

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 4, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
Home Equity Mortgage Trust Series 2006-1,  
et al.,  
Plaintiffs-Respondents,

-against-

M-5423X  
Index No. 156016/12

DLJ Mortgage Capital, Inc.,  
Defendant-Appellant,

Select Portfolio Servicing, Inc.,  
Defendant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about January 15, 2014 (mot. seq. no. 002),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" October 22, 2014, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 December 4, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
Carlos Hamilton,  
Plaintiff-Appellant,

-against-

M-5424X  
Index No. 303153/07

EOP Worldwide Plaza, LLC, et al.,  
Defendants-Respondents.

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

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about May 8, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" October 23, 2014, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 December 4, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X

Israel Cruz,  
Plaintiff-Respondent,

-against-

M-5427X  
Index No. 304442/10

Montefiore Medical Center Albert  
Einstein Division,  
Defendant-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about March 10, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" October 22, 2014, 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 December 4, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X

Isabel Martinez,  
Plaintiff-Respondent,

-against-

M-5436X  
Index No. 310115/11

D'Angelo Corp., Prospero A. Trinidad,  
Defendants-Appellants.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about January 3, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" October 27, 2014, 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 December 4, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

M-5356  
Ind. No. 3602/11

Bradley A. Schieffelbein,  
Defendant-Appellant.

-----X

An appeal having been taken from a judgement of the Supreme Court, New York County, rendered on or about October 2, 2013,

Now, upon reading and filing the stipulation of the parties hereto, dated October 18, 2014, 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 December 4, 2014.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzaelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against- **M-4862**  
Ind. No. 4177/11

Walde Vizcaino,  
Defendant-Appellant.  
-----X

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, 10005, 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 December 4, 2014.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

Santos Santiago,  
Defendant-Appellant.

**M-4861**

Case No. 54422C/09  
Ind. No. 3464/09

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about August 11, 2014, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, 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, 120 Wall Street, 28th Floor, 10005, 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 December 4, 2014.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzaelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

**M-4858**  
Ind. No. 4460/11

Travis Breckenridge,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about September 3, 2014, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, 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, Suite 1601, New York, NY 10007, Telephone No. (212) 402-4142, 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 December 4, 2014.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzaelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

**M-4859**  
Ind. No. 966/12

Luis Martinez,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about March 28, 2014, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, 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.

Seymour W. James, Jr., Esq., Legal Aid Society, 199 Water Street, 5th Floor, New York, New York 10004, 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 December 4, 2014,

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

**M-4860**  
Ind. No. 3312/13

Anthony Santiago,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about May 29, 2014, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, 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.

Seymour W. James, Jr., Esq., Legal Aid Society, 199 Water Street, 5th Floor, New York, New York 10004, 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 December 4, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

M-5070  
Ind. No. 963N/13

Maria Bato,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about September 2, 2014, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Seymour W. James, Jr., 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 December 4, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

M-5071  
Ind. No. 719/14

Allen Bell,  
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 August 13, 2014, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Seymour W. James, Jr., 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 December 4, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

Dester Betancourt also known as  
Dexter Betancourt,  
Defendant-Appellant.

M-5072  
Ind. Nos. 4222/13  
1195/13  
1345/13

-----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 16, 2014, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Seymour W. James, Jr., 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 December 4, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

M-5073  
Ind. No. 5228/12

Robert Chibatto,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about September 8, 2014, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Seymour W. James, Jr., 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 December 4, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

M-5074  
Ind. No. 4759/13

Christopher Dwight,  
Defendant-Appellant.  
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about September 2, 2014, 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) one transcript 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, 120 Wall Street, 28th Floor, New York, New York 10005, 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 December 4, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

M-5076  
Ind. No. 2272/13

Melinda Evans,  
Defendant-Appellant.  
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about September 3, 2014, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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 December 4, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

M-5077  
Ind. No. 4626/13

Shawn Gill,  
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 August 15, 2014, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Seymour W. James, Jr., 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 December 4, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

