

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

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

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:


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:


CLERK

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

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 March 5, 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-301
Ind. No. 5280/09

Jonathan Gonzalez-Alvarez,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about February 15, 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

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

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 March 5, 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-305
Ind. No. 6656/99

Robert Ingram,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of **resentence** of the Supreme Court, New York County, entered on or about November 30, 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 upon 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 court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts 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.

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

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 March 5, 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-313
Ind. Nos. 4381/12
4098/09

Kim Lewis,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about December 12, 2012 (Ind. No. 4381/12), and from a judgment of **resentence** of the same Court also rendered on December 12, 2012 (Ind. No. 4098/09), 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 proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial, sentence and **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.

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 March 5, 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
Lorrie Lee,
Petitioner,

M-5731

For a Judgment Pursuant to Article 78 Index No. 401536/12
of the Civil Practice Law and Rules,

-against-

New York City Transit Authority,
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 October 16, 2012,

And petitioner having moved for leave to prosecute the proceeding as a poor person, upon the original record and reproduced petitioner's brief,

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 proceeding to be heard on the original record and upon a reproduced petitioner's brief, on condition that petitioner serves one copy of such brief upon the attorney for the respondent and file 8 copies of such brief, together with the original record, with this Court. Petitioner is permitted to dispense with payment of the required fee for the subpoena and filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 5, 2013.

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

-----X
Robert Banushi,
Plaintiff-Appellant,

-against-

M-558
Index No. 402693/10

Law Office of Scott W. Epstein,
and Scott W. Epstein,
Defendants-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about January 18, 2012, and the direct appeal having been perfected,

And defendants having moved to, inter alia, strike plaintiff's record on appeal and to dismiss the appeal or, in the alternative, to strike the supplemental appendix and direct plaintiff to submit a supplemental appendix as indicated by an order of this Court entered on January 10, 2013 (M-5679), 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 adjourning the perfected appeal to the September 2013 Term; plaintiff-appellant is directed to file, on or before July 8, 2013, for said Term a supplemental appendix containing defendants' affirmation in opposition and reply dated January 20, 2011, with all exhibits, in the form set forth as Exhibit 4 to defendants' notice of motion and supporting affirmation dated January 29, 2013 and otherwise denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 5, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzarelli
Dianne T. Renwick
Rosalyn H. Richter
Judith J. Gische, Justices.

-----X

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

M-778
Docket Nos. V-1438/08
V-15245/07

Kevin McK.,
Petitioner-Respondent,

-against-

Elizabeth A. E.,
Respondent-Appellant.

Colleen Samuels, Esq.,
Attorney for the Child.

-----X

Appeals having been taken from a Final Order of Custody and Visitation of the Family Court, New York County, entered on or about April 10, 2012, and said appeal having been perfected,

And petitioner-respondent having moved to enlarge the record on appeal to include certain exhibits,

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, sua sponte, the appeals are adjourned 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 March 5, 2013.

PRESENT - Hon: Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzairelli
Dianne T. Renwick
Rosalyn H. Richter
Judith J. Gische, Justices.

-----X
Guillermo Nova,
Plaintiff-Respondent,

-against-

Robert Fontanez,
Defendant-Appellant.

M-576
Index No. 17018/07

-----X

An appeal having been taken from order of the Supreme Court, Bronx County, entered on or about March 29, 2012, and said appeal having been perfected,

And defendant-appellant having moved for an adjournment of said appeal,

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

It is ordered that the motion is granted and the appeal is adjourned to the September 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 March 5, 2013.

PRESENT - Hon. Peter Tom, Justice Presiding,
David B. Saxe
Karla Moskowitz
Sheila Abdus-Salaam
Judith J. Gische, Justices.

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

Michael B.,
Petitioner-Respondent,

M-5777
Docket Nos. V16334-06/10

-against-

Dolores C.,
Respondent-Appellant.

Beth Ann Krause, Esq.,
Children's Law Center,
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 August 24, 2012, 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, Joseph Moliterno, Esq., 670 White Plains Road, Suite 207, Scarsdale, NY 10583, Telephone No. (914) 722-6922, 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:


CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 5, 2013.

Present: Hon. Peter Tom, Justice Presiding,
Karla Moskowitz
Rosalyn H. Richter
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

-----X
In the Matter of

Male R., also known as Donald R., Docket Nos. B192/11
Male R., also known as Adonis R., B193/11
and Female R., also known as B194/11
Keyania R.,

Dependent Children Under 18 Years of **M-288**
Age Pursuant to §384-b of the Social
Services Law of the State of New York.

