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 May 14, 2013.

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

----------X
Blanca Gonzalez,
Plaintiff-Respondent,

-against-

M-1794X
Index No. 310090/10

Castle Oil Corp., et al.,
Defendants-Appellants,

Juan J. Garcia,
Defendant.
----------X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about December 14, 2012,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" March 26, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 May 14, 2013.

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

----------X
Ronald H. Link, As Administrator
of the Estate of Joshua D. Link,
Deceased,
Plaintiff-Respondent,

-against-

M-1855X
Index No. 107685/10

Hampton Graham,
Defendant-Appellant.
----------X

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

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" March 28, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 May 14, 2013.

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

----------X
In the Matter of the Application of

Barry Fried,
Petitioner-Respondent,

For the Appointment of a Guardian of the Person and Property of Dorothy Fried,
An Alleged Incapacitated Person,

M-1787
Index No. 500073/10

Karen Young,
Interested Party-Appellant.
----------X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about July 15, 2011,

Now, upon reading and filing the stipulation of the parties hereto, dated March 20, 2013, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the May 2013 Term, 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 May 14, 2013.

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

----------X

Revelations Perfume and Cosmetics, Inc.,
Plaintiff-Respondent,

-against-

M-1854
Index No. 603350/08

Prince Rogers Nelson, also known as Prince, Paisley Park Enterprises, Inc.,
Defendants-Appellants,

-and-

Universal Music Publishing Corp.,
Defendant.

----------X

An appeal having been taken from a judgment of the Supreme Court, New York County, entered on or about May 7, 2012,

Now, upon reading and filing the stipulation of the parties hereto, dated March 27, 2013, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the May 2013 Term, 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 May 14, 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-1314
Ind. No. 3612/12

Darren Crosker,
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 5, 2013, 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, 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 May 14, 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-1316
Ind. No. 2368/12

Yusef Colley,
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 January 16, 2013, 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, 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.

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

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 May 14, 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-1317
Ind. No. 3436/12

Eric Frazier, also known as Erik K. Frazier,
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 January 31, 2013, 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, 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 May 14, 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-1318
Ind. No. 4307/12

Keith W. Gittens, also known as
Keith Gittens,
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 January 30, 2013, 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, 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 May 14, 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-1319
Ind. No. 4406/10

Ariel Garcia,
Defendant-Appellant.
----------X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about January 10, 2013, 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 May 14, 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-1320
Ind. No. 2367/12

Kenneth Guest,
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 5, 2013, 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, 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 May 14, 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-1321
Ind. No. 3778/12

Stevon Harris,
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 January 30, 2013, 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, 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 May 14, 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-1323
Ind. No. 1780/02

Venus Harrison, also known as
Venus C. Harrison,
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 July 11, 2007, 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 May 14, 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-1324
Ind. No. 5042/10

Clayton T. Hough, also known as
Clayton Hough,
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 September 20, 2011, 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 May 14, 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-1325
Ind. No. 5558/10

Stanley Hardee,
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 January 22, 2013, 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 May 14, 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-1326
Ind. No. 622/02

Lamont Jones, also known as
Jamie Jones,
Defendant-Appellant.
----------X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of **resentence** of the Supreme Court, New York County, rendered on or about June 19, 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 **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.

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 May 14, 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-1327
Ind. No. 4281/11

Larry Mcclean,
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 January 7, 2013, 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, 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.

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

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 May 14, 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-1329
Ind. No. 4095/12

Dwayne Manigault,
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 January 30, 2013, 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, 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.

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

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 May 14, 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-1330
Ind. No. 72/12

Anthony Ortiz,
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 January 31, 2013, 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, 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 May 14, 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-1331
Ind. No. 3326/12

Dennis D. Rivera, also known as
Dennis Rivera,
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 20, 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, 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 May 14, 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-1332
Ind. No. 3357N/12

Jose Rivera,
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 6, 2013, 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, 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 May 14, 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-1333
Docket No. 43704C/11

Paule-Sylvie Yonke, also known as
Paule Sylv Yonke,
Defendant-Appellant.
----------X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about December 20, 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, 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.

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

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 May 14, 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-1334
Ind. No. 1761/12

John Thompson, also known as
John P. Thompson,
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 8, 2013, 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 May 14, 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-1336
Ind. No. 2943/12

Ronald L. Watkins, also known as
Ronald Watkins,
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 January 11, 2013, 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, 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 May 14, 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,

M-1460
-against- Ind. No. 5314/12

Sara Banach,
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 1, 2013, 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, 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 May 14, 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-1463
Ind. No. 372/12

Milton D. Brown,
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 July 12, 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, 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 May 14, 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,

M-1464
-against- Ind. No. 2618/12

Angel Casimay,
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 7, 2013, 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, 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 May 14, 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-1465
Ind. No. 2468/12

Alexi Chico,
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 7, 2013, 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, 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 May 14, 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-1466
Ind. No. 3192/02

Robert Cumberland,
Defendant-Appellant.
----------X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of **resentence** of the Supreme Court, New York County, rendered on or about July 19, 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 **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.

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 May 14, 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-1467
Ind. No. 4640/12

Phillip Fencerilla,
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 7, 2013, 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, 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 May 14, 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-1468
Ind. No. 4441/11

William Green,
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 21, 2013, 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 May 14, 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-1470
Ind. No. 4026/08

Robert Harmon,
Defendant-Appellant.
----------X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of **resentence** the Supreme Court, New York County, rendered on or about February 8, 2013, 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 **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 May 14, 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-1472
Ind. No. 3282/12

Yoely Melendez,
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 January 31, 2013, 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, 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 May 14, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

----------X

In the Matter of the Application for the Guardianship and Custody of

Deime Zechariah Luke M., also known as
Deime Zechariah M., also known as
Deime M.,
Eamani M.,
Nishe Rasheen G., also known as
Nishe R. G., also known as Nishe G., and
Tatyanna Taquasia Yvonne M., also known as
Tatyanna Taquasia M., also known as
Tatyanna M.,

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

M-1805
Docket Nos.
B-3072-75/10

- - - - - - - - - - - - -

Cardinal McCloskey Services, et al.,
Petitioners-Respondents,

Sharon Tiffany M., also known as Sharon T. M., also known as Sharon M.,
Respondent-Appellant.

- - - - - - - - - -

Patricia Moreno, Esq.,
Attorney for the Children.

----------X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an four Orders of Fact-Finding and Conclusion of Law and Order of Dispositions of the Family Court, Bronx County, entered on or about November 26, 2013, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, 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[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) 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

[1]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 May 14, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

Respondent,

-against-

M-1976
Ind. No. 5609/10

Roni Smith,

Defendant-Appellant.
----------X

Defendant having renewed the motion for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about June 6, 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 May 14, 2013.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
David Friedman
Nelson S. Román
Darcel D. Clark, Justices.

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

-against-

M-143
Ind. No. 5280/09

Luis Almanzar,
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 June 15, 2012,

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

It is ordered that the motion is granted only to the extent of deeming the moving papers a timely filed notice of appeal.