M-5078  
Ind. No. 2145/13

Devaughn Hall,  
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 22, 2014, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Seymour W. James, Jr., 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 December 4, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

M-5079  
Ind. No. 2709/13

Ramon Henriquez,  
Defendant-Appellant.  
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about September 8, 2014, 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) one transcript 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, 120 Wall Street, 28th Floor, New York, New York 10005, 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 December 4, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

M-5080  
Ind. No. 4072/13

Major James,  
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 August 13, 2014, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Seymour W. James, Jr., 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 December 4, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

M-5081  
Ind. No. 4438/13

Roger Jenkins,  
Defendant-Appellant.  
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about September 4, 2014, 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) one transcript 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, 120 Wall Street, 28th Floor, New York, New York 10005, 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 December 4, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

M-5082  
Ind. No. 229/14

Alex Laforst,  
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 August 21, 2014, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Seymour W. James, Jr., 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 December 4, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

M-5083  
Ind. No. 2745/13

Leslie Melendez,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about August 28, 2014, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Seymour W. James, Jr., 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 December 4, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

M-5084  
Ind. Nos. 5324/13  
4945/13

Luis Olmeda,  
Defendant-Appellant.  
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about September 8, 2014, 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) one transcript 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, 120 Wall Street, 28th Floor, New York, New York 10005, 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 December 4, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

Christopher P.,  
Defendant-Appellant.

**SEALED**  
M-5085  
Ind. No. 1020/13

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about September 5, 2014, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Seymour W. James, Jr., 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 December 4, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

Alexander Tineo,  
Defendant-Appellant.

M-5086  
Ind. No. 2320/12  
Case No. 22476C/12

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about October 4, 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) one transcript 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, 120 Wall Street, 28th Floor, New York, New York 10005, 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 December 4, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

M-5087  
Ind. No. 2546N/14

Carlos Torres,  
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 August 27, 2014, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Seymour W. James, Jr., 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 December 4, 2014.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against- M-4857  
Ind. No. 4054/13

Nevaros Bowles,  
Defendant-Appellant.  
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about September 4, 2014, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, 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.

Seymour W. James, Jr., Esq., 199 Water Street, 5th Floor, New York, New York 10004, 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 December 4, 2014.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

Rosa G.,  
Petitioner-Appellant,

-against-

Fernando R. and Michelle S.,  
Respondents-Respondents.

-----  
Margaret Ann Tarvin, Esq., Lawyers  
for Children,  
Attorney for the Child.  
-----X

**M-4174**

Docket Nos. V-29086/13  
V-32469/13  
V-29015/13

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about July 30, 2014, 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, Leslie S. Lowenstein, Esq., 567 Sunset Drive, Woodmere, NY 11598, Telephone No. (516) 374-1962 as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the

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

ENTER:



---

CLERK

---

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 4, 2014.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-----  
Maria C., also known as Angela C.,  
Petitioner-Appellant,

**M-4295**  
Docket No. V-10093/13

-against-

Angie C.,  
Respondent-Respondent,  
-----  
Commissioner of Social Services of  
the State of New York,  
Petitioner-Respondent  
-----

Seymour W. James, Jr., Esq.,  
The Legal Aid Society,  
Juvenile Rights Division,  
Attorney for the Child Angie C.,

Mark Leider, Esq.,  
Lawyers for Children,  
Attorney for the Child Chastity C.

-----X  
Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about July 24, 2014, 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, Leslie S. Lowenstein, Esq., 567 Sunset Drive, Woodmere, NY 11598, Telephone No. (516) 994-6831, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor;<sup>1</sup> **within 30 days (FCS 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



CLERK

---

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 4, 2014.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

Jamel W.,  
Petitioner-Appellant,  
  
-against-

**M-4319**  
Docket Nos. V-16853-10/11A  
V-43432-10/10A  
V-45416-10/11A

Stacey J.,  
Respondent-Respondent.