St. Vincent's Services, Inc.,
Petitioner-Respondent,

Patrcia R.,
Respondent-Appellant.

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

-----X
Respondent-appellant mother having moved for leave to prosecute, as a poor person, the appeal from orders of the Family Court, Bronx County, entered on or about September 11, 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, Steven N. Feinman, Esq., One North

Broadway, Suite 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:


CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 5, 2013.

Present - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David B. Saxe
Leland G. DeGrasse, Justices.

-----X

Phyllis Muriel Stepper,

Plaintiff-Appellant,

-against-

M-5115

Index No. 115721/10

The Department of Education of the
City of New York, et al.,

Defendants-Respondents.

-----X

Plaintiff-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on September 27, 2012 (Appeal No. 8125),

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 the extent it seeks reargument is granted and, upon reargument, the decision and order of this Court entered on September 27, 2012 (Appeal No. 8125) is recalled and vacated and a new decision and order substituted therefor. (See Appeal No. 8125, decided simultaneously herewith). The motion, to the extent it seeks leave to appeal to the Court of Appeals, is denied as moot.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 5, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
John W. Sweeny, Jr.
Leland G. DeGrasse
Nelson S. Román, Justices.

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

-against-

M-5022
Ind. No. 3792/06

Christopher Seymore,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on December 7, 2012 (Appeal No. 3815), unanimously affirming a judgment of the Supreme Court, Bronx County (David Boyle, J.), rendered on October 25, 2007,

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

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

It is ordered that said application is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 5, 2013.

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

-----X
Adam Brook, M.D PH.D. and Adam Brook,
M.D., PH.D., LLC,
Plaintiffs-Appellants,

-against-

Peconic Bay Medical Center, et al.,
Defendants-Respondents.

M-348
Index No. 650921/12

-----X

Plaintiffs-appellants 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 November 16, 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, as unnecessary. (See 22 NYCRR § 600.11(a)[3].)

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 5, 2013.

Present: Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Sheila Abdus-Salaam
Sallie Manzanet-Daniels, Justices.

-----X

Tsutomu Nakai,

Plaintiff-Respondent,

-against-

New York City Transit Authority,

Defendant-Appellant.

-----X

M-343
M-522
Index No. 150390/12

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about November 20, 2012,

And plaintiff having moved to dismiss the aforesaid appeal (M-343),

And defendant having cross-moved for an extension of time to file a notice of appeal said notice having been timely served (M-522),

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 plaintiff's motion to dismiss defendant's appeal is denied (M-343). Defendant's cross motion is granted to the extent of deeming the notice of appeal timely filed (See CPLR § 5520[a]).

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 5, 2013.

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

-----x

In the Matter of the Arbitration
Claim of Certain Controversies Be

Madelyn Montanez,
Petitioner-Appellant,

For a Judgment Pursuant to Articles 75
and 78 of the CPLR

M-491
Index No. 105008/11

-against-

The Department of Education of the City
of New York, et al.,
Respondents-Respondents.

-----x

An appeal having been taken to this Court from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about December 29, 2011, and said appeal having been perfected,

And respondents-respondents having moved for leave to file a supplemental record, 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 respondent is directed to file said supplemental record containing the material appearing as Exhibit C to the affirmation of Donna B. Morris, Esq., filed in support of the motion, forthwith.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 5, 2013.

Present: Hon. Peter Tom, Justice Presiding,
Karla Moskowitz
Rosalyn H. Richter
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

-----X

1781 Riverside LLC,

Petitioner-Landlord,

-against-

Oscar Castillo,

Respondent-Tenant.
-----X

M-5872

Index No. 570060/11

Petitioner-landlord having moved for leave to appeal to this Court from an order of the Appellate Term entered in the office of the Clerk of the Supreme Court, New York County, on or about June 25, 2012, for leave to prosecute said appeal as a poor person, and to stay a warrant of eviction, and for poor person relief,

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

Ordered that the motion is denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 5, 2013.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
Sallie Manzanet-Daniels
Nelson S. Román
Darcel D. Clark, Justices.

-----X

In the Matter of

Cevon W. and Anthony J.,

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

M-124

Docket Nos. NN50405/11
NN50406/11

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

Talisha W.,
Respondent-Appellant.

- - - - -
Andrew Baer, Esq.,
Attorney for the Child, Cevon W.,

Anna Schissel, Esq.,
Attorney for the Child, Anthony J.