The motion is also deemed one for leave to prosecute the appeal as a poor person, on the original record and upon a reproduced appellant's brief, and as such, is denied, with leave to renew upon defendant's submission of a notarized affidavit, pursuant to CPLR 1101(a), setting forth facts sufficient to establish that defendant has no funds or assets with which to prosecute 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 May 14, 2013.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
David Friedman
Nelson S. Román
Darcel D. Clark, Justices.

----------X

Jacquelyn Gallo, et al.,
Plaintiffs-Respondents,

-against-

M-1418
Index No. 107464/09

DMHZ Corp., et al.,
Defendants-Appellants,

New Grand Electric, Inc.,
Defendant.

----------X

(And another action)

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 May 24, 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 October 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 May 14, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzarelli
Karla Moskowitz
Dianne T. Renwick
Sallie Manzanet-Daniels, Justices.

----------X
Patricia Davis, as Administratrix of the Estate of Janice Campbell-Pegram, deceased,
Plaintiff-Appellant,

-against-

M-1424
Index No. 105534/07

New York City Transit Authority, et al.,
Defendants-Respondents.
----------X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about April 18, 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 October 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 May 14, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzarelli
Karla Moskowitz
Dianne T. Renwick
Sallie Manzanet-Daniels, Justices.

----------X

Ella Reid and Leroy Famous,
Plaintiffs-Respondents,

-against-

M-1586
Index No. 7844/07

Real Estate International, Ltd., et al.,
Defendants,

Frank Giordano, Esq.,
Defendant-Appellant.

----------X

Defendant-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about March 22, 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 October 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 May 14, 2013.

PRESENT : Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

----------X
B.C.A. Leasing Ltd.,
Plaintiff-Respondent,

-against-

M-1704
Index No. 107125/10

Dean Kaseem, Individually and doing business as Swizz Beatz Productions, etc.,
Defendant-Appellant.
----------X

Defendant-appellant having moved for consolidation of the appeals taken from the orders of the Supreme Court, New York County, entered on or about April 19, 2012 (mot. seq. no. 003) and August 9, 2012 (mot. seq. no. 005) respectively, and for a stay of all proceedings pending hearing and determination of said appeals,

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

It is ordered that the motion is 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 May 14, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

----------x

Robert Lim, et al., etc.,
Plaintiffs-Appellants,

-against-

M-1844
Index No. 650120/12

Joel Kolk,
Defendant-Respondent,

-and-

James J. Cox, et al.,
Defendants.

----------x

Defendant-respondent having moved for dismissal of the appeal from the order of the Supreme Court, New York County, entered on or about December 3, 2012 (mot. seq. no. 002), for failure to timely perfect,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties dated April 8, 2013, and due deliberation having been had thereon,

It is ordered that plaintiffs-appellants are directed to perfect the appeal to on or before July 8, 2013 for the September 2013 Term in accordance with the aforesaid stipulation. The motion is otherwise 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 May 14, 2013.

Present: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
David B. Saxe
Judith J. Gische, Justices.

----------X

In the Matter of

Christopher B., Jr.,
also known as
Christopher B.,

M-1181

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

Docket No. B-20975/10

- - - - - - - - - - - - - - -

Saint Dominic's Home, et al.,
Petitioners-Respondents,

Melvin B.,
Respondent-Appellant.

- - - - - - - - - - - - - - -

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

----------X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about January 22, 2013, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Geoffrey P. Berman, Esq., 2005 Palmer Avenue, #176, Larchmont, NY 10538, Telephone No. (914) 834-3053, as counsel for purposes of prosecuting the appeal;

(2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available 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) 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

[1]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 May 14, 2013.

Present: Hon. Peter Tom, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Paul G. Feinman, Justices.

----------X

Ninotchka Manus,

Plaintiff-Appellant,

-against-

M-2016
Index No. 110026/07

Leonard N. Flamm,

Defendant-Respondent.

----------X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 8, 2012,

And plaintiff-appellant having moved for an order enlarging the time to perfect the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties, dated March 28, 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 October 2013 Term 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 May 14, 2013.

Present: Hon. Peter Tom, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Paul G. Feinman, Justices.

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

Respondent,

-against-

M-1728
Ind. No. 4779/08

Luis Galeano,

Defendant-Appellant.
----------X

Defendant-appellant, in connection with an appeal taken from the judgment of the Supreme Court, New York County, rendered on or about May 26, 2011, having moved for leave to file a pro se supplemental brief or, in the alternative, to hold the appeal in abeyance,

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 May 14, 2013.

Present - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Dianne T. Renwick
Leland G. DeGrasse
Nelson S. Román, Justices.

----------x

Marc Jancou Fine Art, Ltd., doing business as Marc Jancou Contemporary,
Plaintiff-Appellant,

-against-

M-2057
Index No. 650316/12

Sotheby's, Inc.,
Defendant-Respondent,

-and-

Cady Noland,
Defendant.

----------x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about November 14, 2012 (mot. seq. no. 002), and said appeal having been perfected,

And defendant-respondent having moved for leave to strike portions of plaintiff-appellant's reply brief for material dehors the record,

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

It is ordered that the motion is denied, without prejudice to raising objections upon argument of 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 May 14, 2013.

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

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

-against-

M-1389
Ind. No. 3616/06

Kevin McDonald,
Defendant-Appellant.
----------X

An order of a Justice of this Court having been entered on February 28, 2013, granting defendant leave to appeal to this Court from the order of the Supreme Court, Bronx County, entered on or about March 7, 2012 (M-5686),

And defendant having moved for leave to prosecute, as a poor person, the aforesaid 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 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 May 14, 2013.

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

----------X

Citimortgage, Inc.,

Plaintiff-Respondent,

-against-

M-1268
Index No. 380691/11

Shirley Allen, et al.,

Defendants,

Gregory Allen,

Defendant-Appellant.

----------X

Defendant-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Supreme Court, Bronx County, entered on or about January 10, 2013, 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 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 May 14, 2013.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David B. Saxe
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

----------X

Suarna Mehulic,
Plaintiff-Appellant,

M-1556
Index No. 103297/08

-against-

New York Downtown Hospital,
Defendant-Respondent.

----------X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about May 23, 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 October 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 May 14, 2013.

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

----------X
In the Matter of the Application of
John Francis Deneny, etc.,
Petitioner-Respondent,

-against-

M-1572
Index No. 113205/10

Barbara Van Rossem, as Co-Trustee
of the 518 Trust,
Respondent-Appellant.
----------X

Respondent-appellant having moved for an enlargement of time to perfect the appeal from an amended order and judgment of the Supreme Court, New York County, entered on or about May 9, 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 October 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 May 14, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David B. Saxe
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

----------X
Anthony Branham, Sr., As Administrator of the Estate of Elizabeth Branham and Anthony Branham, Sr., Individually,
Plaintiff-Appellant,

-against-

M-1796
Index No. 302427/09

R.V. Ambulette, Inc. and Antonio Villafane, Jr.,
Defendants-Respondents.
----------X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about June 18, 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 August 5, 2013 for the October 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 May 14, 2013.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Dianne T. Renwick
Rosalyn H. Richter
Judith J. Gische, Justices.

----------X

Malco Realty Corp.,
Plaintiff-Appellant,

-against-

M-1419
Index No. 307211/10

Westchester Condos, LLC,
Defendant-Respondent.

