Stolzenberg, D.M.D., having moved for the same relief (M-5674),

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

Ordered that the motions are 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 December 24, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Leland DeGrasse
Helen E. Freedman
Judith J. Gische, Justices.

-----X

Harch International Limited, a
foreign corporation,
Plaintiff-Respondent,

-against-

M-5554
Index No. 601312/05

Harch Capital Management, Inc.,
a Florida corporation, et al.,
Defendants-Appellants.

-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about October 22, 2013 (mot. seq. no. 026) and February 15, 2013, respectively,

And defendant-appellant Harch Capital Management, Inc. having moved for to stay enforcement of the aforesaid order entered on or about October 22, 2013 to the extent it permits release of certain funds held in the "Court Registry", pending hearing and determination of the appeal taken therefrom,

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

It is ordered that the motion is granted to the extent of continuing the relief granted by the order of a Justice of this Court dated October 23, 2013 on condition the appeal is perfected on or before January 27, 2014 for the April 2014 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 December 24, 2013.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Helen E. Freedman
Darcel D. Clark, Justices.

-----X

Koya Abe,

Plaintiff-Appellant,

-against-

M-6021

Index No. 113150/10

Nancy Barton, et al.,

Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about January 25, 2013,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties dated November 20, 2013, 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 2014 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 December 24, 2013.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Leland G. DeGrasse
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

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

-against-

M-5856

Ind. No. 3102/12

Freddie Colon,
Defendant-Appellant.

-----X

An order of this Court having been entered on February 7, 2013 (M-46), inter alia, assigning Robert S. Dean, Esq., as counsel to prosecute defendant's appeal from the judgment of the Supreme Court, New York County, rendered on or about October 9, 2012,

And counsel having moved for an order abating the appeal by reason of appellant's death, remanding the matter to the trial court to vacate the judgment of conviction, and dismissing the indictment,

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 dismissing the appeal because of appellant's death on September 28, 2013, and remanding the matter to the Supreme Court, New York County, for proceedings to vacate the judgment of conviction and to dismiss the indictment. (See *People v Matteson*, 75 NY2d 745; *People v Mintz*, 20 NY2d 770, 771.)

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 December 24, 2013.

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

-----X
Leota Susan Branche,
Plaintiff-Respondent,

-against-

M-5507
Index No. 304723/08

Douglas Holloway,
Defendant-Appellant.
-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, entered on or about August 29, 2013,

And defendant-appellant having moved for a stay of enforcement of the aforesaid judgment pending hearing and determination of the appeal taken therefrom,

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

It is ordered that the motion is granted to the extent of staying defendant's incarceration and enforcement of the aforesaid judgment pending hearing and determination of the appeal, on condition that defendant-appellant perfects his appeal on or before January 27, 2014 for the April 2014 Term, with the exception that so much of the judgment that pertains to maintenance and child support shall not be stayed, and same shall continue.

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 December 24, 2013.

Present - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Sallie Manzanet-Daniels, Justices.

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

-against-

M-4903
Ind. No. 226/09

Terreck Legrand, also known as Terrick
Legrand,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about March 14, 2013, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

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

Andrew H. Freifeld, Esq., 30 Vesey Street, 6th Floor, New York, NY 10007, Telephone No. 212-240-9406, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:



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 December 24, 2013.

Present: Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
Dianne T. Renwick
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----X
Deborah Marks Kahn, as Administrator
of the Estate of Seth Kahn, Deceased,
and Deborah Marks Kahn, Individually,

Plaintiff-Respondent-Appellant,

M-5782

Index No. 103770/10

-against-

New York City Transit Authority and
Jeremy Philhower,

Defendants-Appellants-Respondents.
-----X

An appeal and cross appeal having been taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about January 18, 2013,

And defendants-appellants-respondents having moved for an enlargement of time to perfect the appeal and cross 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 enlarging the time to perfect the appeal and cross appeal to May 2014 Term.