-----  
Serina Rosenbaum, Esq.,  
Lawyers for Children,  
Attorney for the Child.

-----X  
Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about July 25, 2014, 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, Leslie S. Lowenstein, Esq., 567 Sunset Drive, Woodmere, NY 11598, Telephone No. (516)994-6831, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes

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

ENTER:



CLERK

---

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 4, 2014.

Present - Hon. Luis A. Gonzalez,                    Presiding Justice,  
                  Peter Tom  
                  Angela M. Mazzarelli  
                  David Friedman  
                  John W. Sweeny, Jr.,                    Justices.

-----X

The People of the State of New York,  
                  Respondent,

-against-

M-2656A  
Ind. No. 3942/03

Jeremy Flores,  
                  Defendant-Appellant.

-----X

An order of a Justice of this Court having been entered on December 4, 2012 (M-2656), granting defendant leave to appeal to this Court pursuant to CPL 460.15 from the order of the Supreme Court, Bronx County, entered on or about April 9, 2014,

And defendant-appellant having moved for leave to prosecute the appeal as a poor person, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Seymour W. James, Jr., 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. (See M-2656, 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 December 4, 2014.

PRESENT - Hon: Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Dianne T. Renwick  
Judith J. Gische, Justices.

-----X  
Lynn Lucka Bergman,  
Plaintiff-Respondent,

-against-

M-5117  
M-5678  
Index No. 350257/02

Franklin Bergman,  
Defendant-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about November 8, 2013,

And defendant-appellant having moved by separate motions for leave to file a late notice of appeal, or to amend the notice of appeal dated December 5, 2013, to encompass an appeal from the order of said court entered on or about June 25, 2014,

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

It is ordered that the motions are denied. Sua sponte, the time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about November 8, 2013 is enlarged to the May 2015 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 December 4, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Dianne T. Renwick  
Judith J. Gische Justices.

-----X

Maritz Osorio,  
Plaintiff-Appellant,

Court of Claims  
Motion No. 84133  
M-5032

-against-

The State of New York,  
Defendant-Respondent.

-----X

Defendant-respondent having moved for dismissal of the appeal taken from an order of the Court of Claims, New York County, entered on or about March 24, 2014, as untimely taken (CPLR 5513),

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 December 4, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
John W. Sweeny, Jr.  
Karla Moskowitz  
Rosalyn H. Richter  
Darcel D. Clark, Justices.

-----X  
Victor Gabriel Misa,  
Petitioner-Appellant,

For a Judgment Pursuant to Article 78  
of the CPLR

-against-

M-4426  
Index No. 400745/13

Taxi and Limousine Commission,  
Defendant-Respondent.

-----X

An appeal having been taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about August 14, 2013,

And an order of this Court having been entered on June 19, 2014 (M-1475) enlarging the time to perfect the appeal to the October 2014 Term, and denying petitioner's motion for leave to prosecute said appeal as a poor person, and related relief,

And petitioner having moved for reconsideration of that part of this Court's prior order which denied petitioner leave to prosecute the appeal as a poor person,

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 December 4, 2014.

Present - Hon. Peter Tom, Justice Presiding,  
John W. Sweeny, Jr.  
Leland G. DeGrasse  
Paul G. Feinman  
Judith J. Gische, Justices.

-----x  
Drug Policy Alliance,  
Petitioner-Respondent,

-against-

M-5439  
Index No. 103827/12

New York City Tax Commission, et al.,  
Respondents-Appellants.  
-----x

An appeal having been taken to this Court from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about December 30, 2013, and said appeal having been perfected,

And petitioner-respondent having moved this Court for an order taking judicial notice of (1) the New York City Tax Commission's website with statistics showing the number of applications to the Tax Commission for review of real property exemption decisions by the Department of Finance made from the years 2007-2013; (2) an article published by the New York Post on June 7, 2012, entitled "Nonprofits' Kioss Tax Breaks Goodbye", by David Seifman, and (3) petitioner-respondent's counsel's search of the Drug Policy Alliance's website performed on November 28, 2012, and (4) to enlarge the record on appeal to include the aforesaid documents,

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 taking judicial notice of the aforesaid documents (Exhibits A-C to the moving papers), and petitioner is directed to file a supplemental record on appeal to include same. The motion is otherwise denied. (See M-5528/M-5529, 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 December 4, 2014.

