

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 January 24, 2013.

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

-----X  
Fairway Douglaston, LLC,  
Plaintiff-Respondent,

-against-

M-18X  
Index No. 652592/11

AAC Douglaston Plaza Shopping Center  
LLC, et al.,  
Defendants-Appellants.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about April 26, 2012 (mot. seq. no. 003),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" January 3, 2013, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2013.

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

-----X  
Emma Davis, Guardian of the Person  
and Property of Kenneth Davis,  
Plaintiff-Respondent,

-against-

M-5271X  
Index No. 6904/04

New York City Transit Authority and  
Josiah N. Davoren,  
Defendants-Appellants.  
-----X

An appeal having been taken from the judgment of the Supreme Court, Bronx County, entered on or about September 14, 2011,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" November 7, 2012, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2013.

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

-----X

Toshia Jamison,  
Plaintiff-Respondent,

-against-

M-5272X  
Index No. 304980/11

Jorge Polanco and Dangelo Corp.,  
Defendants-Appellants.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about March 5, 2012,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" November 7, 2012, and due deliberation having been had thereon,

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

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2013.

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

-----X  
New World Food Court, Inc., et al.,

Plaintiffs-Appellants,

-against-

New World Mall, Inc.,

Defendant-Respondent.  
-----X

M-5695X  
Index No. 651779/11

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about March 12, 2012,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" December 4, 2012, and due deliberation having been had thereon,

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

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2013.

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

-----X  
JSB Partners LLC,

Plaintiff-Respondent-Appellant,

-against-

M-5723X  
Index No. 600524/10

Andrea Colabella, et al.,

Defendants-Appellants-Respondents.

-----X  
(And another action)

A cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about May 7, 2012 (mot. seq. no. 005),,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" December 5, 2012, and due deliberation having been had thereon,

It is ordered that the cross appeal is withdrawn in accordance with the aforesaid stipulation. (See M-5724X, decided simultaneously herewith).

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2013.

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

-----X  
JSB Partners LLC,

Plaintiff-Respondent-Appellant,

-against-

M-5724X  
Index No. 600524/10

Andrea Colabella, Steven Shapiro,  
and Cardea Group,

Defendants-Appellants-Respondents.

-----X  
(And another action)

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about May 7, 2012 (mot. seq. no. 005),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" December 5, 2012, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation. (See M-5723X, decided simultaneously herewith).

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2013.

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

-----X

The Franklin Mint, LLC and JSSI  
Capital Enterprises, LLC,

Plaintiffs-Appellants/Respondents,

-against-

M-5685X  
Index No. 652386/10

The Franklin Mint, Inc., et al.,

Defendants-Respondents/Appellants.

-----X

Appeals having been taken from the orders of the Supreme Court, New York County, entered on or about February 26, 2012, November 23, 2011 and October 6, 2011, respectively,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" November 30, 2012, and due deliberation having been had thereon,

It is ordered that the appeals are withdrawn in accordance with the aforesaid stipulation. (See M-5255, decided simultaneously herewith).

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2013.

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

-----X  
The Franklin Mint, LLC and JSSI  
Capital Enterprises, LLC,

Plaintiffs-Appellants,

-against-

The Franklin Mint, Inc., et al.,

Defendants-Respondents.  
-----X

M-5255  
Index No. 652386/10

Plaintiffs-appellants 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 November 23, 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 denied, as academic.  
(See M-5685X, decided simultaneously herewith.)

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2013.

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

-----X

In the Matter of

Marvin Antoine F., Jr.,

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

M-5178  
Docket No. B44979/10

- - - - -  
Catholic Guardian Society and Home Bureau, et al.,  
Petitioners-Respondents,

Antoinette H., also known as Antoinette C.,  
Respondent-Appellant,  
- - - - -

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

-----X

An appeal having been taken from the order of the Family Court, New York County, entered on or about April 6, 2012,

And respondent-appellant having moved to withdraw the aforesaid appeal,

Now, upon reading and filing the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted and the appeal is deemed withdrawn.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2013.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
David Friedman  
Rolando T. Acosta  
David B. Saxe, Justices.

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

-against-

M-5633  
Ind. No. 2361/10

Robin Hamilton,  
Defendant-Appellant.

-----X

Defendant-appellant, via assigned counsel, having moved to dismiss the appeal from the judgment of the Supreme Court, New York County, rendered on or about December 6, 2010,

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

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

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2013.

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

-----X  
Esther Roditti,  
Plaintiff-Respondent,

-against-

M-5336  
Index No. 150124/10

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

Warren George, Inc.,  
Defendant-Respondent,

Global Pizza Corp., doing business as  
Manhattan Brick Oven Pizza & Grill,  
Defendant-Appellant.

