

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 10, 2013.

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

-----X
Real Estate Alternatives Portfolio,
Plaintiff-Respondent,

-against-

M-3928X
Index No. 106845/11

D.B. Computer Investments, Inc.,
doing business as Data Recovery
Corp. and Dmitry Belkin,
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about November 23, 2012,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 24, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 October 10, 2013.

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

-----X
Juan Pouso,
Plaintiff-Respondent,

-against-

M-3929X
Index No. 114452/10

Columbia University in the City
of New York,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about January 3, 2013,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 25, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 October 10, 2013.

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

-----X
Yexiyeni Martinez, an Infant, by
her Mother, Bella Gutierrez and
Bella Gutierrez, Individually,
Plaintiff-Respondent,

-against-

M-3935X
Index No. 6573/05

1045 Anderson Avenue HDFC and 14K
Management, Inc.,
Defendants-Appellants,

Davidson Apartments, LLC and
MP Management Co.,
Defendants.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about February 27, 2013,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 24, 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 October 10, 2013.

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

-----X
Nordlinger Group, LLC,
Plaintiff-Appellant,

-against-

M-3936X
Index No. 650791/12

Fisk Building Associates, LLC,
Defendants-Respondents.
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about September 28, 2012,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" August 20, 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 October 10, 2013.

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

-----X
Devlon Williams,
Plaintiff-Respondent,

-against-

M-3938X
Index No. 17971/05

Esor Realty Co., et al.,
Defendants-Appellants.
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about October 4, 2012,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 25, 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 October 10, 2013.

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

-----X
Behzad Nehmadi and Joseph Nehmadi,
Petitioners-Appellants,

-against-

M-4277X
Index No. 600124/10

Delta Realty Corp.,
Respondent-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about September 24, 2012 (mot. seq. no. 004),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" August 12, 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 October 10, 2013.

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

-----X
Juan Vazquez,
Plaintiff-Appellant,

-against-

M-4278X
Index No. 306270/08

1107 Fifth Avenue Corporation,
et al.,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about November 1, 2012,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" August 12, 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 October 10, 2013.

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

-----X
Juliana Terian,
Plaintiff-Respondent,

-against-

M-4299X
Index No. 650963/12

Robert Wurmbrand, et al.,
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about November 16, 2012,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" August 19, 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 October 10, 2013.

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

-----X
SBC 2010-1, LLC,
Plaintiff-Appellant,

-against-

M-4336X
Index No. 850015/12

298 Convent Holdings, LLC, et al.,
Defendants-Respondents.

- - - - -

(And a third-party action)

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about November 30, 2012 (mot. seq. no. 002),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" August 20, 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 October 10, 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,
Appellant,

-against-

M-4501
Index No. 3775/12

Randolph Jones,
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 24, 2013,

Now, upon reading and filing the stipulation of the parties hereto, dated August 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 October 10, 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-4243
Ind. No. 20125/12

Gene Gnesin,
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 April 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 October 10, 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-4244
Ind. No. 5311N/12

Jose Hernandez,
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 26, 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 October 10, 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-4245
Ind. No. 4720/12

Rogelio P. Innis,
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 May 23, 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 October 10, 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-4246
Ind. No. 600/12

Shaun M. Jones,
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 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 October 10, 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-4247
Ind. No. 409/13

David O. Lopez,
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 2, 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 October 10, 2013.

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

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

-against-

M-4249
Ind. No. 1382/13

Andre Jones,
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 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.

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 October 10, 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-4250
Ind. No. 4277/11

Juan Martinez,
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 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, 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 October 10, 2013.

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

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

-against-

M-4251
Ind. No. 2090/10

Andrew McCray, also known as
Andrew McRay,
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 April 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.

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 October 10, 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-4252
Ind. No. 3193/12

Andrea Mercer,
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 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.

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 October 10, 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-4253
Ind. No. 5739/12

Marisol Perez-Pino,
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 23, 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 October 10, 2013.