Present - Hon. Peter Tom, Justice Presiding,  
John W. Sweeny, Jr.  
Leland G. DeGrasse  
Paul G. Feinman  
Judith J. Gische, Justices.

-----x

Drug Policy Alliance,  
Petitioner-Respondent,

-against-

New York City Tax Commission,  
et al.,  
Respondents-Appellants.

-----x

M-5528  
M-5529  
Index No. 103827/12

An appeal having been taken to this Court from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about December 30, 2013, and said appeal having been perfected,

And the New York Civil Liberties Union (M-5528), and the Nonprofit Coordinating Committee of New York, Inc. and the Lawyers Alliance for New York (M-5529) having separately moved for leave to file a brief amicus curiae in connection with the aforesaid appeal,

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

It is ordered that the motions are granted, and the 9 copies of the briefs amicus curiae submitted with the respective moving papers are deemed filed. (See M-5439, 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 December 4, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,  
John W. Sweeny, Jr.  
Richard T. Andrias  
Karla Moskowitz  
Judith J. Gische, Justices.

-----X  
Michael P. Thomas,  
Petitioner-Respondent,

-against-

M-4740  
Index No. 103434/12

Richard J. Cordon, et al.,  
Respondents-Appellants.  
-----X

Respondents-appellants having moved for an enlargement of time to perfect their appeal from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about November 29, 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 2015 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 December 4, 2014.

Present - Hon. Peter Tom, Justice Presiding,  
John W. Sweeny, Jr.  
Paul G. Feinman  
Judith J. Gische, Justices.

-----x  
Julio Rebollo,

Plaintiff-Appellant,

-against-

M-5435

Index No. 115289/08

Nicholas Cab Corp., et al.,

Defendants-Respondents.  
-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about December 17, 2013 (mot. seq. no. 006), and said appeal having been perfected,

And plaintiff-appellant having moved for relief in the nature of a stay of proceedings including a certain independent medical examination and trial pending hearing and determination of the aforesaid appeal taken,

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

It is ordered that the motion is granted.

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 December 4, 2014.

Present - Hon. Peter Tom, Justice Presiding,  
John W. Sweeny, Jr.  
Leland G. DeGrasse  
Paul G. Feinman  
Judith J. Gische, Justices.

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

-----  
Steven S.,  
Petitioner-Respondent,

-against-

M-4735

ACTION NO. 1  
Docket No. V-24363/09

Yelena M.,  
Respondent-Appellant.

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

-----  
Yelena M.,  
Petitioner-Appellant,

-against-

ACTION NO. 2  
Docket No. V-51162/09

Steven D. S.,  
Respondent-Respondent.

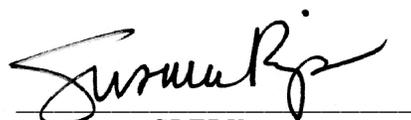
-----x

Respondent/Petitioner-appellant Yelena M. having moved, pursuant to CPLR 5704(a), for certain relief denied by an order of a Justice of the Family Court, New York County, dated August 15, 2014, and for related relief,

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

It is ordered that the motion is denied.

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 4, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Karla Moskowitz  
Rosalyn H. Richter  
Paul G. Feinman, Justices.