-----X  
(And another action)

Defendant-respondent Warren George, Inc. having moved to dismiss the appeal from the order of the Supreme Court, New York County, entered on or about December 23, 2011 (mot. seq. no. 003),

Now, upon reading and filing the stipulation of the parties hereto, dated December 10, 2012, and due deliberation having been had thereon,

It is ordered that the motion and the appeal are deemed withdrawn.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2013.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
David Friedman  
Rolando T. Acosta  
David B. Saxe, Justices.

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

-against-

M-5754  
SCI No. 2233/12

Carlos Maldonado,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, Bronx County, rendered on or about October 10, 2012, for leave to prosecute the appeal as a poor person upon the original record and upon a reproduced appellant's brief, and for assignment of counsel,

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

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

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

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2013.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
David B. Saxe  
Sheila Abdus-Salaam  
Sallie Manzanet-Daniels  
Nelson S. Román, Justices.

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

-against-

M-5711  
Ind. No. 5573/11

Luis S. Alvarado,  
Defendant-Appellant.

-----X

Defendant having renewed his motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about June 20, 2012, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

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

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

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 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

Andre L.,

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

**M-1986**  
DC #82  
Docket No. NN12247/07

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

Yolanda I.,  
Respondent-Appellant.

- - - - -  
Steven Banks, Esq.,  
Attorney for the Child.

-----X

Respondent-appellant having moved for an enlargement of time to perfect the appeal from the order of the Family Court, Bronx County, entered on or about July 19, 2010,

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 June 2013 Term. (See M-4434, decided simultaneously herewith.)

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2013.

PRESENT - Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
Leland G. DeGrasse  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

In the Matter of

Andre L.,

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

**M-4434A**

Docket No. NN12247/07

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

Yolanda I.,  
Respondent-Appellant.

- - - - -  
Steven Banks, Esq.,  
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 July 19, 2010, 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, George E. Reed, Jr., Esq., 222 Mamaroneck Ave., White Plains, NY 10605, Telephone No. (914) 946-5000, as counsel for purposes of prosecuting the appeal;

(2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor<sup>1</sup> **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.** The time to perfect the appeal is enlarged to the June 2013 Term. The order of this Court entered on November 4, 2010 (M-4434) is recalled and vacated. See M-1052B, decided simultaneously herewith.

ENTER:

  
CLERK

---

<sup>1</sup>Service 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 January 24, 2013.

Present: Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
Leland G. DeGrasse  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

In the Matter of

Andre L.,

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

**M-1052B**

Docket No. NN12247/07

-----  
Administration for Children's Services,  
et al.,

Petitioners-Respondents,

Yolanda L.,

Respondent-Appellant.

-----  
Steven Banks, Esq.,

Attorney for the Child.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from orders of the Family Court, Bronx County, entered on or about December 8, 2009 and January 4, 2010, 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, George E. Reed, Jr., Esq., 222 Mamaroneck Ave., White Plains, NY 10605, Telephone No. (914) 946-5000, as counsel for purposes of prosecuting the appeal;

(2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor<sup>1</sup> **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.** The order of this Court entered on May 10 2010 (M-1052) is recalled and vacated. See M-4434A, decided simultaneously herewith.

ENTER:

  
CLERK

---

<sup>1</sup>Service 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 January 24, 2013.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
David Friedman  
Rolando T. Acosta  
David B. Saxe, Justices.

-----X  
Robinson B. Lacy,

Plaintiff-Respondent,

-against-

**M-5765**

Index No. 350692/97

Elizabeth Lacy,

Defendant-Appellant.  
-----X

Defendant-appellant having moved for an order deeming the appeal from an order of the Supreme Court, New York County, entered on or about October 12, 2012, timely taken,

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 aforesaid appeal timely taken. (See Governors Ex. Order Nos. 47, 52, 81 [2012])

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2013.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
David Friedman  
Rolando T. Acosta  
David B. Saxe, Justices.

-----X  
In the Matter of the Ancillary  
Receivership of Amwest Surety Insurance  
Company.

- - - - -  
Babylon Iron Works, Inc.,  
Claimant-Appellant,

-against-

M-5632  
Index No. 404966/01

Superintendent of Financial Services,  
as Successor to the Superintendent of  
Insurance, as Ancillary Receiver of  
Amwest Surety Insurance Company,  
Respondent-Respondent.

-----X

Respondent-respondent having moved to dismiss the appeal taken from the order of the Supreme Court, New York County, entered on or about June 18, 2012 (mot. seq. no. 005),

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 unless it is perfected for the September 2013 Term. Upon failure to so perfect, an order dismissing the appeal may be entered ex parte, provided that respondent-respondent serves a copy of this order upon claimant-appellant within 10 days after the date of entry hereof.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
David Friedman  
Rolando T. Acosta  
David B. Saxe, Justices.