-----X

Kao Pin Lew, Esq., Family Court attorney for the child, Cevon W., having moved on said child's behalf for leave to respond, as a poor person, to the appeal from an order of the Family Court, New York County, entered on or about July 18, 2012, 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, Andrew Baer, Esq., 299 Broadway, Suite 1415, New York, NY 10007, Telephone No. (212) 233-0318, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for respondent-appellant and 8 copies thereof are filed with this Court.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 5, 2013.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
Sallie Manzanet-Daniels
Nelson S. Román
Darcel D. Clark, Justices.

-----X
In the Matter of the Commitment of

Shawn Michael N.;
"Baby Boy" N., also
known as Michael T.,
also known as Michael N.;
Troy Damien N.;
and Damien Troy N.,

M-154
Docket Nos. B11809-12/11

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

Edwin Gould Services for Children and Families, et al.,
Petitioners-Respondents,

Lydia T.,
Respondent-Appellant.

Andrew Baer, Esq.,
Attorney for the Children.

-----X
Jessica Brown, Esq., Family Court attorney for the subject children, having moved on said children's behalf for leave to respond, as poor persons, to the appeal from the order of the Family Court, Bronx County, entered on or about May 2, 2012, 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, Andrew Baer, Esq., 299 Broadway, Suite 1415, New York, NY 10007, Telephone No. (212) 233-0318, as counsel for purposes of responding to the appeal; (2) permitting movants to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for respondent-appellant and 8 copies thereof are filed with this Court.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 5, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
Dianne T. Renwick
Helen E. Freedman, Justices.

-----X
Dennis Alarcon,
Plaintiff-Respondent,

-against-

UCAN White Plains Housing
Development Fund Corp., et al.,
Defendants/Third-Party
Plaintiffs-Respondents-Appellants,

M-5752
Index Nos. 301502/09
84111/09

-against-

Masonry Services, Inc.,
Third-Party Defendant-Appellant-Respondent.

-----X

Defendants/third-party plaintiffs-respondents-appellants 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 8, 2012 (Appeal No. 8452),

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

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 5, 2013.

PRESENT: Hon. Angela M. Mazzarelli Justice Presiding,
David Friedman
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-4079
Ind. No. 7983/96

William Coleman,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on May 24, 2001 (Appeal No. 4252), unanimously affirming the judgment of the Supreme Court, Bronx County (Daniel Sullivan, J. at jury trial and sentence) rendered on April 29, 1998, and the judgment of **resentence** (Gerald Scheindlin, J. at **resentence**), rendered on or about December 9, 1997,

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

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

It is ordered that said application is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 5, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Dianne T. Renwick
Darcel D. Clark, Justices.

-----X
Grigori Zaichik,
Plaintiff-Appellant,

-against-

M-105
Index No. 570017/09

David J. Gold, David J. Gold, P.C.,
Defendants-Respondents,

HK Investigations Co., et al.,
Defendants.

-----X

Plaintiff-appellant having moved for leave to appeal to this Court from the decision and order of the Appellate Term entered in the office of the Clerk of the Supreme Court, New York County, on or about August 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 denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 5, 2013.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter
Judith J. Gische, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-366

Ind. No. 4299/11

Allen Proctor,

Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about April 27, 2012,

And defendant having moved pro se to enlarge the record on appeal to include certain Supreme Court documents, and for an enlargement of time to perfect the appeal,

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

Ordered that the motion is denied, without prejudice to defendant's right to move for leave to file a pro se supplemental brief after appellate counsel for defendant perfects the appeal.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 5, 2013.

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

-----X

In re RCN Telecom Services of
New York, LP, etc., et al.,
Petitioners-Appellants,

-against-

M-5916
Index No. 105286/11

David M. Frankel, etc., et al.,
Respondents-Respondents.

-----X

Petitioners-appellants 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 20, 2012 (Appeal No. 8646),

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

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 5, 2013.

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

-----X

Ollie Allen,
Plaintiff-Respondent,

-against-

M-436
Index No. 403252/10

Allison Ramos, Esq.,
Defendant-Appellant.

-----X

Appeals having been taken to this Court by defendant-appellant from orders of the Supreme Court, New York County, entered on or about November 15, 2011, November 16, 2011 and June 28, 2012, respectively, and said appeals having been consolidated and perfected,

And defendant-appellant having moved to dismiss said consolidated appeals,

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

It is ordered that the motion is denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 5, 2013.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
David Friedman
Leland G. DeGrasse
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

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

-against-

Gregory T., also known as Gregory
Thompson,
Defendant-Appellant.