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

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

-against-

M-4254
Ind. No. 4012/12

Ghinna Palacios,
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, 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 October 10, 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-4255
Ind. No. 3642/11

Ricaury Pena,
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 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, 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 October 10, 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-4256
Ind. No. 535/13

Adam 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 July 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 October 10, 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-4257
Ind. Nos. 3051/12
1009/12

Roderick Reyes,
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 9, 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 October 10, 2013.

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

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

-against-

M-4258
Ind. No. 3705/12

Franklin Rosario,
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 18, 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 October 10, 2013.

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

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

-against-

M-4259
Ind. No. 5355/12

Andre D. Oliver,
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 25, 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 October 10, 2013.

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

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

-against-

M-4261
Ind. No. 594/13

David L. Oquendo Robinson, also known as
David Oquendo Robinson,
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 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, 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 October 10, 2013.

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

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

-against-

M-4264
Ind. No. 5751/12

Rasheen J. Shomo,
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 18, 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 October 10, 2013.

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

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

-against-

M-4265
Ind. No. 5695/11

Pedro Saturria,
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 18, 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 October 10, 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-4266
Ind. No. 5310/12

Raymond Sterrett,
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 24, 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 October 10, 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-4267
Ind. No. 3782/07

Egor Shevelev,
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 25, 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 October 10, 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-4268
Ind. No. 4922/12

Thomas Woodvens,
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 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, 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 October 10, 2013.

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

-----X

433 Sutton Corp.,
Plaintiff-Respondent,

-against-

M-4180

Index No. 110071/11

Robert Broder,
Defendant-Appellant.

-----X

Plaintiff-respondent having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on June 27, 2013 (Appeal No. 9876N), and for a stay of enforcement of said decision and order of this Court pending disposition of the matter by the Court of Appeals,

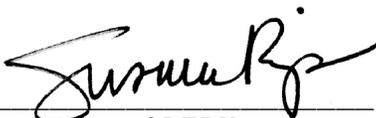
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of staying remand of the matter to Supreme Court pending disposition of the appeal by the Court of appeals, and this Court, pursuant to CPLR 5713, certifies that the following question of law, decisive of the correctness of its determination, has arisen, which in its opinion ought to be reviewed by the Court of Appeals:

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 10, 2013.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzairelli
Rolando T. Acosta
Dianne T. Renwick, Justices.

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

Alliyah C., also known as
Alliyah Cachita Ashanti
Yuli Irene C.;
Octavia C., also known as
Octavia Adelita Cataye'
Yodanka Che-Che C.; and
Za'Myiah C., also known as
Za'Myiah Noemis Anini
Vivi C.,

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

M-4429
Docket Nos. B-25726/07
B-25727/07
B-25728/07

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

Colleen C., also known as Colleen
Veronica C., also known as Colleen P.,
Respondent-Appellant,

Santiago C., also known as
Santiago G. C.,
Respondent-Appellant.

Kenneth Walsh, Esq.,
Attorney for the Subject Child
Alliyah C.,

Steven N. Feinman, Esq.,
Attorney for the Subject Children
Octavia C. and Za'Myiah C.

-----X

Appeals having been taken to this Court by respondent-mother Colleen C. from orders of the Family Court, Bronx County, entered on or about May 7, 2012; and a separate appeal having been taken to this Court by respondent-father Santiago C. from the aforesaid orders entered on or about May 7, 2012, and said appeals having been perfected,

And court attorney for the subject children Octavia C. and Za'Myiah C., Indji Bessim, having moved on the childrens' behalf for leave to respond to the appeals and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Steven N. Feinman, Esq., One North Broadway, White Plains, NY 10601, Telephone No. 914-949-8214, as counsel for the aforesaid children Octavia C. and Za'Myiah C. for purposes of responding to the appeals; (2) permitting movant to respond to the appeals upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorneys for respondents-appellant and 8 copies thereof are filed with this Court. Sua sponte, the appeals are adjourned to the December 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 October 10, 2013.

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

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

Robert Engle, Sr., et al.,
Plaintiffs-Respondents,

-against-

M-4748
Index No. 190172/11

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 in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about December 13, 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 April 2014 Term. (See M-4754/M-4755/M-4756, 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 October 10, 2013.