----------X

Consolidated appeals having been taken to this Court from an order of the Supreme Court, Bronx County, entered on or about November 23, 2011, from the order and judgment of said Court entered on or about March 29, 2012 and April 3, 2012, respectively, and from the order of said Court entered on or about October 16, 2012,

And plaintiff-appellant having moved for an enlargement of time to perfect the 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 granted to the extent of enlarging the time to perfect the consolidated appeals to the October 2013 Term, with no further enlargements.

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 May 14, 2013.

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

----------X

Felix Hernandez,
Plaintiff-Appellant,

-against-

M-337
Index No. 105308/07

The City of New York,
Defendant-Respondent,

The New York City Police Department,
et al.,
Defendants.

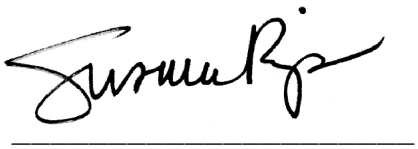
----------X

Plaintiff-appellant having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on November 8, 2012 (Appeal No. 8453),

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 May 14, 2013.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David B. Saxe
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

----------X

The People of the State of New York
ex rel. Roshien Cofield,
Petitioner,

M-1761
Index No. 340765/12

-against-

New York State Division of Parole,
Respondent.

----------X

An Order to Produce the above-named petitioner having been issued by the Supreme Court, Bronx County, on or about September 17, 2012 in connection with a certain petition for a Writ of Habeas Corpus,

And said Writ having been withdrawn by order of said Court entered on or about October 24, 2012,

And a purported appeal having been taken from the aforesaid order entered on or about October 24, 2012,

And petitioner having moved for review of the aforesaid order entered October 24, 2012, and certain other and 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.

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 May 14, 2013.

Present - Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Helen E. Freedman
Nelson S. Román, Justices.

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

For Commitment Under Article 10 of the
Mental Hygiene Law,

M-1968
-against- Index No. 251450/08

Rodney J.,
Respondent-Appellant.
----------x

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about August 2, 2013,

And respondent-appellant having moved, pursuant to Mental Hygiene Law §10.13[c], for leave to prosecute, as a poor person, the aforesaid appeal, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for the 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 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 Attorney General of the State of New York and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record.

The court reporter shall promptly make and file with the Supreme Court two transcripts of the stenographic minutes of any proceedings related to the above-captioned matter. 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.

Marvin Bernstein, Esq., Director of Mental Hygiene Legal Services, 41 Madison Avenue, 26th Floor, New York, NY 10010, Telephone No. (646) 386-5891, is assigned as counsel for purposes of prosecuting the appeal on respondent's behalf.

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 May 14, 2013.

Present - Hon. Richard T. Andrias, Justice Presiding,
Karla Moskowitz
Helen E. Freedman
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

----------X

Aristides Giron,
Plaintiff-Respondent,

-against-

M-1042
Index No. 302202/10

Mack-Cali Realty Corporation,
Defendant-Appellant.
- - - - - - - - - - - - - - -
(And other actions)

----------X

Defendant-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about April 18, 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 October 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 May 14, 2013.

Present - Hon. Richard T. Andrias, Justice Presiding,
Karla Moskowitz
Helen E. Freedman
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

----------X
Arnell Construction Corporation Inc.,

Plaintiff-Appellant,

-against-

M-1426
Index No. 651491/10

City of New York, et al.,

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

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about June 4, 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 October 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 May 14, 2013.

Present - Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Rosalyn H. Richter
Judith J. Gische, Justices.

----------X

Richard Arbusto,

Plaintiff-Appellant,

-against-

M-1540
Index No. 21253/05

Bank Street Commons, LLC, et al.,

Defendants-Respondents.

----------X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about February 7, 2012,

Now, upon reading and filing the papers with respect to the motion, including the stipulation of the parties dated April 24, 2013, and due deliberation having been had thereon,

It is ordered that the motion is deemed 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 May 14, 2013.

Present - Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Rosalyn H. Richter
Judith J. Gische, Justices.

----------x
Carmen Tejeda,

Plaintiff-Respondent,

-against-

M-1541
Index No. 25459/02

Cherise M. Dyal, M.D., et al.,

Defendants-Appellants.
----------x

Defendants-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 11, 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 October 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 May 14, 2013.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter
Judith J. Gische, Justices.

----------X

Jean D.,
Petitioner/Respondent-Respondent,

-against-

Eva B.-F.,
Respondent/Petitioner-Appellant.

----------X

M-1578
Docket Nos.
V-28500-01/04/09C
V-28500-01/09D

Respondent/petitioner-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Family Court, Bronx County, entered on or about June 5, 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 October 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 May 14, 2013.

Present: Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Rosalyn H. Richter
Judith J. Gische, Justices.

----------X

BDO USA, LLP,
Plaintiff-Respondent,

M-1808

-against- Index No. 653618/12

Phoenix Four, Inc.,
Defendant-Appellant,

Strategic Resources Corporation,
et al.,
Defendants-Appellants.

----------X

Separate appeals having been taken by defendants, Strategic Resources Corporation, et al., from orders of the Supreme Court, New York County, both entered on or about February 6, 2013 (mot. seq. nos. 002, 003), and the appeal from the order entered February 6, 2013 (mot. seq. no. 003) having been perfected,

And separate appeals having been taken by defendant, Phoenix Four, Inc., from orders of the Supreme Court, New York County, both entered on or about on February 6, 2013 (mot. seq. nos. 002, 003),

And plaintiff-respondent having moved for an order adjourning defendants Strategic Resources Corporation's perfected appeal; enlarging the time to perfect said defendant's second appeal (mot. seq. no. 002); enlarging the time to perfect defendant Phoenix Four, Inc.'s appeals, and to consolidate all 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 consolidating defendant Phoenix Four, Inc.'s two appeals (mot. seq. nos. 001, 003) and directing said defendant to perfect the

consolidated appeals on or before August 5, 2013 for the October 2013 Term upon 9 copies of one record and of one set of appellant's points covering the appeals. The Clerk is directed to calendar the consolidated appeals with the perfected appeal taken by defendants Strategic Resources Corporation, et al., for hearing together on the same day of said October 2013 Term, to which Term said perfected appeal is adjourned. The motion is otherwise denied as academic.

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 May 14, 2013.

Present: Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
Karla Moskowitz
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

----------X
Richard Evans,

Plaintiff-Respondent,

-against-

M-1875
Index No. 107866/09

Yonkers Contracting Company, Inc., et al.,

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 June 19, 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 October 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 May 14, 2013.

Present - Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
Karla Moskowitz
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

----------x
Benjamin J. Ashmore, Sr., individually,
and as father of Faith Ashmore,
Benjamin Ashmore and Lucienne Ashmore,
minor children,
Plaintiff-Appellant,

-against-

M-1801
M-2038
Index No. 108248/11

Dr. Wilma Cohen Lewis,
Defendant-Respondent.
----------x

Defendant-respondent having moved for dismissal of the appeal from the judgment of the Supreme Court, New York County, entered on or about February 7, 2012, for failure to timely perfect (M-1801),

And plaintiff-appellant having cross-moved to deny defendant's motion to dismiss the appeal, and for other relief (M-2038),

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

It is ordered that the motion is granted to the extent of dismissing the appeal unless the appeal is perfected on or before July 8, 2013 for the September 2013 Term (M-1801). The cross motion is deemed one for an enlargement of time to perfect the appeal and for related relief, and as such is granted to the extent of enlarging the time to perfect the aforesaid appeal to said September 2013 Term, and otherwise denied as academic (M-2038).