SEALED
M-4238
Ind. No. 35/73

-----X

A decision and order of this Court having been entered on January 19, 1978 (Appeal No. 1609), unanimously affirming a judgment of the Supreme Court, New York County (Drohan, J.), rendered on December 9, 1974 and a judgment of **resentence** of the same Court and Justice rendered on September 20, 1976,

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

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

It is ordered that said application is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 5, 2013.

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

-----X
Kenneth Jennings,

Petitioner-Respondent, M-249
M-240
-against- Index No. 113435/11

Dennis Walcott, etc., et al.,

Respondents-Appellants.
-----X

An appeal having been taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about March 15, 2012,

And respondents-appellants having moved for an enlargement of time to perfect the aforesaid appeal (M-249),

And petitioner-respondent having cross-moved for the dismissal of the aforesaid appeal (M-240),

Now, upon reading and filing the papers with respect to the motion and cross motion, and the correspondent from counsel for petitioner-respondent dated January 23, 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 2013 Term (M-249). The cross motion is deemed withdrawn in accordance with the aforesaid correspondence (M-240).

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 5, 2013.

Present - Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Karla Moskowitz
Helen E. Freedman
Sheila Abdus-Salaam, Justices.

-----X

In re Jean Lang,

Petitioner-Appellant,

-against-

M-281

Index No. 112008/11

Raymond Kelly, etc., et al.,

Respondents-Respondents.

-----X

Petitioner-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order entered on December 20, 2012 (Appeal No. 8843),

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 the extent it seeks reargument, is denied. The motion, to the extent it seeks leave to appeal to the Court of Appeals, is granted and this Court, pursuant to CPLR 5713, certifies that the following question of law decisive of the correctness of its determination, has arisen, which in its opinion ought to be reviewed by the Court of Appeals:

"Was the order of this Court, which affirmed the order of Supreme Court, properly made?"

This Court further certifies that its determination was made as a matter of law and not in the exercise of discretion.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 5, 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

Michael J. C.,

M-5691

A Person Alleged to Be a Juvenile
Delinquent,

Docket No. D40517/12

Respondent-Appellant.
-----X

Respondent-appellant having moved for leave to prosecute the appeal from an order of the Family Court, New York County, entered on or about November 9, 2012, as a poor person, 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 Section 35 of the Judiciary Law and Section 1120 of the Family Court Act, Larry S. Bachner, Esq., 153-01 Jamaica Avenue, Suite #201, Jamaica, NY 11432, Telephone No. (917) 378-0176, 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 State of New York from funds available therefor;¹ **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 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

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 5, 2013.

Present: Hon. David Friedman, Justice Presiding,
David B. Saxe
Karla Moskowitz
Leland G. DeGrasse
Nelson S. Román, Justices.

-----X
Elvin Valentin,

Plaintiff-Appellant,

-against-

M-468
Index No. 14500/07

MTA/New York City Transit Authority
and Kenneth Watson,

Defendants-Respondents.
-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about May 25, 2012,

And plaintiff having moved to stay trial pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 5, 2013.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Karla Moskowitz
Sheila Abdus-Salaam
Nelson S. Román
Paul G. Feinman, Justices.

-----x
Arkin Kaplan Rice LLP, Stanley S. Arkin
and Lisa C. Solbakken,
Plaintiffs-Respondents,

-against-

M-621
Index No. 652316/12

Howard Kaplan, Michelle Rice and Kaplan
Rice LLP,
Defendants-Appellants.

-----x

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about January 28, 2013,

And defendants-appellants having moved to stay enforcement of so much of the aforesaid order appealed which directed disclosure of certain documents as to which defendants have asserted a "joint privilege",

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 on condition that defendants perfect the appeal for the June 2013 Term, pursuant to the following special dates: appellants brief to be filed on or before March 25, 2013; respondent's brief to be filed on or before April 24, 2013 with the appellants' reply brief, if any, to be filed on or before May 3, 2013. The interim relief granted by an order of a Justice of this Court dated February 1, 2013 is vacated to the extent inconsistent herewith. Plaintiff Lisa C. Slobakken and counsel are directed not to disclose any information they may have received with respect to the aforesaid disclosure.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 5, 2013.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Karla Moskowitz
Sheila Abdus-Salaam
Nelson S. Román
Paul G. Feinman, Justices.

-----x

Michelle Edelstein,
Plaintiff-Respondent,

-against-

Ronald J. Edelstein,
Defendant-Appellant.