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

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

Frances Battipaglia, etc.,
Plaintiffs-Respondents,

-against-

M-4754
Index No. 190303/11

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

Crane Co.,
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, New York County, entered on or about December 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 April 2014 Term. (See M-4748/M-4755/M-4756, 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 October 10, 2013.

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

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

Michael Patrick Gill,
Plaintiff-Respondent,

-against-

M-4755
Index No. 104174/03

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

Crane Co.,
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, New York County, entered on or about January 14, 2013,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the April 2014 Term. (See M-4754/M-4748/M-4756, 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 October 10, 2013.

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

-----X
In re: New York City Asbestos Litigation
-----X
Joann R. Viohl, etc.,
Plaintiffs-Respondents,

-against-

M-4756
Index No. 103869/06

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

Crane Co.,
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, New York County, entered on or about December 14, 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 April 2014 Term. (See M-4754/M-4748/M-4755, 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 October 10, 2013.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Dianne T. Renwick
Leland G. DeGrasse
Helen E. Freedman
Paul G. Feinman, Justices.

-----x
In the Matter of the Application of
Elba Henriquez,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78
of the CPLR, etc.,

M-4599
Index No. 112360/11

-against-

Raymond Kelly, etc., et al.,
Respondents-Respondents.

-----x
Petitioner-appellant having moved for an enlargement of time to perfect the appeal from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about May 30, 2012,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the February 2014 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 October 10, 2013.

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

-----X

Moshe Friedman,
Petitioner-Appellant,

-against-

M-4109
Index No. 101012/12

New York State Department of
Human Rights, et al.,
Respondents-Respondents.

-----X

An order of this Court having been entered on May 21, 2013 (M-1888), denying petitioner-appellant's motion for leave to prosecute, as a poor person, the appeal taken from an order of the Supreme Court, New York County, entered on or about July 13, 2012, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, for an enlargement of time to perfect the appeal, and for other relief,

And petitioner-appellant, pro se, having moved for an enlargement of time to perfect the aforesaid appeal, and for reconsideration of the aforesaid order of this Court entered on May 21, 2013 (M-1888),

Now, upon reading and filing the papers with respect to said 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 February 2014 Term, with no further enlargement to be granted 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 October 10, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Dianne T. Renwick
Leland G. DeGrasse
Helen E. Freedman
Paul G. Feinman, Justices.

-----X
Celia Imrey,
Plaintiff-Respondent,

-against-

M-4523
Index No. 312500/11

Timothy Culbert,
Defendant-Appellant.

-----X

Defendant-appellant having moved for an order staying the trial in the above-entitled action pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about August 19, 2013,

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

It is ordered that the motion is denied.

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 October 10, 2013.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Helen E. Freedman
Judith J. Gische, Justices.

-----x
Estate of Florence M. Lawler, by its
Administrator, John E. Lawler,
Plaintiff-Respondent,

-against-

M-4684
Index No. 115959/09

The Mount Sinai Medical Center, Inc.,
and The Mount Sinai Hospital,
Defendants-Appellants.
-----x

Defendants-appellants having moved for a stay of trial herein pending hearing and determination of the appeal from the order of the Supreme Court, New York County, entered on or about December 18, 2013 (mot. seq. no. 004),

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 for the February 2014 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 October 10, 2013.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Helen E. Freedman
Judith J. Gische, Justices.

-----x
Robert Zohlman,
Petitioner-Respondent,

-against-

Barbara Zoldan,
Respondent-Appellant,

M-4609
Index No. 603619/07

-and-

Alex Zoldan,
Judgment Debtor.
-----x

An appeal having been taken to this Court from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about May 4, 2011, and said appeal having been perfected,

And Annette G. Hasapidis, Esq., appellate counsel for respondent-appellant, having moved for leave to withdraw as counsel in connection with the aforesaid appeal, and for an enlargement of respondent-appellant's time to file a reply brief,

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

It is ordered that the motion is granted only to the extent of permitting appellate counsel to withdraw as counsel in connection with the aforesaid appeal. The motion, to the extent it seeks an enlargement of time, is 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 October 10, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
Paul G. Feinman
Judith J. Gische
Darcel D. Clark, Justices.