-----X  
Marianne Kutza, as Administratrix  
for the Estate of Thomas Pyle, and  
Marianne Kutza, individually,  
Plaintiffs-Appellants,

-against-

M-4954  
Index No. 116427/04

Bovis Lend Lease LMB, Inc., et al.,  
Defendants-Respondents.  
-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about July 25, 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 2015 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 December 4, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
Leland G. DeGrasse  
Darcel D. Clark, Justices.

-----X  
The People of the State of New York  
by Eric T. Schneiderman, Attorney  
General of the State of New York,

-and-

John C. Liu, Comptroller of the City  
of New York, et al.,  
Plaintiffs-Appellants,

M-4922  
Index No. 114735/09

-against-

The Bank of New York Mellon Corporation  
and the Bank of New York Mellon,  
Defendants-Respondents.

-----X  
The State plaintiffs-appellants having moved for an enlargement of time to perfect their respective appeal from an order of the Supreme Court, New York County, entered on or about August 6, 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 appeals of both the State and Municipal appellants to the May 2015 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 December 4, 2014.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,  
Karla Moskowitz  
Leland G. DeGrasse  
Sallie Manzanet-Daniels  
Barbara R. Kapnick, Justices.

-----X  
Rosemond Barney-Yeboah,  
Plaintiff-Appellant,

-against-

M-5021  
Index No. 103354/10

Metro-North Commuter Railroad, etc.,  
Defendant-Respondent.  
-----X

Defendant-respondent having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on September 4, 2014 (Appeal No. 12654),

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 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 December 4, 2014.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
Karla Moskowitz  
Sallie Manzanet-Daniels  
Darcel D. Clark, Justices.

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

-against-

Anthony Hernandez,  
Defendant-Appellant.

M-5558  
Ind. Nos. 7360/85  
4797/85

-----x  
Defendant pro se having moved for an order compelling the New York County District Attorney to release records and documents contained in the file relative to *People v Anthony Hernandez* with respect to indictment numbers 7360/85 and 4797/85, for use on his pending application for an extension of time to file a notice of appeal pursuant to CPL § 460.30 or, in the alternative, to hold a pending motion for a writ of error coram nobis (M-2959) in abeyance pending determination of this motion,

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

It is ordered that the motion, to the extent it seeks the release and records and documents, is denied. The pending motion for a writ of error coram nobis currently pending (M-2959) is adjourned to December 10, 2014.

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 December 4, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Karla Moskowitz  
Rosalyn H. Richter  
Paul G. Feinman, Justices.

-----X  
Gary Keys,  
Plaintiff-Appellant,

-against-

M-4997  
Index No. 108258/10

Sylveus Blanc,  
Defendant-Respondent.  
-----X

Defendant-respondent having moved for dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about October 3, 2013, 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 December 4, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Karla Moskowitz  
Rosalyn H. Richter  
Paul G. Feinman, Justices.

-----X  
Maribel Matos,  
Plaintiff-Appellant,

-against-

M-4991  
Index No. 105901/10

Shahinoor Rahman, et al.,  
Defendants-Respondents.  
-----X

Defendants-respondents having moved for dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about September 24, 2013, 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 December 4, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
Leland G. DeGrasse  
Sallie Manzanet-Daniels, Justices.

-----X  
The People of the State of New York  
ex rel. Wing K. Lim, also known as  
Kent Lam,

Petitioner,

-against-

M-4622  
Ind. Nos. 5355/13  
747/14

Warden, Agustis, NYC Department of  
Corrections,

Respondent(s).

-----X

The above-named petitioner having moved for, inter alia, a writ of habeas corpus to be issued from this Court,

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

It is ordered that the habeas corpus proceeding is hereby transferred to and be heard before a Justice of the Supreme Court of the State of New York, Kings County, 360 Adams Street, Brooklyn, New York, 11201 (CPLR 7002[b][5]).

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 December 4, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
Leland G. DeGrasse  
Darcel D. Clark, Justices.