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 May 14, 2013.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Karla Moskowitz
Dianne T. Renwick
Helen E. Freedman
Darcel D. Clark, Justices.

----------X

In the Matter of

Lillie Leon,
Petitioner-Appellant,

For a Judgment Pursuant to Article 75 and 78 of the CPLR,

-against-

M-1570
Index No. 108822/11

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

----------X

Petitioner-appellant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, New York County, entered on or about April 17, 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 October 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 May 14, 2013.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Karla Moskowitz
Dianne T. Renwick
Helen E. Freedman
Darcel D. Clark, Justices.

----------X
Marina Seleznyov,
Plaintiff-Appellant,

-against-

M-1614
Index No. 110778/08

New York City Transit Authority,
et al.,
Defendants-Respondents.
----------X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about March 2, 2012,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the October 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 May 14, 2013.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Karla Moskowitz
Dianne T. Renwick
Helen E. Freedman
Darcel D. Clark, Justices.

----------X
John McGinness and Meave McGinness,
Petitioners-Appellants,

-against-

M-1621
Index No. 150278/12

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

Petitioners-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 May 30, 2012 (mot. seq. no. 001),

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 October 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 May 14, 2013.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Karla Moskowitz
Dianne T. Renwick
Helen E. Freedman
Darcel D. Clark, Justices.

----------X

Eric Ribner,
Plaintiff-Appellant,

-against-

M-1874
Index No. 350567/05

Deborah Ribner,
Defendant-Respondent.

----------X

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

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the October 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 May 14, 2013.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Karla Moskowitz
Dianne T. Renwick
Helen E. Freedman
Darcel D. Clark, Justices.

----------X
Thomas Gass,
Plaintiff-Respondent,

-against-

M-1798
Index No. 302536/08

Susan Gass,
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 June 4, 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 October 2013 Term.

ENTER:

CLERK

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

BEFORE: Hon. DAVID FRIEDMAN
Justice of the Appellate Division

----------X

The People of the State of New York,

-against-

Bryant Jackson,
Defendant.

----------X

M-1689
Ind. No. 798/06

CERTIFICATE
DENYING LEAVE

I, DAVID FRIEDMAN, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, section 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about January 22, 2013, is hereby denied.

Dated: New York, New York
April 11, 2013

David Friedman

DAVID FRIEDMAN
Justice of the Appellate Division

ENTERED MAY 14 2013

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

BEFORE: Hon. DAVID FRIEDMAN
Justice of the Appellate Division

----------X

The People of the State of New York,

-against-

Michael Cagle,
Defendant.

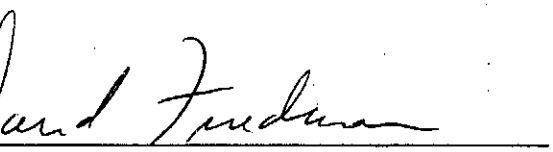
----------X

M-5362
Ind. No. 4232/00

CERTIFICATE
DENYING LEAVE

I, DAVID FRIEDMAN, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, section 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about July 10, 2012, is hereby denied.

Dated: New York, New York
April 11, 2013



DAVID FRIEDMAN
Justice of the Appellate Division

ENTERED

MAY 14 2013

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

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

----------X

The People of the State of New York,

M-1372
Ind. Nos. 4378/96
8190/96

-against-

Rodney Skinner,

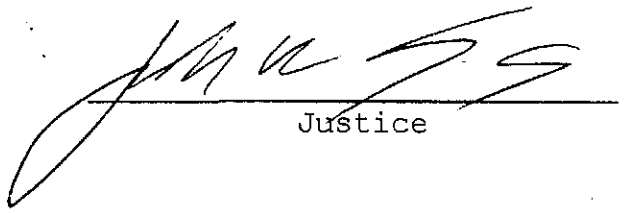
Defendant.

----------X

The above-named defendant having moved for an extension of time to file a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15 for leave to appeal the order of Supreme Court, New York County, entered on or about August 30, 2011 (Edward J. McLaughlin, J.),

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.



Justice

Dated: April 10, 2013
New York, New York

ENTERED: MAY 14 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 — 977
Ind. No. 3519/04

-against-

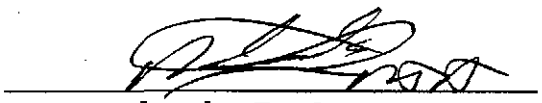
CERTIFICATE
DENYING LEAVE

Robert Sanford,

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 October 22, 2012 is denied.



Hon. Rolando T. Acosta
Associate Justice

Dated: April 22, 2013
New York, New York

ENTERED: MAY 14 2013

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

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

----------X

The People of the State of New York,

M – 1701
Ind. No. 4069/07

-against-

CERTIFICATE
DENYING LEAVE

Luis Febles,

Defendant.

----------X

I, Darcel D. Clark, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County, entered on or about January 17, 2013 is denied.

Hon. Darcel D. Clark
Associate Justice

Dated: April 15, 2013
New York, New York

ENTERED: MAY 14 2013

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

BEFORE: Hon. Nelson S. Román
Justice of the Appellate Division

----------x

The People of the State of New York,

M-4809
Ind. No. 3909/2000

-against-

CERTIFICATE
DENYING LEAVE

Onel Ojeda,

Defendant.

----------x

I, Nelson S. Román, 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, dated March 26, 2012, is hereby denied.

Nelson S. Román
Associate Justice

Dated: May 6, 2013
New York, New York

ENTERED: MAY 14 2013

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

BEFORE: Hon. Nelson S. Román
Justice of the Appellate Division

----------x

The People of the State of New York,

M-1432
Ind. Nos. 4403/72
657/73
2851/75

-against-

CERTIFICATE
DENYING LEAVE

David Charles McClinton,

Defendant.

----------x

I, Nelson S. Román, 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 two (2) orders of the Supreme Court, New York County, dated July 2, 2012, and July 25, 2012, is hereby denied.

Nelson S. Román
Associate Justice

Dated: May 6, 2013
New York, New York

ENTERED: MAY 14 2013

PM ORDERS

ENTERED ON

MAY 14, 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 May 14, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Nelson S. Román
Darcel D. Clark, Justices.

----------X

172 Van Duzer Realty Corp.,
Plaintiff-Respondent,

-against-

M-1077
Index No. 113137/09

Globe Alumni Student Assistance Association, Inc., et al.,
Defendants-Appellants.

----------X

Defendants-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 January 22, 2013 (Appeal No. 9035),

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 May 14, 2013.

Present - Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Helen E. Freedman
Nelson S. Román, Justices.

----------x

Mark Lindkvist,
Plaintiff-Respondent/Respondent,

M-1178

-against-

Travelers Insurance and Maxons Restorations, Inc., Index No. 103353/08
Defendants,

-and-

New Concept Environmental Cleaning Corp.,
Defendant-Appellant.