-----X
Dennis Mangan,
Plaintiff-Appellant,

-against-

M-4123
Index No. 104965/09

Andrew A. Castagliola, et al.,
Defendants-Respondents.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about April 9, 2012,

And plaintiff-appellant having moved for leave to withdraw the aforesaid appeal,

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

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 10, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
Paul G. Feinman
Judith J. Gische
Darcel D. Clark, Justices.

-----X
Warren White,
Plaintiff-Appellant,

-against-

73 West LLC, et al.,
Defendants-Respondents.

M-3978
Index No. 302937/08

-----X

Defendant-respondent 73 West LLC having moved for dismissal of the appeal taken from an order of the Supreme Court, Bronx County, entered on or about May 17, 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 October 10, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
Paul G. Feinman
Judith J. Gische
Darcel D. Clark, Justices.

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

-against-

M-4098
Ind. No. 5851/07

Nichole Jameson,

Defendant.

-----X

Defendant having moved for an extension of time in which to file a notice of appeal from judgment of the Supreme Court, New York County, rendered on or about July 17, 2008,

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 October 10, 2013.

Present: Hon. David Friedman, Justice Presiding,
Karla Moskowitz
Rosalyn H. Richter
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----X
Amilda Agosto, as Administratrix
of the Estate of Cecilia Rosado
Rodriguez, Deceased,
Plaintiff-Respondent,

-against-

M-4318
Index No. 305112/08

Ohannes A. Nercessian,
Defendant-Appellant,

Douglas D. Nowak and
New York-Presbyterian Hospital,
Defendants.

-----X
Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about November 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 February 2014 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 October 10, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,
Karla Moskowitz
Rosalyn H. Richter
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----X
Connie Menichino and Robert Menichino,

Plaintiffs-Appellants,

-against-

M-4448
Index No. 300430/08

New York City Transit Authority,

Defendant-Respondent.
-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect an appeal taken from an order of the Supreme Court, Bronx County, entered on or about October 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 February 2014 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 October 10, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,
Karla Moskowitz
Rosalyn H. Richter
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----X
Jennifer Obolewicz,
Plaintiff-Respondent,

-against-

M-4482
Index No. 107554/10

CRP/Extell Parcel I, L.P. and Extell
Development Company,
Defendants-Appellants,

Penmark Realty Corporation,
Defendants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect an appeal taken from an order of the Supreme Court, New York County, entered on or about December 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 February 2014 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 October 8, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
Paul G. Feinman
Judith J. Gische
Darcel D. Clark, Justices.

-----X
Kimberly Andron,
Plaintiff-Appellant,

-against-

M-3939
Index No. 651324/10

Howard Libby,
Defendant-Respondent,
-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeals from the order of the Supreme Court, New York County, entered on or about May 15, 2012, and from the order of said Court entered on or about April 28, 2013, respectively,

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

It is ordered that, sua sponte, the appeals are consolidated, and appellant is permitted to prosecute the consolidated appeals upon 9 copies of one record and one set of appellant's points covering the consolidated appeals. The time to perfect the consolidated appeals is enlarged to the February 2014 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 October 10, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,
Karla Moskowitz
Rosalyn H. Richter
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

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

-against-

M-4358
Ind. No. 1348/06

Albert Javier,
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, entered on or about January 16, 2007, and for related relief,

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

It is ordered that the motion is denied, sua sponte, the time to perfect the appeal is enlarged to the February 2014 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 October 10, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
Paul G. Feinman
Darcel D. Clark, Justices.