-----X  
Craig Jackson,  
Plaintiff-Appellant,

-against-

The City of New York Department of  
Corrections,  
Defendant-Respondent.  
-----X

M-4596  
Index No. 400328/06

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about May 18, 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 denied, 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 December 4, 2014.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
Karla Moskowitz  
Sallie Manzanet-Daniels  
Darcel D. Clark, Justices.

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

-against-

**M-4293**  
Ind. No. 564/09

Robert Fleming,  
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, rendered on or about September 4, 2013,

And defendant having moved for leave to file a pro se supplemental brief on appeal,

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

Ordered that the motion is denied, as premature, said appeal having not yet been perfected.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 4, 2014.

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

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

-against-

M-4632  
Ind. No. 1492/09

Herbert Deas,  
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on January 10, 2013 (Appeal No. 8976), unanimously affirming a judgment of the Supreme Court, New York County (Marcy Kahn, J.), rendered on March 3, 2011,

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

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

It is ordered that said application is denied.

ENTER:



\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 4, 2014.

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

-----X  
The Doe Fund, Inc., et al.,  
Plaintiffs-Appellants,

-against-

M-5206  
Index No. 106985/10

Interstate Fire & Casulaty Company,  
Defendant.

-----X  
(And another action)  
-----X

Plaintiff-appellant having moved for an enlargement of time to perfect their appeal from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about January 9, 2014,

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 March 2015 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 December 4, 2014.

Present - Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Karla Moskowitz  
Rosalyn H. Richter  
Darcel D. Clark, Justices.

-----x  
Board of Managers of the Cove Club  
Condominium,

Plaintiff-Respondent,

-against-

M-5590  
Index No. 104309/12

Lawrence M. Jacobson, et al.,

Defendants-Appellants.  
-----x

Defendants-appellants having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about January 9, 2014 (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 2015 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 December 4, 2014.

Present - Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Karla Moskowitz  
Rosalyn H. Richter  
Darcel D. Clark, Justices.

-----x

National League for Nursing, Inc.,  
Plaintiff-Respondent,

-against-

M-5591  
Index No. 651744/11

National League for Nursing Accrediting  
Commission, Inc. and Sharon Tanner,  
Defendants-Appellants.

-----x

Appeals having been taken to this Court by defendants from judgments of the Supreme Court, New York County, entered on or about November 1, 2013 and January 6, 2014, respectively,

And defendants-appellants having moved for consolidation of the aforesaid appeals, and for an enlargement of time to perfect same,

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

It is ordered that the motion is granted to the extent of permitting defendants-appellants to prosecute the consolidated appeals upon 9 copies of one record and one set of appellants' points covering the consolidated appeals. The time to perfect the consolidated appeals is enlarged to the April 2015 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 December 4, 2014.

Present - Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Karla Moskowitz  
Rosalyn H. Richter  
Darcel D. Clark, Justices.

-----x

William J. Howard,  
Plaintiff-Respondent-Appellant, M-5302

-against-

Index No. 104923/09

Turner Construction Company, et al.,  
Defendants-Respondents-Appellants.

- - - - -

Turner Construction Company, et al.,  
Third-Party Plaintiffs-Respondents-  
Appellants,

-against-

Index No. 590471/11

High Rise Fire Protection Corporation,  
Third-Party Defendant-Appellant-  
Respondent.

- - - - -

Turner Construction Company, et al.,  
Second Third-Party Plaintiffs-  
Respondents-Appellants,

-against-

Index No. 590621/11

Hugh O'Kane Electric Company,  
Second Third-Party Defendants.

- - - - -

William J. Howard,  
Plaintiff-Respondent-Appellant,

-against-

Index No. 104923/09

Highrise Fire Protection Corp. and  
Hi-Rise Fire Protection Corp.,  
Defendants-Appellants.