-----x

M-748
M-489
Index No. 313371/09

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about August 9, 2012 (mot. seq. nos. 006, 008), and said appeal having been perfected,

And plaintiff-respondent having moved for an order to strike certain material from the record on appeal with related relief (M-748),

And plaintiff-respondent having moved to adjourn the aforesaid appeal (M-489),

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

It is ordered that the motion to strike is denied, without prejudice to plaintiff addressing said issues on direct appeal (M-748). The appeal is to be maintained on the May 2013 Term calendar in accordance with the interim relief granted by an order of a Justice of this Court dated January 25, 2013 (M-489).

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 5, 2013.

Present - Hon. Peter Tom, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Helen E. Freedman
Paul G. Feinman, Justices.

-----X
The Reed Foundation, Inc.,
Petitioner-Respondent,

-against- M-841
Index No. 653482/12

Franklin D. Roosevelt Four Freedoms
Park, LLC,
Respondent-Appellant.
-----X

And an appeal having been taken from an order on the Supreme Court, New York County, entered on or about November 19, 2012, and said appeal having been perfected,

And the American Institute of Architects New York Chapter having moved for leave to file a brief amicus curiae in connection with the aforesaid appeal,

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

It is ordered that the motion is granted, and movant is directed to file nine copies of its amicus curiae brief (Exhibit "A" to the moving paper) forthwith.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 5, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzairelli
Dianne T. Renwick
Rosalyn H. Richter
Judith J. Gische, Justices.

-----X
Andrea V. Liberman and Trevor Gurwich,
Plaintiffs-Appellants,

-against-

Cayre Synergy 73rd LLC, et al.,
Defendants-Respondents.

M-502
M-655
Index No. 602321/09

-----X
Cayre Synergy 73rd LLC,
Third-Party Plaintiff,

-against-

MG New York Architect PLLC, et al.,
Third-Party Defendants.

Third-Party
Index No. 590067/11

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about May 8, 2012 (mot. seq. no. 008), and said appeal having been perfected,

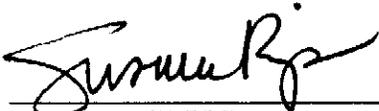
And third-party defendants-respondents HHF Design Consulting Ltd. and Helmut Hans Fenster, having moved for dismissal of the aforesaid appeal or in the alternative to permit third-party defendants-respondents to appear as respondents on the appeal (M-502),

And third-party defendant-respondent Foremost Contracting, LLC having cross-moved for the same relief (M-655),

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 are granted to the extent of directing plaintiff-appellant to correct the appeal documents to designate third-party defendants Foremost Contracting, LLC, Alcon Builders Group, Inc., Darragh Collins, HHF Consulting, Ltd. and Helmut Hans Fenster, as third-party defendants-respondents, file a supplemental appendix to include all relevant documents referring to the aforesaid parties, serve the aforesaid respondents with the corrected brief, appendix and supplemental appendix on or before March 18, 2013 for the June 2013 Term, to which Term the appeal is adjourned. Third-party defendants-respondents are granted leave to submit respondents' briefs on or before April 17, 2013 for said June 2013 Term.

ENTER:


CLERK

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

BEFORE: Hon. Peter Tom
Justice of the Appellate Division

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

Respondent,

-against-

Vernon Snype,

Defendant.
-----X

M-5653
Ind. No. 463/83,
2624/80, 3362/80

CERTIFICATE
DENYING LEAVE

I, Peter Tom, 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 orders of the Supreme Court, Bronx County, entered on or about June 18, 2012 is hereby denied.



Hon. Peter Tom
Associate Justice

Dated: February 5, 2013
New York, New York

ENTERED: March 5, 2013

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

BEFORE: Hon. Peter Tom
Justice of the Appellate Division

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

Respondent,

M-5648
Ind. No. 5925/91

-against-

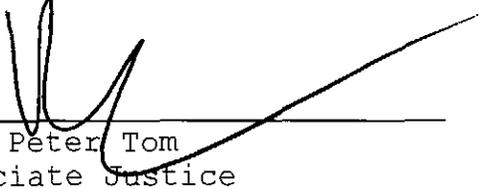
CERTIFICATE
DENYING LEAVE

Damon Smith,

Defendant.

-----X

I, Peter Tom, 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 March 6, 2012 is hereby denied.