-----X  
Robert Zohlman,  
Petitioner-Respondent,

-against-

M-5493  
Index No. 603619/07

Barbara Zoldan,  
Respondent-Appellant,

-and-

Alex Zoldan,  
Judgment Debtor.

-----X

Respondent-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 May 4, 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 June 2013 Term, with no further enlargements to be granted.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2013.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
David Friedman  
Rolando T. Acosta  
David B. Saxe, Justices.

-----X  
In the Matter of the Application of  
Nina Berman,  
Petitioner,

For a Judgment Pursuant to Article 78  
of the CPLR,

-against-

M-5500  
Index No. 402655/11

New York State Department of Social  
Services,  
Respondent.

-----X

An Article 78 proceeding to review a determination of respondent, having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about December 21, 2011,

And petitioner having moved for an enlargement of time in which to perfect the aforesaid proceeding,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the proceeding to the June 2013 Term.

ENTER:

  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2013.

PRESENT - Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
Helen E. Freedman  
Nelson S. Román  
Judith J. Gische, Justices.

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

-against-

M-5437  
Ind. No. 792/12

Harvey N. Rentas,  
Defendant-Appellant.  
-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about September 19, 2012, for leave to prosecute the appeal as a poor person upon the original record and upon a reproduced appellant's brief, and for assignment of counsel,

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

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

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

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2013.

Present: Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
Helen E. Freedman  
Nelson S. Román  
Judith J. Gische, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

**M-5442**

Ind. No. 200/11

Marcel Cherry, also known as Micael  
Cherry,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about October 11, 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 denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth the amount and sources of funds to post the \$25,000 bail in the Supreme Court, the disposition thereof, and an explanation as to why similar funds are not available to prosecute the appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
Rolando T. Acosta  
Sallie Manzanet-Daniels  
Nelson S. Román, Justices.

-----X  
Robert Burton,

Plaintiff-Appellant,

-against-

M-5759  
Index No. 108229/10

1580 East 13<sup>th</sup> Street Owners Corp.,

Defendant-Respondent.  
-----X

Plaintiff-appellant, pro se, 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 October 25, 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 to perfect the appeal to the June 2013 Term.

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
Leland G. DeGrasse  
Rosalyn H. Richter  
Darcel D. Clark, Justices.

-----X  
In the Matter of the Application of  
Chun Po So,  
Petitioner-Appellant,

For a Judgment Pursuant to Article 78 M-5683  
of the Civil Practice Law and Rules, Index No. 401422/12

-against

John Rhea, as Chairperson and Member  
of the New York City Housing Authority  
and the Members of the New York City  
Housing Authority,  
Respondents-Respondents.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from the amended order of the Supreme Court, New York County, entered on or about October 23, 2012, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that said 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 attorney for respondent and file 10 copies of such brief, together with the original record, with this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record. The Clerk of Supreme Court, New York County, is directed to have transcribed the minutes of the proceedings held therein, if any, for inclusion in the record on appeal, with a copy to appellant's counsel, the cost thereof to be charged against the City of New York from funds available therefor and any other fees in connection therewith.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2013.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,  
Karla Moskowitz  
Sallie Manzanet-Daniels  
Nelson S. Román, Justices.

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

-against-

M-5426  
Ind. No. 4542/08

Daishaile Galarza,  
Defendant-Appellant.

-----X

Defendant having renewed his motion for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about April 23, 2012, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2013.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
Leland G. DeGrasse  
Rosalyn H. Richter  
Darcel D. Clark, Justices.

-----X  
In the Matter of the Application of  
Miguel Bermudez,  
Petitioner-Appellant,

For a Judgment, etc.,

-against-

M-5721  
Index No. 400128/12

Dora B. Schriro, etc., et al.,  
Respondents-Respondents.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, entered on or about March 20, 2012, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other 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 enlarging the time to perfect the appeal to on or before July 8, 2013 for the September 2013 Term and, 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 attorney for respondent and file 8 copies of such brief, together with the original record, with this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record. The Clerk of the Supreme Court, New York County, is directed to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, with a copy to appellant or appellant's counsel if any, the cost thereof to be charged against the City of New York from funds available therefor.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York, on January 24, 2013.

PRESENT: Hon: Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
Leland G. DeGrasse  
Rosalyn H. Richter  
Darcel D. Clark, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

Jacques Levasseur,  
Defendant-Appellant.