- - - - - - - - - - - - - -

Maxons Restorations, Inc.,
Third-Party Plaintiff,

-against- Index No. 590636/08

JLC Environmental Consultants, Inc.,
Third-Party Defendant-Appellant.

- - - - - - - - - - - - - -

New Concept Environmental Cleaning Corp.,
Second Third-Party Plaintiff-Appellant,

-against- Index No. 590573/11

JLC Environmental Consultants, Inc.,
Second Third-Party Defendant-Appellant.

----------x

Separate appeals having been taken to this Court from the order of the Supreme Court, New York County, entered on or about February 15, 2013 (mot. seq. no. 003),

And third-party defendant/second third-party defendant-appellant JLC Environmental Consultants, Inc. having moved for a stay of trial herein 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 granted on condition the appeal is perfected to on or before July 8, 2013 for 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 May 14, 2013.

Present - Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Helen E. Freedman
Nelson S. Román, Justices.

----------x

Christopher Ross,

Plaintiff-Respondent,

-against-

M-1196
Index No. 103496/10

1510 Associates LLC, et al.,

Defendants-Appellants.

----------x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about May 7, 2012, and said appeal having been heard and decided (Appeal No. 10041, May 9, 2013),

And plaintiff-respondent having moved for a stay of trial pending 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, as academic, and the interim relief granted by order of a Justice of this Court dated April 5, 2013, is vacated.

ENTER:

CLERK

CORRECTED ORDER – May 17, 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 May 14, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
David Friedman
Nelson S. Román
Darcel D. Clark, Justices.

----------X

The People of the State of New York,
Respondent,

-against-

M-1288
Ind. No. 2013/11

Monserrate Rodriguez,
Defendant-Appellant.

----------X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, **Bronx** County (Tallmer, J.), entered on or about February 22, 2013, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

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

ENTER:

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 May 14, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
David Friedman
Nelson S. Román
Darcel D. Clark, Justices.

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

-against-

M-1298
Ind. Nos. 1026/10
4176/09
227/12

Moses Santiago,
Defendant-Appellant.
----------X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about February 24, 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 May 14, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzarelli
Rolando T. Acosta
Nelson S. Román, Justices.

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

Respondent,

M-1349
-against- Ind. No. 2767/11

Ronald Ackridge,

Defendant-Appellant.
----------X

Defendant having renewed the motion for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about September 14, 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, 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.

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

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 May 14, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

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

-against

M-1358
Ind. No. 4038/08

Maximo Romero,
Defendant-Appellant.
----------X

An appeal having been taken from a judgment of the Supreme Court, New York County, entered on or about June 25, 2009,

And an order of this Court having been entered on January 8, 2013 (M-4825), denying defendant-appellant's motion for relief in the nature of a writ of error coram nobis,

And petitioner having moved for a clarification of the aforesaid order of this Court entered on January 8, 2013 (M-4825),

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 May 14, 2013.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice
David Friedman
Nelson S. Román
Darcel D. Clark, Justices.

----------X
Joshua Vitow,
Plaintiff-Appellant,

-against-

M-1376
Index No. 570759/12

Lourtoum Nacro,
Defendant-Respondent.
----------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 November 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 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 May 14, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
David Friedman
Nelson S. Román
Darcel D. Clark, Justices.

----------X

In the Matter of the Application of
Calin Cheznoiu,
Petitioner-Appellant,

-against-

M-1401
Index No. 401874/12

New York City Department of Finance,
Defendant-Respondent.

----------X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about February 11, 2013, 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 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 May 14, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
David Friedman
Nelson S. Román
Darcel D. Clark, Justices.

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

-against-

M-141
Ind. No. 6250/03

James Deadwiley,
Defendant-Appellant.
----------X

Defendant having moved for an extension of time to file a notice of appeal from the order of the Supreme Court, New York County, entered on or about October 29, 2013, **denying resentence**,

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

It is ordered that the motion is granted to the extent of deeming the moving papers a timely filed notice of appeal, and it is further,

Ordered that the motion is also deemed one for poor person relief, and, as such, the motion is denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth facts sufficient to establish that defendant has no funds or assets with which to prosecute 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 May 14, 2013.

Present - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Leland G. DeGrasse,
Nelson S. Román, Justices.

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

-against-

M-1415
Ind. No. 148/08
Case No. 7739C/08

Carlton Curry,
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 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 only to the extent of deeming the moving papers a timely filed notice of appeal.

The motion is also deemed one for leave to prosecute the appeal as a poor person, on the original record and upon a reproduced appellant's brief, and as such, is denied, with leave to renew upon defendant's submission of a notarized affidavit, pursuant to CPLR 1101(a), setting forth facts sufficient to establish that defendant has no funds or assets with which to prosecute the appeal, including the amount and sources of his income and listing his property with its value. (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 May 14, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Dianne T. Renwick
Leland G. DeGrasse
Nelson S. Roman, Justices.

----------X

Shiboleth, Yisraeli, Roberts & Zisman, LLP,
Plaintiff-Respondent,

-against-

M-1519
Index No. 112213/07

Waterscience, Inc.,
Defendant,

Robert Littmann and Ron Elkana, also known as Rony Elkana,
Defendants-Appellants.

----------X

An appeal having been taken from the orders of the Supreme Court, New York County, entered on or about April 13, 2011 and February 14, 2012 (mot. seq. no. 005),

And defendants-appellants having moved to stay enforcement of the judgment of the same Court entered on or about February 28, 2012 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 without prejudice to defendants providing an undertaking and obtaining a stay pursuant to CPLR 5519(a)(2).

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 May 14, 2013.

PRESENT - Hon. Peter Tom, Justice Presiding,
Rolando T. Acosta
Nelson S. Román
Paul G. Feinman
Darcel D. Clark, Justices.

----------X

Absar Realty Company, a New York General Partnership with Edith Wiener,
Plaintiffs-Respondents,

-against-

Laura Spahn, Index No. 23962/06
Defendant-Appellant,

-and-

3900 Greystone Associates, LLC,
Defendants. M-1542

- - - - - - - - - - - - - -

Absar Gerard Associates and Edith Wiener, Individually and in her Capacity as Co-Executrix of the Estate of Johanna W. Ackerman,
Third-Part Plaintiffs-Respondents,

-against- Index No. 2451/05

Laura Spahn,
Third-Party Defendant-Appellant,

-and-

Chaim Schweid,
Third-Party Defendant-Appellant.

----------X

Separate appeals having been taken from the order of the Supreme Court, Bronx County, entered on or about July 7, 2011,

And plaintiff-respondent Edith Wiener having moved to dismiss defendant third-party defendant Laura Spahn's appeal,

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

It is ordered that the motion is granted and the appeal taken by defendant third-party Laura Spahn is dismissed.

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 May 14, 2013.

Present - Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Helen E. Freedman
Nelson S. Román, Justices.

----------X

Accounting of Lawrence Kalik and Chase Manhattan Bank As Co-Trustees of

Louis Wagman Trust U/A Dated August 3, 1977 and as Amended in 1984 F/B/O Loretta Wagman.