Hon. Peter Tom
Associate Justice

Dated: February 8, 2013
New York, New York

ENTERED: March 5, 2013

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,

M-5879
Bronx Co.
Ind No. 1198/87

-against-

CERTIFICATE
DENYING LEAVE

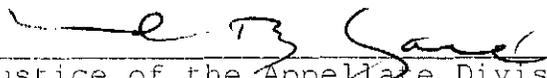
Charles Sanders,

Defendant.

-----X
I, David B. Saxe, 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 orders of the Supreme Court, Bronx County, entered on or
about July 27, 2012 and October 26, 2012, is hereby denied.

Dated: **March 4, 2013**
New York, New York

ENTERED: March 5, 2013


Justice of the Appellate Division

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

BEFORE: Hon. Sallie Manzanet-Daniels
Justice of the Appellate Division

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

M-5328
Ind. No. 4367/89

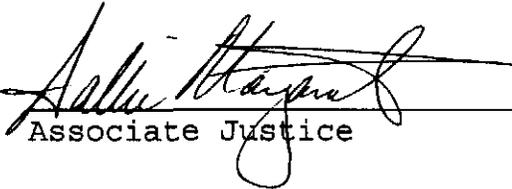
-against-

CERTIFICATE
DENYING LEAVE

Jose Rosarios, also known as Jose Bueno Carmen,
Defendant.

-----X

I, Sallie Manzanet-Daniels, 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 May 10, 2012, is hereby denied.


Associate Justice

Dated: February 22, 2013
New York, New York

ENTERED: March 5, 2013

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-4483
SCI No. 4782/96

-against-

CERTIFICATE
DENYING LEAVE

Johanny Peralta,

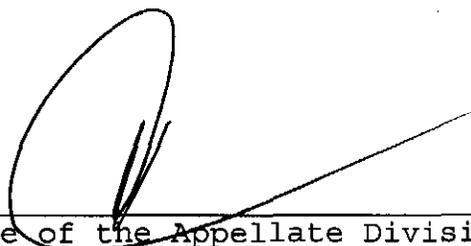
Defendant.

-----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, (Richard M. Weinberg, J.), entered August 23, 2012, which denied defendant's motion pursuant to CPL 440.10, is hereby denied.

Dated: New York, New York
February 15, 2013

ENTERED: March 5, 2013



Justice of the Appellate Division

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

BEFORE: Hon. Peter Tom
Justice of the Appellate Division

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

Respondent,

-against-

Antonio Mallet,

Defendant.
-----X

M-5680
Ind. No. 7180/96

CERTIFICATE
DENYING LEAVE

I, Peter Tom, 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 9, 2012 is hereby denied.



Hon. Peter Tom
Associate Justice

Dated: February 6, 2013
New York, New York

ENTERED: March 5, 2013

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

BEFORE: Hon. KARLA MOSKOWITZ
Justice of the Appellate Division

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

M-415
Ind. No. 4115/2006

-against-

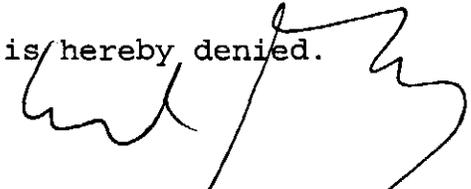
CERTIFICATE
DENYING LEAVE

Billie Benjamin

Defendant.

-----X

I, Karla Moskowitz, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application deemed 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 that 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 August 8, 2012, is hereby denied.



Hon. Karla Moskowitz
Associate Justice

Dated: 2/8 / 2013, 2013
New York, New York

ENTERED: March 5, 2013

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

BEFORE: Hon. Peter Tom
Justice of the Appellate Division

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

Respondent,

-against-

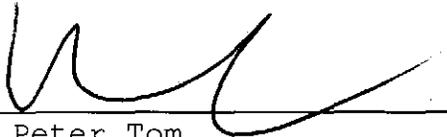
Wande Brito a/k/a Wendy Brito,

Defendant.
-----X

M-5315
Ind. No. 1515/99

CERTIFICATE
DENYING LEAVE

I, Peter Tom, 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 December 14, 2011 is hereby denied.



Hon. Peter Tom
Associate Justice

Dated: February 5, 2013
New York, New York

ENTERED: March 5, 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-661
Ind. No. 1384/10

-against-

CERTIFICATE
DENYING LEAVE

Alexander Gonzalez
a/k/a Mohamed Kliti
a/k/a Mohammed Kliti,
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 September 5, 2012, is hereby denied.

Dated: New York, New York
February 19, 2013

ENTERED: March 5, 2013

Hon. Leland G. DeGrasse
Justice of the Appellate Division