ENTER:



DEPUTY CLERK

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

BEFORE: Hon. Darcel D. Clark
Justice of the Appellate Division

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

M - 5500
Ind. No. 3876/07

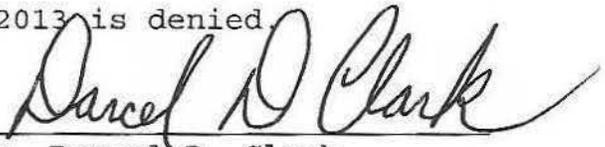
-against-

CERTIFICATE
DENYING LEAVE

Thor Corbin,

Defendant.
-----X

I, Darcel D. Clark, 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, entered on or about July 31, 2013, is denied.


Hon. Darcel D. Clark
Associate Justice

Dated: December 6, 2013
New York, New York

ENTERED:
DEC 24 2013

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

BEFORE: Hon. Darcel D. Clark
Justice of the Appellate Division

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

M - 5792
Ind. No. 5975/80

-against-

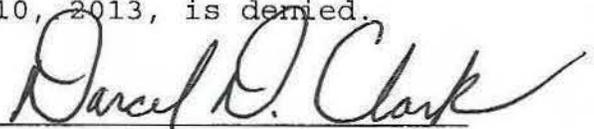
CERTIFICATE
DENYING LEAVE

Yohannes Johnson,

Defendant.

-----X

I, Darcel D. Clark, 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 July 10, 2013, is denied.



Hon. Darcel D. Clark
Associate Justice

Dated: December 4, 2013
New York, New York

ENTERED: DEC 24 2013

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

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

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

M-4818
Ind. No. 598/10

-against-

CERTIFICATE
GRANTING LEAVE

Reuel Mebuin a/k/a Revel Mebuin,
Defendant-Appellant.
-----X

I, Paul G. Feinman, a Justice of the Appellate Division, First Judicial Department, do hereby certify that in the proceedings herein questions of law or fact are involved which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is hereby granted to the above-named defendant to appeal to the Appellate Division, First Judicial Department, from the order of the Supreme Court, New York County, entered on or about June 27, 2013.¹

Dated: December 5, 2013
New York, New York



Hon. Paul G. Feinman
Associate Justice

ENTERED

DEC 24 2013

NOTICE: Within 15 days from the date hereon, an appeal must be taken, and this certificate must be filed with the notice of appeal. An appeal is taken by filing, in the Clerk's office of the criminal court in which the order sought to be appealed was rendered, a written notice in duplicate that appellant appeals to the Appellate Division, First Judicial Department (Section 460.10, subd. 4, CPL), together with proof that another copy of the notice of appeal has been served upon opposing counsel. The appeal (or consolidated appeals; see footnote) must be argued within 120 days from the date of the notice of appeal, unless the time to perfect the appeal(s) is enlarged by the court or a justice thereof.

¹In the event defendant has an existing (direct) appeal from a judgment, such appeal shall be consolidated with the appeal from the aforesaid order; and any poor person relief granted with respect to the appeal from the judgment shall be extended to cover the appeals so consolidated.

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

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

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

M-5515
Ind. No. 8472/99

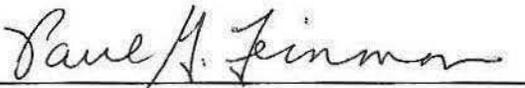
-against-

CERTIFICATE
DENYING LEAVE

Jose Maurad,

Defendant.
-----X

I, Paul G. Feinman, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County (Arlene Goldberg, J.), entered on or about May 23, 2013, is hereby denied.


Justice

Dated: New York, New York
December 3, 2013

ENTERED

DEC 24 2013

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

BEFORE: Hon. Helen E. Freedman
Justice of the Appellate Division

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

M - 4835
Ind. No. 8978/94

-against-

CERTIFICATE
DENYING LEAVE

JUAN POLANCO, also known as Juan Hernandez,

Defendant.

-----X

I, Helen E. Freedman, 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 the Criminal Procedure Law §§ 450.15 & 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 June 13, 2013 is hereby denied.