-----X
Vincent Lowman, Jr., an infant by
his mother and natural guardian,
Chanel Thorton and Chanel Thorton,
Individually,
Plaintiffs-Respondents-Appellants,

-against-

M-3844
Index No. 8133/01

AKS 183rd Realty Corp.,
Defendant-Respondent,

-and-

1211 Weiler LLC,
Defendant-Appellant-Respondent.

-----X

Plaintiff-respondent-appellant mother having moved for an enlargement of time to perfect the cross appeal from an order of the Supreme Court, Bronx County, entered on or about September 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 and cross appeal to the February 2014 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 October 10, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,
Karla Moskowitz
Rosalyn H. Richter
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----X

In the Matter of the Application of
Clifton Banks and Larry Banks,
Petitioners,

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

M-4508

M-4592

-against-

Index No. 403284/11

New York City Housing Authority,
Respondent.

-----X

An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about November 8, 2012, to review a determination of respondent,

And respondent having moved to dismiss the proceeding, for failure to timely prosecute (M-4508),

And petitioners having cross-moved for an enlargement of time to perfect the aforesaid proceeding (M-4592),

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 proceeding unless it is perfected on or before December 2, 2013 for the February 2014 Term (M-4508). The cross motion is granted to the extent of enlarging the time to perfect the proceeding to said February 2014 Term (M-4592).

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 October 10, 2013.

Present - Hon. David Friedman, Justice Presiding,
Karla Moskowitz
Rosalyn H. Richter
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----x

Robert Rios, Jr.,
Plaintiff-Respondent,

-against-

Metropolitan Transit Authority, et al.,
Defendants-Respondents,

-and-

Time Warner Cable of New York,
Defendant-Appellant.

M-3279
M-3998
Index No. 111515/09

Time Warner Entertainment Company, L.P.,
doing business as Time Warner Cable
through its New York City Division,
sued herein as Time Warner Cable of
New York,
Third-Party Plaintiff-Appellant,

-against-

Hylan Datacom & Electrical Inc.,
Third-Party Defendant-Respondent.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about August 21, 2012 (mot. seq. no. 005),

And third-party defendant-respondent having moved for dismissal of the aforesaid appeal for failure to timely prosecute (M-3279),

And defendant/third-party plaintiff-appellant having cross-moved for an enlargement of time to perfect the appeal (M-3998),

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 (M-3279) is denied. The cross motion (M-3998) is granted to the extent of enlarging the time to perfect the appeal to the March 2014 Term, with leave to seek further enlargements, if necessary.

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 October 10, 2013.

Present: Hon. David Friedman, Justice Presiding,
Karla Moskowitz
Rosalyn H. Richter
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----X
In the Matter of the Application of
Rohit Kissoon,
Petitioner-Appellant,

For a Judgment Pursuant to Article 75 of the Civil Practice Law and Rules, **M-4495**
Index No. 102434/12

-against-

The New York City Board/Department of
Education,
Respondent-Respondent.

-----X
Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, entered on or about October 4, 2012, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, for an enlargement of time to perfect said 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 only to the extent of enlarging the time to perfect the appeal to the March 2014 Term. So much of the motion which seeks poor person relief is denied, with leave to renew upon petitioner's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth facts sufficient to establish that petitioner 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 October 10, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,
Helen E. Freedman
Rosalyn H. Richter
Paul G. Feinman
Judith J. Gische, Justices.

-----X
In the Matter of the Application of
Najuma King,
Petitioner,

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

M-4327
M-4300
Index No. 400608/12

-against-

New York City Housing Authority,
Respondent.

-----X

An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about June 19, 2012, to review a determination of respondent,

And petitioner, pro se, having moved for an enlargement of time to perfect the aforesaid proceeding (M-4327),

And respondent having moved to dismiss the aforesaid proceeding, for failure to timely perfect (M-4300),

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the proceeding to on or before December 30, 2013 for the March 2014 Term (M-4327). The motion, to the extent it seeks dismissal of the proceeding, is denied, with leave to renew should petitioner fail to perfect the appeal for said March 2014 Term (M-4300).

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 October 10, 2013.

Present: Hon. David Friedman, Justice Presiding,
Helen E. Freedman
Rosalyn H. Richter
Judith J. Gische, Justices.