M-1562
Surrogate's Court
File No. 1121/1986

- - - - - - - - - - - - - - - - - - - -

Accounting of Carl Wagman as Co-Trustee of Continuing Trust of Louis Wagman Trust U/A dated August 3, 1977 and as Amended in 1984 F/B/O Loretta Wagman.

- - - - - - - - - - - - - - - - - - - -

Supreme Court of the State of New York, County of New York

- - - - - - - - - - - - - - - - - - - -

Loretta Wagman,
Plaintiff-Appellant,

Supreme Court
Index No. 107856/98
Case No. 19294

-against-

Lawrence Kalik, as Executor, Trustee, and individually, et al.,
Defendants-Respondents.

----------X

Consolidated appeals having been taken from orders of the Surrogate's Court, New York County, entered on or about January 2, 2009 and March 6, 2012, respectively,

And Trustee Carl Wagman having moved for a further enlargement of time in which to perfect the 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 granted to the extent of enlarging the time to perfect the consolidated appeals to the October 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 May 14, 2013.

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

----------X
Inez Simens, etc., et al.,
Plaintiffs-Respondents,

-against-

M-1581
Index No. 105097/09

Charles Darwish, etc., et al.,
Defendants-Appellants.
- - - - -
Neal Fellenbaum,
Temporary Receiver-Respondent.
----------X

Defendant-appellant Charles Darwish 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 March 12, 2013 (Appeal No. 9482),

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 May 14, 2013.

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

----------X

Lidia Hughes,
Plaintiff-Respondent,

-against-

M-1632
Index No. 36544/05

Andre Hughes,
Defendant-Appellant.

----------X

Defendant-appellant having moved for reargument of the decision and order of this Court entered on December 7, 2010 (Appeal No. 3814), 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 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 May 14, 2013.

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

----------X

Edward Tom,
Plaintiff-Respondent,

-against-

Robert Holtzman and Cabrini Medical Center,
Defendants,

-and-

Narayan Sundaresan,
Defendant-Appellant,

Lenox Hill Hospital,
Defendant.

----------X

M-1705
Index No. 117208/06

Defendant-appellant having moved for a stay of trial pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about May 24, 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 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 May 14, 2013.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Helen E. Freedman
Nelson S. Román, Justices.

----------X

Miriam Weixel,
Petitioner-Appellant,

-against-

M-1739
Index Nos. 350032/12
307032/11

Shaun Qualheim and Joanna Moss,
Respondents-Respondents.

----------X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 12, 2013 (mot. seq. no. 002),

And petitioner-appellant having moved for a stay of enforcement of the aforesaid order and for related relief, pending hearing and determination of the appeal taken therefrom,

Now, upon reading and filing the papers with respect to the motion including the stipulation between the parties dated April 19, 2013, and due deliberation having been had thereon,

It is ordered that the motion is deemed 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 May 14, 2013.

PRESENT : Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Helen E. Freedman
Nelson S. Román, Justices.

----------X
American Transit Insurance Company,
Plaintiff-Appellant,

-against-

M-1777
Index No. 302890/12

Radhys Molina, et al.,
Defendants-Respondents.
----------X

Plaintiff-appellant having moved for consolidation of the appeals taken from the orders of the Supreme Court, Bronx County, entered on or about January 30, 2013,

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

It is ordered that the motion is granted to the extent of permitting appellant to prosecute the appeals upon 9 copies of one record and of one set of appellant's points covering the appeals.

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 May 14, 2013.

Present - Hon. Peter Tom, Justice Presiding,
Rolando T. Acosta
Nelson S. Román
Darcel D. Clark, Justices.

----------x
The People of the State of New York
ex rel. Jamaal Anthony,
Relator-Appellant,

-against-

M-1783
Index Nos. 402025/12
402249/12

New York County District Attorney's
Office, etc.,
Respondent.
----------x

Relator-appellant having moved for leave to prosecute, as a poor person, the appeal from orders of the Supreme Court, New York County, entered on or about October 15, 2012 and December 18, 2012, respectively, which dismissed a habeas corpus proceeding, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, for a bail reduction, and for the 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 said motion is denied, with leave to renew upon submission of a detailed notarized affidavit, pursuant to CPLR 1101, detailing petitioner's assets and the sources used to retain trial counsel, Aaron L. Altman, Esq. The motion, to the extent it seeks a bail reduction, 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 May 14, 2013.

Present: Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Helen E. Freedman
Nelson S. Román, Justices.

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

M-1848

-against- Ind. No. 1832/11

Jonathan Saunders,
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 May 16, 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 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.

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

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 May 14, 2013.

Present: Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Helen E. Freedman
Nelson S. Román, Justices.

----------X

In the Matter of the Application of
Anthony Hill,
Petitioner-Appellant,

M-1900

For a Judgment Pursuant to Article 78 of the Civil Practice Law and Rules,

Index No. 400261/12

-against-

Susan C. Roque, Assistant District Attorney of the Special Litigation Bureau,
Respondent-Respondent.

----------X

Petitioner-appellant, pro se, having moved for leave to prosecute, as a poor person, the appeal from an order of the Supreme Court, New York County, entered on or about July 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 denied, with leave to renew the portion of the motion seeking civil poor person privileges upon the submission of an affidavit which addresses the merits of 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 May 14, 2013.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Helen E. Freedman
Nelson S. Román, Justices.

----------X
In the Matter of the Application of

Joseph Foster,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78 of the CPLR,

-against-

M-1905
Index No. 402289/11

New York County District Attorney's Office, et al.,
Defendants-Respondents.
----------X

Petitioner-appellant, pro se, having moved for leave to prosecute, as a poor person, the appeal from the decision and order of the Supreme Court, New York County, entered on or about February 29, 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 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 if any, 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. Sua sponte, the time to perfect the appeal is enlarged to the October 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 May 14, 2013.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Helen E. Freedman
Nelson S. Román, Justices.

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

Respondent,

-against-

M-1942
Ind. No. 1800N/11

Apina Graves,

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 February 13, 2013, 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 denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth facts sufficient to establish that defendant has no funds or assets with which to prosecute the appeal, including the amount and sources of his income and listing his property with its value, and an explanation why similar funds are not available to prosecute this 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 May 14, 2013.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Helen E. Freedman
Nelson S. Román, Justices.

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

Respondent,

-against-

M-1948
Ind. No. 6517/10

Jonathan Mattocks,

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 March 11, 2013, 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 denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth facts sufficient to establish that defendant has no funds or assets with which to prosecute the appeal, including the amount and sources of his income and listing his property with its value, and an explanation why similar funds are not available to prosecute this 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 May 14, 2013.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Helen E. Freedman
Nelson S. Román, Justices.

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

Respondent,

-against-

M-1952
Ind. Nos. 699/08
1544/09

Miguel Olvera,

Defendant-Appellant.
----------X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgments of the Supreme Court, New York County, rendered on or about February 28, 2013, 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 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 $3,300 bail in the Supreme Court, the disposition thereof, and an explanation as to why similar funds are not available to prosecute this 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 May 14, 2013.

Present - Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Helen E. Freedman
Nelson S. Román, Justices.