Hon. Helen E. Freedman
Associate Justice

Dated: December 5, 2013
New York, New York

ENTERED: DEC 24 2013

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

BEFORE: Hon. Helen E. Freedman
Justice of the Appellate Division

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

M - 5816
Ind. No. 3589/09

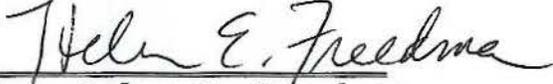
-against-

CERTIFICATE
DENYING LEAVE

HAROLD RINGER,

Defendant.
-----X

I, Helen E. Freedman, 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 the Criminal Procedure Law §§ 450.15 & 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 July 24, 2013 is hereby denied.


Hon. Helen E. Freedman
Associate Justice

Dated: December 2, 2013
New York, New York

ENTERED: **DEC 24 2013**

P.M ORDERS
FOR
DECEMBER
24, 2013

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 December 24, 2013.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Rosalyn H. Richter, Justices.

-----X

Ronald Alleva,
Plaintiff-Appellant,

-against-

United Parcel Service, Inc.,
Defendant-Respondent,

Gary Callwood,
Defendant.

United Parcel Service, Inc.,
Third-Party Plaintiff-Appellant,

-against-

Pitt Investigations, Inc.,
Third-Party Defendant-Respondent.

-----X

M-1204

M-1230

M-1597

Index Nos. 16510/03
84226/04

Plaintiff-appellant, Ronald Alleva, by separate identical motions, having moved for modification/reargument of the decision and order of this Court entered on January 29, 2013 (Appeal Nos. 7965, 7965A) [M-1204/M-1230],

And defendant-respondent/third-party plaintiff-appellant, United Parcel Service, Inc., having cross-moved for reargument of the aforesaid decision and order of this Court entered on January 29, 2013 (Appeal Nos. 7965, 7965A) [M-1597],

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

It is ordered that plaintiff-appellant, Ronald Alleva's motions are denied [M-1204/M-1230]. Defendant-respondent/third-party plaintiff-appellant, United Parcel Service, Inc.'s cross motion for reargument is granted and the order of this Court (Appeal Nos. 7965, and 7965A) are recalled and vacated (See Appeal Nos.7695, 7965A released simultaneously herewith.)

ENTER:

A handwritten signature in black ink, appearing to read "Eric Schuck". The signature is written in a cursive style with a long, sweeping underline.

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 December 24, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
Dianne T. Renwick
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----X

In the Matter of a Proceeding for
Commitment of Guardianship and
Custody of

Zayvion Jamel Lewis S., also known
as Zayvon M.,

A Child Under 18 Years of Age Alleged to
be Neglected Under § 384-b of the Social
Services Law of the State of New York

M-5783
M-5927
Docket No. B-34381/10

- - - - -
New York Foundling Hospital, et al.,
Petitioner-Respondent,

Jason Frederick H., also known as
Jason H.,
Respondent-Appellant.

- - - - -
Steven Banks, Esq., The Legal Aid
Society, Juvenile Rights Division,
Attorney for the Child.

-----X

An appeal having been taken from an order of the Family Court, Bronx County, entered on or about June 29, 2012,

And petitioner-respondent having moved to dismiss the aforesaid appeal for failure to timely perfect (M-5783),

And respondent-appellant having cross-moved for leave to prosecute, as a poor person, the aforesaid appeal, and for assignment of counsel, a free copy of the transcript, and related relief (M5927),

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 to dismiss the appeal is denied (M-5783). The cross motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Geoffrey P. Berman, Esq., 2005 Palmer Avenue, #176, Larchmont, NY 10538, Telephone No. (914) 834-3053, 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) directing appellant to perfect this appeal **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court** (M-5927).

ENTER:



DEPUTY 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 December 24, 2013.

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

-----X
M & E Christopher LLC,
Plaintiff-Appellant,

-against-

M-6098
Index No. 107900/09

Jonathan Berlin,
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about January 2, 2013,

And defendant-respondent having moved for leave to file a supplemental record on appeal which would include a copy of the DHCR Rent Administrator order, dated October 8, 2013, attached as Exhibit C to the affirmation of the moving papers of Paul N. Gruber, Esq., 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 and defendant-respondent is directed to serve and file forthwith 8 copies of a supplemental record on appeal containing the aforesaid documents appearing at "Exhibit C" to the aforesaid affirmation of Paul N. Gruber, Esq.

ENTER:



DEPUTY CLERK