M-5629  
Ind. Nos. 5436/09  
3018/10  
2717/10

-----X

An order of this Court having been entered on July 7, 2011 (M-1949), inter alia, granting defendant's motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about December 9, 2010, under Indictment No. 5436/09, and assigning counsel therefor,

And defendant having moved for an order amending the notice of appeal and the aforementioned order to include appeals from the judgments of the same Court and Justice also rendered on or about December 9, 2010, Indictment Nos. 3018/10 and 2717/10,

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 amending defendant's notice of appeal and the aforementioned order of this Court to include the aforementioned judgments under Indictment Nos. 3018/10 and 2717/10, and extending the poor person relief previously granted to cover same.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Karla Moskowitz  
Leland G. DeGrasse  
Sallie Manzanet-Daniels  
Darcel D. Clark, Justices.

-----X  
Jenice McGinley and James McGinley,  
Plaintiffs-Respondents,

-against-

M-5355  
Index No. 111278/09

Mystic West Realty Corp., doing  
business as Rosie O'Grady's, et al.,  
Defendants-Respondents,

-and-

The Church of St. Mary the Virgin  
Episcopal Church,  
Defendant-Appellant.

-----X

Defendant-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 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 June 2013 Term.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Karla Moskowitz  
Leland G. DeGrasse  
Sallie Manzanet-Daniels  
Darcel D. Clark, Justices.

-----X

Paul Kleinberg, et al.,  
Plaintiffs-Respondents-Respondents,

-against-

M-5506  
M-5599  
Index No. 109371/09

The J Construction Company,  
Defendant-Appellant-Respondent,

516 West 19th Street, LLC, SLCE  
Architects, LLP and the Board of  
Managers of the 520 West 19th Street  
Condominium,  
Defendants-Respondents-Respondents.

-----X

516 West 19th Street, LLC,  
First Third-Party Plaintiff,

-against-

Third Party  
Index No. 591008/09

I.M. Robbins, P.C.,  
First Third-Party Defendant.

-----X

The J Construction Company, LLC,  
Second Third-Party Plaintiff,

-against-

Third Party  
Index No. 590362/10

Delta Testing  
Laboratories Inc.,

Interstate Industrial Corp., FCI  
Consulting Corp., RCI Plumbing Corp.,  
Interstate Drywall Corporation, ABCO  
Peerless Sprinkler Corporation,  
Absolute Electrical Contracting Corp.,  
Custom Metal Crafters, Inc., also known  
as A & S Window Products, LLC, formerly  
known as Custom Metal-Crafters &  
Erectors LLC, Garden State Commercial  
Services, KNS Building Restoration  
Corp., Ronald T. Vass Corp., Graciano

Corporation, City Elevator, Jansons Associates Inc., and JAM Consultants Inc.,

Second Third-Party Defendants- Respondents-Respondents.

-----X

KNS Restoration Inc., Third Third-Party Plaintiff,

-against-

AlliancePlus, Inc. and Aspen Insurance UK Limited, Third Third-Party Defendants.

-----X

Appeals and a cross-appeal having been taken from the order of the Supreme Court, New York County, entered on or about January 27, 2012 (mot. seq. nos. 006 and 008)

And defendant/third party plaintiff J Construction Co., LLC having moved for an enlargement of time to perfect their appeal taken from the aforesaid order (M-5506),

And second third-party defendant Delta Testing Laboratories Inc. having cross moved for an enlargement of time to perfect their cross appeal taken from the aforesaid order (M-5599),

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 and cross motion (M-5506/M-5599) are granted to the extent of enlarging the time to perfect the respective appeal and cross appeal to the June 2013 Term, sua sponte, the time for all additional appellants if any to perfect their appeals is enlarged to said June 2013 Term. The Clerk of the Court is directed to calendar the appeals and cross appeal for hearing together on the same day of said Term, if so perfected.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
Leland G. DeGrasse  
Rosalyn H. Richter  
Darcel D. Clark, Justices.

-----X  
Aura Siri Santos and Maria Siri  
Santos,  
Plaintiffs-Appellants,

-against-

Pedro A. Perez, et al.,  
Defendants-Respondents.

M-5480  
Index No. 300483/10

-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about January 10, 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 enlarging the time to perfect the appeal to the June 2013 Term.

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
John W. Sweeny, Jr.  
Karla Moskowitz  
Dianne T. Renwick, Justices.

-----X  
Christine Gitelson,

Plaintiff-Appellant,

-against-

M-5705  
Index No. 101055/09

Mary L. Quinn,

Defendant-Respondent.  
-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about January 30, 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 enlarging the time to perfect the appeal to the June 2013 Term.

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
John W. Sweeny, Jr.  
Karla Moskowitz  
Dianne T. Renwick, Justices.