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

-against-

M-1974
Docket No. 2012BX061905

Chanelle V. Wilkerson,
Defendant-Appellant.
----------X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about November 2, 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 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.

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 May 14, 2013.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Helen E. Freedman
Nelson S. Román, Justices.

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

-against-

M-1977
Ind. Nos. 5730/10
2156/11

Esmerlin Meran,
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 December 12, 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 moving papers a timely filed notice of appeal, and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 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 May 14, 2013.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Helen E. Freedman
Nelson S. Román, Justices.

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

-against-

M-1988
Ind. No. 4652/10

Jayson Albertorio,
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 January 31, 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 May 14, 2013.

Present: Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Helen E. Freedman
Nelson S. Román, Justices.

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

-against-

Jacqueline M. Leycock,
Defendant-Appellant.
----------X

M-2002
Ind. Nos. 3420/11
55615C/11
2412/11
43643C/11

Defendant having moved for an extension of time in which to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about January 31, 2013, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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 May 14, 2013.

Present: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Leland G. DeGrasse
Nelson S. Román, Justices.

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

M-2014

-against- Ind. No. 2965/09

Adam Thomas,
Defendant-Appellant.
----------X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, rendered on or about May 11, 2011,

And defendant having moved for leave to file a pro se supplemental 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 denied, as premature, the aforesaid appeal having not been 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 May 14, 2013.

Present - Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Helen E. Freedman
Nelson S. Román, Justices.

----------X

In the Matter of the Application for the Guardianship and Custody of

Isaiah M.,
Isis Nellie Marie M., and
Joshua M.,

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

- - - - - - - - - - - -

Commissioner of Social Services of the City of New York, et al.,
Petitioners-Respondents,

M-2040
Docket Nos.
B-32215-17/11

Deeana C.,
Respondent-Appellant.

- - - - - - - - - - -

Arnold Rothbaum, Esq.,
Attorney for the Children.

----------X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from Orders of Disposition, Adjudication, Findings of Facts and Conclusions of Law of the Family Court, New York County, entered on or about February 5, 2013, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Andrew Baer, Esq., 299 Broadway, Suite 1415, New York, NY 10007, Telephone No. 212-233-0318, 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[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) 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

[1]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 May 14, 2013.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Helen E. Freedman
Nelson S. Román, Justices.

----------X

In the Matter of

Malik A.,

A Person Alleged to be a Juvenile Delinquent,

Respondent-Appellant.

M-2059
Docket Nos. D21128-29/10

----------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 April 17, 2012, and for, inter alia, leave to extend deadlines to file briefs,

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

It is ordered that the motion is granted only to the extent of enlarging the time to perfect the appeal to the October 2013 Term, 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 May 14, 2013.

Present: Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Helen E. Freedman
Nelson S. Román, Justices.

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

-against-

Lonnie McCray,
Defendant-Appellant.
----------X

M-2072
Ind. No. 3920/08
Case No. 58639C/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 March 8, 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, 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 May 14, 2013.

Present - Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Helen E. Freedman
Nelson S. Román, Justices.

----------X

721 Fruit & V. Mkt. Inc.,

Plaintiff-Appellant,

-against-

M-2081
Index No. 115754/08

Stavia LLC,

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 May 29, 2012 (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 October 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 May 14, 2013.

Present - Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Helen E. Freedman
Nelson S. Román, Justices.

----------X

IN RE: New York City Asbestos Litigation

- - - - - - - - - - - - - - - -

Arthur Muise, et al.,
Plaintiffs-Respondents,

-against-

M-2102
Index No. 190092/11

Air & Liquid Systems Corporation, as successor-by-merger to Buffalo Pumps, et al.,
Defendants,

Crane Co.,
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 March 26, 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 the November 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 May 14, 2013.

Present - Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Helen E. Freedman
Nelson S. Román, Justices.

----------X

Bellinson Law, LLC,
Plaintiff-Counterclaim
Defendant-Respondent,

-against-

M-2116
Index No. 600593/09

Robert Ianucci,
Defendant-Counterclaim
Plaintiff-Appellant.

----------X

Defendant having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, New York County, entered on or about July 23, 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 October 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 May 14, 2013.

Present - Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Helen E. Freedman
Nelson S. Román, Justices.

----------X

In the Matter of

Shawntay S.,

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

- - - - - - - - - - - - -

Administration for Children's Services,
Petitioners-Respondents,

M-2137
Docket No. NN-28136/11

Stephanie R.,
Respondent-Appellant.

- - - - - - - - - - -

Lourdes Reyes, Esq.,
Attorney for the Child.

----------X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from the Order of Fact-Finding an Disposition of the Family Court, Bronx County, entered on or about March 8, 2013, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Andrew Baer, Esq., 299 Broadway, Suite 1415, New York, NY 10007, Telephone No. 212-233-0318, 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[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) 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

[1]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 May 14, 2013.

Present - Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Helen E. Freedman
Nelson S. Román, Justices.

----------X

In the Matter of the Application for the Custody and Guardianship of

Tarik G. McS., Jr.,

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

- - - - - - - - - - - -

St. Vincent's Services, et al.,
Petitioners-Respondents,

M-2142
Docket No. B-16459/08

Tarik G. McS., Sr.,
Respondent-Appellant,

Sherrie T., also known as Sherie Paulene T.,
Respondent-Appellant.

- - - - - - - - - -

Michael DeMatteo, Esq.,
Attorney for the Child.

----------X

Separate appeals having been taken from the Order of Fact-Finding, and Final Order of Disposition of the Family Court, Bronx County, entered on or about February 20, 2013,

And respondent-appellant father having moved for leave to prosecute his appeal as a poor person, 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, Julian A. Hertz, Esq., 15 Sherwood Drive, Larchmont, NY 10538, Telephone No. 914-834-5461, 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[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) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** (See M-2144, decided simultaneously herewith.

ENTER:

CLERK

[1]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 May 14, 2013.

Present - Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Helen E. Freedman
Nelson S. Román, Justices.

----------X

In the Matter of the Application for the Custody and Guardianship of

Tarik G. McS., Jr.,

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

- - - - - - - - - - - -

St. Vincent's Services, et al.,
Petitioners-Respondents,

M-2144
Docket No. B-16459/08

Tarik G. McS., Sr.,
Respondent-Appellant,

Sherrie T., also known as Sherie Paulene T.,
Respondent-Appellant.

- - - - - - - - - -

Michael DeMatteo, Esq.,
Attorney for the Child.

----------X

Separate appeals having been taken from the Order of Fact-Finding, and Final Order of Disposition of the Family Court, Bronx County, entered on or about February 20, 2013,

And respondent-appellant mother having moved for leave to prosecute her appeal as a poor person, 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, Andrew Baer, Esq., 299 Broadway, Suite 1415, New York, NY 10007, Telephone No. 212-233-0318, 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[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) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** (See M-2142, decided simultaneously herewith.

ENTER:

CLERK

[1]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 May 14, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,
Rosalyn H. Richter
Paul G. Feinman
Judith J. Gische
Darcel D. Clark, Justices.

----------X

Zmoore, Ltd., doing business as Commerce Restaurant,
Plaintiff,

M-2146
Index No. 153282/13

-against-

Kingman Management LLC, et al.,
Defendants.