-----X
Board of Managers of the Onyx
Chelsea Condominium, etc.,
Plaintiff-Appellant-Respondent,

-against-

261 West LLC, Evan Haymes,
Matthew Bronfman, Edward Curty,
Kreisler Borg Florman, also known as
Kreisler Borg Florman General
Construction Company, Inc.,
Defendants-Respondents-Appellants,

M-4287
Index No. 114230/10E

Saparn Realty, Inc.,
Defendant-Respondent-Appellant,

John Doe #1 through John Doe #10,
etc.,
Defendants.

- - - - -
(And third-party actions)
-----X

Plaintiff-appellant-respondent having moved for an enlargement of time to perfect their appeal taken from the order of the Supreme Court, New York County, entered on or about March 7, 2012 (mot. seq. nos. 001, 002, 005, 006),

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal and cross appeals to the April 2014 Term. (See M-4289, 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 October 10, 2013.

Present: Hon. David Friedman, Justice Presiding,
Helen E. Freedman
Rosalyn H. Richter
Judith J. Gische, Justices.

-----X
Board of Managers of the Onyx
Chelsea Condominium, et al.,

Plaintiffs-Appellants,

-against-

261 West LLC,

M-4289
Index No. 104912/10

Defendant-Respondent.
-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect their appeal taken from the order of the Supreme Court, New York County, entered on or about March 5, 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 and cross appeals to the April 2014 Term. (See M-4287, 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 October 10, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
Paul G. Feinman
Judith J. Gische
Darcel D. Clark, Justices.

-----X
Jodd Readick,
Plaintiff-Respondent,

-against-

Jeannette Readick,
Defendant-Appellant.

M-3178
M-4002
Index No. 350161/04

-----X

Plaintiff-respondent having moved for dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about July 6, 2012 (mot. seq. nos. 011, 012) [M-3178],

And counsel for defendant-appellant having moved for leave to withdraw as counsel [M-4002],

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

It is ordered that the motion seeking dismissal of the appeal is granted and the appeal is dismissed [M-3178]. It is further ordered that the motion by appellant counsel to be relieved is granted and Dawn M. Cardi, Esq., is relieved [M-4002] as counsel for purposes of the aforesaid 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 October 10, 2013.

Present - Hon. David Friedman,
Rosalyn H. Richter
Paul G. Feinman
Judith J. Gische,

Justice Presiding,

Justices.

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

- - - - -
Oksoon K.,
Petitioner-Respondent,

M-4260
M-4366
M-4551
Docket No. O-30641/11

-against-

Young-Hyun K.,
Respondent-Appellant.

-----x

An appeal having been taken to this Court from an Order of Protection of the Family Court, Bronx County, entered on or about September 6, 2012,

And respondent-appellant pro se having moved for an enlargement of time to perfect the appeal (M-4260),

And assigned counsel for defendant-appellant having moved to be relieved as counsel on the appeal (M-4366),

And respondent appellant pro se having also moved for leave to file a pro se brief in connection with the aforesaid appeal (M-4551),

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

It is order that the motion for an enlargement of time (M-4260) is granted to the extent of enlarging the time to perfect the appeal to on or before December 2, 2013 for the February 2014 Term. The motion to be relieved as assigned counsel (M-4366) is denied, and assigned counsel is directed to perfect the appeal, on a brief in the same form as the proposed brief attached to his moving papers, for said February 2014 Term. The motion for leave to file a pro se brief (M-4551) is granted to the extent of permitting respondent-appellant to file a pro se supplemental brief, in the form submitted with this motion, for on or before said deadline for said February 2014 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 October 10, 2013.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Leland G. DeGrasse
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

-----X
Margery Rubin and Errol Rubin as
Trustees of the Rubin Family
Irrevocable Marital Trust,
Plaintiffs-Appellants,

-against-

Industrysuite, LLC,
Defendant-Respondent.
-----X

M-4483
M-4479
Index No. 653489/11

Plaintiffs-appellants having moved for an enlargement of time to perfect their appeal from an order of the Supreme Court, New York County, entered on or about August 22, 2012 (M-4483),

And defendant-respondent having cross-moved to dismiss the aforesaid appeal (M-4479),

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 enlarging the time to perfect the appeal to the February 2014 Term, with no further enlargements to be granted (M-4483). The cross motion to dismiss the appeal is granted unless the appeal is perfected for said February 2014 Term. Upon failure to so perfect, an order dismissing the appeal may be entered ex parte, provided respondent serves a copy of this order upon appellants within 10 days after the date of entry hereof (M-4479).