-----X  
Gloria Deanna Dickerson,

Plaintiff-Appellant,

-against-

M-5844  
Index No. 108081/11

United Way of New York City,

Defendant-Respondent.  
-----X

Plaintiff-appellant pro se having moved for an enlargement of time to perfect the appeal from a judgment of the Supreme Court, New York County, entered on or about March 28, 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 enlarging the time to perfect the appeal to the June 2013 Term.

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
John W. Sweeny, Jr.  
Karla Moskowitz  
Dianne T. Renwick, Justices.

-----X  
VBH Luxury Incorporated,  
Plaintiff-Respondent,

-against-

M-5667  
Index No. 111342/07

940 Madison Associates LLC,  
Defendant-Appellant.

- - - - -

940 Madison Associates LLC,  
Third-Party Plaintiff-Appellant,

-against-

Third-Party  
Index No. 590589/09

Excelsior Insurance Company and  
The American Insurance Company,  
Third-Party Defendants-Respondents.

-----X

Defendant/third-party plaintiff-appellant 940 Madison Associates LLC 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 March 30, 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 on or before March 18, 2013 for the June 2013 Term.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
John W. Sweeny, Jr.  
Karla Moskowitz  
Dianne T. Renwick, Justices.

-----X  
Fortune Diamond Importers, Inc.,  
Nes Diamond Corp. and Isaac Dayan,  
Plaintiffs-Respondents,

-against-

M-5707  
Index No. 602937/05

Joshua Glikman,  
Defendant-Appellant,

M. Glikman & Sons, Inc.,  
Defendant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal from a judgment of the Supreme Court, New York County, entered on or about February 14, 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 enlarging the time to perfect the appeal to on or before March 18, 2013 for the June 2013 Term.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
John W. Sweeny, Jr.  
Karla Moskowitz  
Dianne T. Renwick, Justices.

-----X  
Johnnie Mae Wright,

Plaintiff-Appellant,

-against-

M-5837  
Index No. 107831/06

Frawley Plaza Houses, Inc.,

Defendant-Respondent.  
-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about January 27, 2012 (mot. seq. no. 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 to perfect the appeal to on or before March 18, 2013 for the June 2013 Term.

ENTER:

  
\_\_\_\_\_  
CLERK

CORRECTED ORDER - JUNE 5, 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 January 24, 2013.

Present: Hon. Richard T. Andrias, Justice Presiding,  
John W. Sweeny, Jr.  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----X  
Melissa C.D.,  
Plaintiff-Respondent,  
  
-against-

Rene I. D.,  
Defendant-Appellant.

M-5951  
Docket No. 313679/10

-----  
Carol L. Kahn, Esq.,  
Attorney for the Child T.D.

Lawyers for Children, Inc.,  
Attorneys for the Children S.D. and P.D.,  
Appellants-Respondents.

-----X  
Carol L. Kahn, Esq., having moved on the subject child's behalf for leave to respond, as a poor person, to the appeals from the order of the **Supreme** Court, New York County, entered on or about November 9, 2012, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Carol L. Kahn, Esq., 225 Broadway, Suite 1510, New York, NY 10007, Telephone No. (212) 227-0206, as counsel for purposes of responding to the appeals; (2) permitting movant to respond to the appeals upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this Court.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
John W. Sweeny, Jr.  
Karla Moskowitz  
Dianne T. Renwick, Justices.

-----X  
Oleg Cassini, Inc.,  
Plaintiff-Respondent,

-against-

M-5856  
Index No. 651546/10

Martin Terzian, Pacific Connections,  
Inc. and Atlantic and Pacific Group,  
LLC,  
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about December 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 to perfect the appeal to on or before March 18, 2013 for the June 2013 Term.

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2013.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,  
John W. Sweeny, Jr.  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

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

-against-

M-5699  
Ind. No. 2437/08

Louise Rander,  
Defendant-Appellant.

-----X

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

And an order of this Court having been entered on July 3, 2012 (M-2306) granting defendant-appellant leave to prosecute said appeal as poor person and related relief,

And respondent People having moved for an order enlarging the record on appeal and expanding the prior order of this Court entered July 3, 2012 (M-2306), to include the minutes set forth in detail in paragraph 4 of the affirmation of Ravi Kantha, Esq., submitted in support of the motion,

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, the prior order of this Court (M-2306) is hereby amended to include the aforesaid minutes and the appeal is adjourned to the May 2013 Term.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2013.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,  
John W. Sweeny, Jr.  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----X  
Tatiana Cheeks,  
Plaintiff-Respondent,

-against-

M-5950  
Index No. 21962/99

The City of New York,  
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, Bronx County, entered on or about December 22, 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 June 2013 Term.

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2013.