----------X

A purported appeal having been taken from an Order to Show Cause of Supreme Court, New York County, dated April 15, 2013,

And plaintiff having moved for an order of this Court granting certain relief denied by a Justice of the Supreme Court, New York County, in the aforesaid Order to Show Cause dated on or about April 15, 2013,

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

It is ordered that the motion is deemed to be one for relief pursuant to CPLR 5704(a), and as such 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 May 14, 2013.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Helen E. Freedman
Nelson S. Román, Justices.

----------X

Peter R. Friedman,
Plaintiff-Appellant,

-against-

M-2168
Index No. 602784/09

Tishman Speyer Hudson Limited Partnership
and TST 375 Hudson, LLC,
Defendants-Respondents.

----------X

Plaintiff-appellant having moved for an order staying a certain pretrial conference pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about June 22, 2012 (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.

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 May 14, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
David Friedman
Karla Moskowitz
Nelson S. Román
Paul G. Feinman, Justices.

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

-against-

M-2229
Ind. No. 3616/09

Joseph Pabon,
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 June 5, 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, 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.

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

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 May 14, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
David Friedman
Karla Moskowitz
Nelson S. Román
Paul G. Feinman, Justices.

----------X

Cynthia Feng,
Plaintiff-Appellant,

-against-

M-2251
Index No. 800062/10

Nirit Weiss, et al.,
Defendants-Respondents.

----------X

Defendants-respondents having moved for dismissal of the appeal taken from the order of the Supreme Court, New York County, entered on or about March 8, 2012, for failure to timely perfect,

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

It is ordered that the motion is granted and the appeal is dismissed.

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 May 14, 2013.

Present - Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Nelson S. Román
Paul G. Feinman, Justices.

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

Respondent,

-against-

M-2278
Ind. No. 437N/12

Jamel Monroe,

Defendant-Appellant.
----------X

Defendant-appellant having moved for leave to file a pro se supplemental brief in connection with the appeal from a judgment of the Supreme Court, New York County, rendered on or about June 18, 2012, and for related relief,

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

It is ordered that the motion is denied as premature, the appeal not having been 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 May 14, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
David Friedman
Karla Moskowitz
Nelson S. Román
Paul G. Feinman, Justices.

----------X

Arie Genger,
Plaintiff-Appellant,

-against-

M-2279
Index No. 104249/07

Sagi Genger and Dalia Genger,
Defendants-Respondents.

----------X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about May 14, 2012, and said appeal having been perfected,

And defendant-respondent Sagi Genger having moved to enlarge the record on appeal with a copy of the March 25, 2013 Order of Arbitral in AAA Arbitration, *Genger v Genger*, No. 13170009607,

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

It is ordered that the motion is granted, and defendant-respondent is directed to file 9 copies of the aforementioned Order of the Artitrator forthwith. (See M-2512, 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 May 14, 2013.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Leland G. DeGrasse
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

----------x
Gregory A. Clark, etc.,

Plaintiff-Respondent,

-against-

M-2321
Index No. 102464/11

Archdiocese of New York, et al.,

Defendants-Appellants.
----------x

An appeal having been taken to this Court from the order and judgment of the Supreme Court, New York County, entered on or about September 20, 2012, and said appeal having been perfected,

And plaintiff-respondent having moved for an order enlarging the record on appeal and for adjournment of the perfected 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 May 14, 2013.

Present: Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Nelson S. Román
Paul G. Feinman, Justices.

----------X

Yuk Ping Cheng Chan,
Plaintiff-Respondent,

-against-

M-2329
Index No. 100690/10

Young T. Lee & Son Realty Corp.,
Defendant-Respondent,

Great NY Noodletown, Inc.,
Defendant-Appellant.

----------X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about February 5, 2013,

And defendant, Great NY Noodletown, Inc., having moved to stay all proceedings 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 May 14, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
David Friedman
Karla Moskowitz
Nelson S. Román
Paul G. Feinman, Justices.

----------x

Arie Genger,

Plaintiff-Appellant,

-against-

M-2512
Index No. 104249/07

Sagi Genger, et al.,

Defendants-Respondents.

----------x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about May 14, 2012, and said appeal having been perfected,

And plaintiff-appellant having moved for an order enlarging the record on appeal to include certain e-mails,

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

It is ordered that the motion is denied, without prejudice to raising the issue upon argument of the appeal. (See M-2279, 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 May 14, 2013.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
David B. Saxe
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

----------X

Wilson Quiles and Rebecca Murphy Quiles,
Plaintiffs-Respondents,

M-3592
Index No. 13767/05

-against-

Doris Lyons, Inc.,
Defendant-Appellant,

Ralph Iacontini,
Defendant.

----------X

Defendant-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, Bronx 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 the October 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 May 14, 2013.

Present: Hon. David B. Saxe, Justice Presiding,
Rolando T. Acosta
Nelson S. Román
Judith J. Gische, Justices.

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

Respondent,

-against-

M-511
Ind. No. 2962/08

Jason Pagan,

Defendant-Appellant.
----------X

A decision and order of this Court having been entered on July 14, 2011 (Appeal No. 5035), unanimously affirming the judgment of the Supreme Court, New York County (Kahn, J.), rendered on December 19, 2009,

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 May 14, 2013.

PRESENT - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Dianne T. Renwick
Leland G. DeGrasse
Nelson S. Román, Justices.

----------X

Nicole Bromberg,
Plaintiff,

-against-

M-1981
Index No. 300033/11

Benjamin Bromberg,
Defendant.

----------X

Defendant having moved pursuant to CPLR 5704(a) for certain relief denied by a Justice of the Supreme Court, New York County, on or about February 22, 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 May 14, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

----------X

John Samuelsen, etc.,
Plaintiff-Appellant,

-against-

M-557
Index No, 109909/10

New York City Transit Authority,
etc., et al.,
Defendants-Appellants.

----------X

Defendants-appellants having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on December 20, 2012 (Appeal No. 6875),

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 May 14, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Leland G. DeGrasse
Nelson S. Román, Justices.

----------X
Caribbean Direct, Inc., etc.,
Plaintiff-Appellant,

-against-

M-5842
Index No. 110157/09

Dubset, LLC, et al.,
Defendants-Respondents.
----------X

Defendants-respondents having moved for reargument of the decision and order of this Court entered on November 15, 2012 (Appeal Nos. 8591-8592),

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 May 14, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Dianne T. Renwick
Leland G. DeGrasse
Nelson S. Román, Justices.

----------X
Michelle Edelstein,
Plaintiff-Respondent,

-against-

M-917
Index No. 313371/09

Ronald J. Edelstein,
Defendant-Appellant.
----------X

Defendant-appellant having moved for an order staying the Court's extension of a certain order of protection pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about December 7, 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

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

BEFORE: Hon. Nelson S. Román
Justice of the Appellate Division

----------x

The People of the State of New York,

M-2273
Ind. No. 1623/02

-against-

CERTIFICATE
DENYING LEAVE

Hafiz Hayes,

Defendant.

----------x

I, Nelson S. Román, 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, dated February 27, 2013, is hereby denied.

Nelson S. Román
Associate Justice

Dated: May 14, 2013
New York, New York

ENTERED: MAY 14 2013