ENTER:


CLERK

CORRECTED ORDER - DECEMBER 9, 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 October 10, 2013.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,
Leland G. DeGrasse
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

-----X
In the Matter of

Tatiana S.,

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

M-4284
Docket No. NA-15650/11

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

Mark H.,
Respondent-Appellant.

Steven Banks, Esq., The Legal Aid
Society, Juvenile Rights Division,
Attorney for Tatiana S.

-----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 April 15, 2013, respectively,
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, New York 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 therefor¹ within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk; (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, on or before December 2, 2013 for the February 2014 Term. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** In the event the aforesaid appeal is perfected for the February 2014 Term, the Clerk is directed to calendar this appeal for hearing together with the appeal in *Matter of Tiffany H.* [Docket No. NA-15651/11; Cal. No. 1182] (See M-4430/M-4430A, decided simultaneously herewith.)

ENTER:


CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 10, 2013.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Leland G. DeGrasse
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

-----X
In the Matter of

Tiffany H.,

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

M-4430

Docket No. NA-15651/11

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

-against-

Mark H.,
Respondent-Respondent.

- - - - -
Steven N. Feinman, Esq.,
Attorney for the Child,
Tiffany H.

-----X
Richard A. Bora, Esq., assigned Family Court attorney for the subject child, having moved on behalf of the above-named child, Tiffany H., for leave to respond, as a poor person, to the appeal from an order of Fact-Finding and an Order of Disposition of the Family Court, Bronx County, rendered on or about April 12, 2013 and April 15, 2013, respectively, for assignment of counsel, a free copy of the transcript, and for related relief, said appeal having been perfected,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Steven N. Feinman, Esq., One North Broadway, Suite 412, White Plains, NY 10601, Telephone

No. (914) 949-8214, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of said brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this Court. The perfected appeal is adjourned to the February 2014 Term (See M-4284/M-4430A, 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 October 10, 2013.

Present: Hon. John W. Sweeny, Jr., Justice Presiding.
Leland G. DeGrasse
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

-----X
In the Matter of

Tiffany H.,

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

M-4430A

Docket No. NA-15651/11

- - - - -
Administration for Children's Services and Tiffany H.,
Petitioners-Appellants,

-against-

Mark H.,
Respondent-Respondent.

- - - - -
Richard A. Bara, Esq.,
Attorney for the Child,
Tiffany H.

-----X

Respondent-respondent having moved for leave to respond, as a poor person, to the appeal from the order of the Family Court, Bronx County, entered on or about the appeal from an Order of Fact-Finding and an Order of Disposition of the Family Court, Bronx County, rendered on or about April 12, 2013 and April 15, 2013, respectively, 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, Randal Carmel, Esq., 53 Jackson Avenue, Syosset, NY 11791, Telephone No. (516) 921-8800, as

counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this Court. Sua sponte, the perfected appeal is adjourned to the February 2014 Term (see M-4284/M-4430, 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 October 10, 2013.

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

-----X
Arturo P. Batac,
Plaintiff,

-against-

M-3675
Index No. 570523/10

Allstate Property and Casualty
Insurance Co.,
Defendant,

-and-

Geico Insurance Co.,
Defendant.