Present: Hon. Richard T. Andrias, Justice Presiding,  
John W. Sweeny, Jr.  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----X  
Edwin Velez,  
Plaintiff-Respondent,

-against-

**M-5860**  
Index No. 308022/11

Port Authority of New York and  
New Jersey, et al.,  
Defendants-Appellants.

-----X  
James Coffin,  
Plaintiff-Respondent,

-against-

Index No. 311374/11

Port Authority of New York and  
New Jersey, et al.,  
Defendants-Appellants.

-----X  
Kanerahtiio Deer,  
Plaintiff-Respondent,

-against-

Index No. 311376/11

Port Authority of New York and  
New Jersey, et al.,  
Defendants-Appellants.

-----X  
Donald Geren and Linda Geren,  
Plaintiff-Respondent,

-against-

(Geren Action No.1)  
Index No. 305934/11

Port Authority of New York and  
New Jersey, et al.,  
Defendants-Appellants.

-----X

-----X  
 Donald Geren and Linda Geren,  
 Plaintiff-Respondent,

-against-

(Geren Action No.2)  
Index No. 300088/12

Port Authority of New York and  
 New Jersey, et al.,  
 Defendants-Appellants.

-----X  
 Nicholas Giovinco,  
 Plaintiff-Respondent,

-against-

Index No. 301576/12

Port Authority of New York and  
 New Jersey, et al.,  
 Defendants-Appellants.

-----X  
 Michael McGeeney and Joan McGeeney,  
 Plaintiff-Respondent,

-against-

Index No. 20700/12

Port Authority of New York and  
 New Jersey, et al.,  
 Defendants-Appellants.

-----X  
 Keith Myiow,  
 Plaintiff-Respondent,

-against-

Index No. 305237/11

Port Authority of New York and  
 New Jersey, et al.,  
 Defendants-Appellants.

-----X

-----X  
 Thomas Stevenson and Patricia  
 Stevenson,  
       Plaintiffs-Respondents,

-against-

Index No. 308007/11

Port Authority of New York and  
 New Jersey, et al.,  
       Defendants-Appellants.

-----X  
 Michael Vocson,  
       Plaintiff-Respondent,

-against-

Index No. 304788/12

Port Authority of New York and  
 New Jersey, et al.,  
       Defendants-Appellants.

-----X

Appeals having been taken by defendants from orders of the Supreme Court, Bronx County, entered on or about February 9, 2012 (Velez), June 18, 2012 (Coffin), May 8, 2012 (Deer), June 28, 2013 (Geren Action No.1), July 9, 2012 (Geren Action No.2), July 17, 2012 (Giovinco), September 20, 2012 (McGeeney), June 29, 2012 (Myiow), February 15, 2012 (Stevenson), and August 31, 2012 (Voscon), respectively,

And defendants-appellants 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 defendants-appellants to prosecute the consolidated appeals upon 9 copies of one record and one set of appellant's brief covering the appeals. Defendants-appellants are directed to clearly identify the papers related to each appeal in the table of contents and to identify the papers specifically related

to each appeal in the contents and to identify the papers specifically related to each appeal in the record by insertion of page tabs. Plaintiffs-respondents are directed to file 9 copies of a single respondents' brief.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2013.

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

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

-against-

**M-5549**  
Ind. No. 203/10

Ramon Lalondriz Castillo, also known as  
Ramon Lalondriz Casti,  
Defendant-Appellant.

-----X

Defendant having moved for an extension of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about February 3, 2012, 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) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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:

  
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 January 24, 2013.

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

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

-against-

**M-5637**  
Ind. No. 129N/06

Jonathan Fernandez,  
Defendant-Appellant.

-----X

Defendant having moved for an extension of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about March 21, 2012, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. (212) 577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2013.

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

-----X

The People of the State of New York,  
Respondent,

-against-

Israel Feliciano,  
Defendant-Appellant.

-----X

**M-5656**

Ind. No. 1097/08  
Case No. 14077C/08

Defendant having renewed his motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about November 10, 2010, 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 upon 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) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2013.

PRESENT - Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
David B. Saxe  
Dianne T. Renwick  
Helen E. Freedman, Justices.

-----X

In the Matter of a Custody/Visitation  
Proceeding Article 4 of the  
Family Court Act.

M-5104

Docket Nos. V-6875/05

V-6876/05

Pedro S.,

V-18526/10

Petitioner-Appellant,

V-18527/10

-against-

V-43275/10

V-43276/10

Ana Liza B.,

Respondent-Appellant.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about August 30, 2012, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Randall Carmel, Esq., 53 Jackson Avenue, Syosset, NY 11791, Telephone No. (516) 921-8800, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor<sup>1</sup> **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant

---

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

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

ENTER:



CLERK

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 January 24, 2013.