-----X

An order of this Court having been entered on June 6, 2013 (M-1616), inter alia, denying plaintiff's motion for leave to prosecute, as a poor person, the purported appeal from the decision and order of the Appellate Term, First Department, entered in the office of the Clerk of the Supreme Court, New York County, on or about June 13, 2011,

And plaintiff having moved reconsideration of the aforesaid order, and for related 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 October 10, 2013.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Leland G. DeGrasse
Helen E. Freedman
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

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

-against-

M-3607
Ind. No. 3706/11

Jermaine Wilkins,
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, New York County, rendered on or about April 30, 2013, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) 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 October 10, 2013.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Leland G. DeGrasse
Helen E. Freedman
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

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

-against-

M-3452
Ind. No. 630/01

Anthony Correnti,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (A. Kirke Bartley, J.), entered on or about June 24, 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 Bartley 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 October 10, 2013.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Leland G. DeGrasse
Helen E. Freedman
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

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

-against-

M-3574
Ind. No. 30080/13

Norman C. Martin,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (James M. Burke, J.), entered on or about June 17, 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 Burke as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Steven Banks, 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 October 10, 2013.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Leland G. DeGrasse
Helen E. Freedman
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

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

-against-

M-3561
Ind. No. 2715/11

David Raine,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Gregory Carro, J.), entered on or about April 11, 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 Carro as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Steven Banks, 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 October 10, 2013.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Leland G. DeGrasse
Helen E. Freedman
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

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

-against-

M-3661
Ind. No. 2652/12

Sherwin L. Lashley,
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 May 21, 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, setting forth facts sufficient to establish that defendant has no funds or assets with which to prosecute the appeal, and why his monthly income of \$2,800 is insufficient 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 October 10, 2013.

Present: Hon. Dianne T. Renwick, Justice Presiding,
Leland G. DeGrasse
Helen E. Freedman
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
Stanley Cohen,
Plaintiff-Respondent-Appellant/
Respondent,

-against-

M-4405

M-4443

Index No. 303123/09

Pauline Cohen,
Defendant-Appellant-Respondent/
Appellant.

-----X

An order of this Court having been entered on August 13, 2013 (M-3394), consolidating the appeals and cross appeal taken from orders of the Supreme Court, New York County, entered on or about April 16, 2012, April 30, 2012, May 9, 2012, June 14, 2012, August 14, 2012, respectively, and from the Judgment of Divorce of said Court entered on or about May 9, 2013, and enlarging the time to perfect said appeals and cross appeal to the January 2014 Term; and an appeal having been taken by defendant from the Post Divorce Judgement of said Court, entered on or about May 30, 2013, and plaintiff having taken a cross appeal from said Post Divorce Judgment,

And defendant having moved for consolidation of all appeals and cross appeals, for clarification of the aforesaid order of this Court entered on August 13, 2013 (M-3394) with respect to which party should perfect the consolidated appeals first, and enlarging the time to perfect the consolidated appeals (M-4405),

And plaintiff having cross-moved to dismiss defendant's four pre-judgment appeals (M-4443),

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 all appeals and cross appeals and enlarging the time to perfect same to the May 2014 Term. Clarification is granted to the extent of designating defendant wife as the direct appellant and plaintiff husband as the cross appellant in this action (M-4405). Dismissal of defendant's appeals from the aforesaid pre-judgment orders is denied (M-4443).

ENTER:


CLERK

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 - 3900
Ind. Nos. 1676/09
2943/09

-against-

CERTIFICATE
DENYING LEAVE

Michael Williams,

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 the order of the Supreme Court, Bronx County, entered on or about June 7, 2013, is hereby denied.



Hon. Rolando T. Acosta
Associate Justice

Dated: September 9, 2013
New York, New York

ENTERED: **OCT 10 2013**

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

BEFORE: Hon. Judith J. Gische
Justice of the Appellate Division

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

M-1743
Ind. No. 2399/95
Ind. No. 3548/95

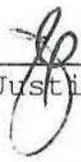
-against-

CERTIFICATE
DENYING LEAVE

Shawn Burnside,
Defendant.

-----X

I, Judith J. Gische, 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 (Analisa Torres, J), entered on or about October 12, 2012, is hereby denied.

Associate Justice 

Dated: September 20, 2013
New York, New York

ENTERED: **OCT 10 2013**

PM ORDERS

ENTERED ON

OCTOBER 10, 2013