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

-----X  
In the Matter of

Keith H., Jr.,

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

**M-5692**  
Docket No. NN51669/11

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

Logann Marche K., also known as  
Logann K.,  
Respondent-Appellant.

- - - - -  
Anna Schissel, Esq.,  
Lawyers for Children.

-----X

Respondent-appellant mother having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about October 10, 2012, 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, Dora M. Lassinger, Esq., 6 Howland Road, East Rockaway, NY 11518, Telephone No. (516) 887-8987, as counsel for purposes of prosecuting the appeal; (2) directing the

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

ENTER:

  
CLERK

---

<sup>1</sup>Service 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 January 24, 2013.

Present - Hon. David Friedman, Justice Presiding,  
Karla Moskowitz  
Helen E. Freedman  
Rosalyn H. Richter  
Sheila Abdus-Salaam, Justices.

-----X  
Jonathan Glynn,  
Plaintiff-Appellant-Respondent,

-against-

177 West 26<sup>th</sup> Street Realty Corp.,  
Defendant-Respondent-Appellant,

M-4986  
Index No. 106701/10

Elias Bochner,  
Defendant.

-----X

Counsel for defendant-respondent-appellant having moved for clarification and amendment of the decision and order of this Court entered on October 18, 2012 (Appeal Nos. 8326-8326A),

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 decision and order of this Court entered on October 18, 2012 (Appeal Nos. 8326-8326A) is recalled and vacated and a new decision and order substituted therefor. (See Appeal Nos. 8326-8326A, decided simultaneously herewith.)

ENTER:

  
CLERK

At a term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Dianne T. Renwick  
Rosalyn H. Richter  
Sheila Abdus-Salaam, Justices.

-----X  
In the Matter of the Application  
of Akhtar Ali Sheikh,  
Petitioner-Appellant,

For a Judgment Pursuant to Article 78  
of the CPLR

-against-

M-5669  
Index No. 400197/12

New York City Taxi and Limousine  
Commission,  
Respondent-Respondent.

-----X  
An order of this Court having been entered on November 8, 2012 (M-3870), inter alia, denying petitioner-appellant's motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, entered on or about June 18, 2012,

And petitioner-appellant having moved for clarification and/or reconsideration of this Court's order entered on November 8, 2012 (M-3870), and other relief,

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

It is ordered that the motion is denied.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2013.

Present - Hon. David B. Saxe, Justice Presiding,  
Leland G. DeGrasse  
Sheila Abdus-Salaam  
Paul G. Feinman, Justices.

-----x  
Magen David of Union Square, et al.,  
Plaintiff,

-and-

The Sixteenth Street Synagogue,  
Plaintiff-Appellant,

M-209  
Index No. 600573/08

-against-

3 West 16<sup>th</sup> Street, LLC,  
Defendant-Respondent.

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

-----x  
Appeals having been taken to this Court from orders of the Supreme Court, New York County, entered on or about October 24, 2012, December 26, 2012 and January 9, 2013, respectively, and the appeal from the order entered on or about October 24, 2012 having been perfected,

And plaintiff-appellant having moved for a stay of execution of a warrant of eviction pending hearing and determination of the aforesaid appeal from the order entered on or about October 24, 2012,

And an order of a Justice of this Court having been entered on January 11, 2013, granting limited relief until January 16, 2013 and otherwise denying an interim stay of eviction,

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

It is ordered that the motion is denied, the aforesaid interim relief granted by a Justice of this Court on January 11, 2013 having expired by its own terms.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2013.

PRESENT - Hon: Rosalyn H. Richter, Justice Presiding,  
Sallie Manzanet-Daniels  
Nelson S. Román  
Paul G. Feinman, Justices.

-----X

Crystal Biton,  
Plaintiff-Appellant,

-against-

M-4744  
Index No. 115485/06

Joe Turco, et al.,  
Defendant-Respondent.

-----X

A decision and order of this Court having been entered on October 13, 2011 (Appeal Nos. 5721-5721C), unanimously affirming orders of the Supreme Court, New York County, entered on February 16, 2011, December 13, 2010, January 12, 2010 and January 6, 2010, respectively,

And plaintiff-appellant having moved for "rehearing" of the aforesaid decision and order of this Court, and for related relief,

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

It is ordered that the motion is denied. Sua sponte, the Clerk of this Court is directed to accept no further filings from plaintiff, as against defendants, with respect to matters pertaining to her default before Supreme Court in this action without prior leave of this Court.

ENTER:

  
CLERK

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

BEFORE: Hon. Richard T. Andrias, Associate Justice

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

M-4125  
Ind. No.4625/06

-against-  
Bruce Sweeper,

CERTIFICATE  
DENYING LEAVE

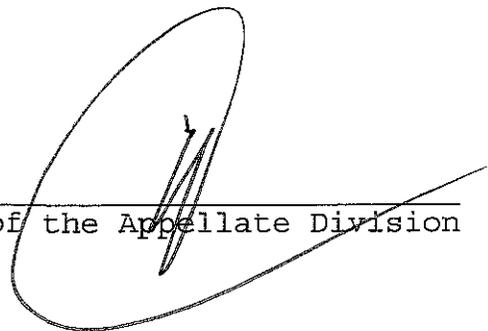
Defendant.  
-----X

I, Richard T. Andrias, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law Section 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the Order of the Supreme Court, New York County, (Marcy L. Kahn, J.), entered on or about December 16, 2011, which denied defendant's motion pursuant to CPL 440.10, is hereby denied.

Dated: New York, New York  
January 10, 2013

ENTERED: January 24, 2013

Justice of the Appellate Division



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

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

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

M - 5548  
Ind. No. 4732/05

-against-

CERTIFICATE  
DENYING LEAVE

Sidney E. Purdie,

Defendant.

-----X

I, Rolando T. Acosta, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from orders of the Supreme Court, New York County, entered on or about July 18, 2012 is denied.



\_\_\_\_\_  
Hon. Rolando T. Acosta  
Associate Justice

Dated: January 10, 2013  
New York, New York

ENTERED: January 24, 2013

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

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

-----x

The People of the State of New York,

M-5952

Ind. No. 6757/98

-against-

Robert Paramour a/k/a Robert Paramore,

ORDER DENYING LEAVE  
UPON REARGUMENT

Defendant.

-----X

I, Rolando T. Acosta, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application made by the above-named defendant for reargument of the order of a Justice of this Court (M-2599), entered on August 11, 2011, which denied his motion for a certificate pursuant to Criminal Procedure Law, section 460.15, and no question of law or fact having been misapprehended or overlooked, permission to reargue the denial of leave to appeal from the order of the Supreme Court, Bronx County, entered on or about March 29, 2011 is hereby denied.



\_\_\_\_\_  
Rolando T. Acosta  
Justice of the Appellate Division

Dated: January 9, 2013  
New York, New York

ENTERED: January 24, 2013

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

BEFORE: Hon. Leland G. DeGrasse  
Justice of the Appellate Division

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

M-5566  
Ind. No. 6159/96

-against-

CERTIFICATE  
DENYING LEAVE

Roberto Rosario a/k/a Pascal Concepcion,  
Defendant.

-----X

I, Hon. Leland G. DeGrasse, 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 December 23, 2011, is hereby denied.

Dated: New York, New York  
January 9, 2013

Entered: January 24, 2013



---

Hon. Leland G. DeGrasse  
Justice of the Appellate Division

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

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

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

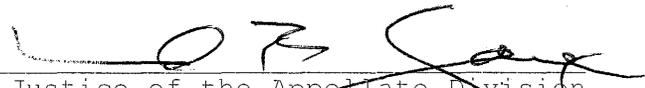
-against-

Terrence McFarlane,  
Defendant-Respondent.  
-----X

M-4419  
Ind No. 1013/08  
CORRECTED  
ORDER GRANTING LEAVE

I, David B. Saxe, Justice of the Appellate Division, Supreme Court, First Department, do hereby certify that in the record and proceedings herein<sup>1</sup> questions of law are involved which ought to be reviewed by the Court of Appeals and pursuant to CPL 460.20, it is ORDERED, that permission be, and it hereby is granted to the above-named appellant to appeal to the Court of Appeals.

Dated: New York, New York  
January 24<sup>th</sup>, 2013

  
Justice of the Appellate Division

Notice: Within 10 days from the issuance of this certificate, a jurisdictional statement must be filed with the Clerk of the Court of Appeals pursuant to Rule 500.2 of the Court of Appeals rules.

<sup>1</sup>Description of Order:

8/23/2010

Sup. Ct. Bronx Co.

Affd. 3/13/2012  
App. Div. 1st Dept.

PM ORDERS

ENTERED ON

JANUARY 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 January 24, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Karla Moskowitz  
Sheila Abdus-Salaam  
Paul G. Feinman, Justices.

-----X  
Flintlock Construction Services,  
LLC, Basque Construction LLC,  
Andrew Weiss and Stephen A. Weiss,  
Jr.,  
Petitioners-Appellants,

-against-

M-5170  
Index No. 156278/12

Gretchen Weiss,  
Respondent.

-----X

Petitioners-appellants having moved for a stay of a certain arbitration proceeding pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about October 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 denied and the interim relief granted by an order of a Justice of this Court, dated November 5, 2012, is hereby vacated.

ENTER:



CLERK