-----x

An appeal and cross appeals having been taken to this Court from the order of the Supreme Court, New York County, entered on or about December 13, 2013 (mot. seq. no. 005), and the direct appeal taken by Highrise Fire Protection Corp., et al. having been perfected,

And defendants Highrise Fire Protection Corp., et al. having moved for a stay of trial pending hearing and determination of the 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, and defendants Turner Construction Company, et al. and plaintiff William J. Howard are directed to perfect their appeals for the April 2015 Term, to which Term the direct appeal by defendants Highrise Fire Protection Corp., et al. is adjourned. The Clerk is directed to calendar the appeals for hearing together in said April 2015 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 December 4, 2014.

Present: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
David B. Saxe  
Judith J. Gische  
Barbara R. Kapnick, Justices.

-----X  
The People of the State of New York  
ex rel. Rahmir Williams,  
Petitioner-Appellant,

**M-4010**  
Index No. 340136/14

-against-

Warden, Rikers island Correctional  
Facility, et al.,  
Respondents-Respondents.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, entered on or about June 12, 2014, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, for the assignment of counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that petitioner-appellant serves one copy of such brief upon the attorney for respondents and files 9 copies of such brief, together with the original record, with this Court. Petitioner-appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record. The Clerk of the Supreme Court, Bronx County, is directed to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, with a copy to petitioner-appellant's counsel, the cost thereof to be charged against the City of New York from funds available therefor. So much of the motion which seeks assignment of counsel 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 December 4, 2014.

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

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

-against-

Sean Terrell,  
Defendant-Appellant.

**M-4203**  
Ind. Nos. 1406/13  
2878/12

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about June 3, 2014, and for leave to prosecute the appeal as a poor person on the original record and upon a reproduced appellant's brief, and for assignment of counsel,

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

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

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

Richard M. Greenberg, Esq., Office of the Appellate Defender, 45 West 45th Street, Suite 706, New York, New York 10036, Telephone No. 212-719-0766, 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

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

BEFORE: Hon. Peter Tom  
Justice of the Appellate Division

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

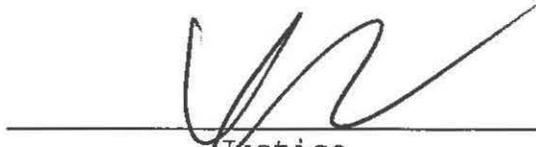
M-4500  
Ind. No. 7384/96

-against-

Rivas Colon,  
Defendant.

-----X  
The above-named defendant having moved for an extension of time to file a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15 for leave to appeal the order of Supreme Court, New York County, entered on or about, May 22, 2014. 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 granting defendant leave to file the certificate within 90 days from the date of entry hereof.

  
\_\_\_\_\_  
Justice

Dated: November 3, 2014  
New York, New York

ENTERED: **DEC 04 2014**

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

BEFORE: Hon. Peter Tom  
Justice of the Appellate Division

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

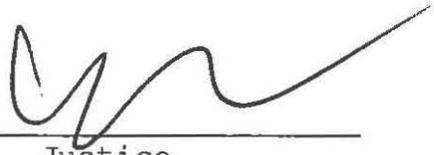
M-4551  
Ind. No. 14998/91

-against-

Benjamin Williams,  
Defendant.

-----X  
The above-named defendant having moved for an extension of time to file a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15 for leave to appeal the order of Supreme Court, New York County, entered on or about, May 20, 2014. 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 granting defendant leave to file the certificate within 60 days from the date of entry hereof.

  
\_\_\_\_\_  
Justice

Dated: November 3, 2014  
New York, New York

ENTERED: **DEC 04 2014**

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

BEFORE: Hon. Peter Tom  
Justice of the Appellate Division

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

M-4311  
Ind. No. 3586/13

-against-

Omar Shabazz,

CERTIFICATE  
DENYING LEAVE

Defendant.  
-----X

I, Peter Tom, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about May 23, 2014 is hereby denied.

  
\_\_\_\_\_  
Hon. Peter Tom  
Associate Justice

Dated: November 6, 2014  
New York, New York

ENTERED

DEC 04 2014

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

BEFORE: Hon. Karla Moskowitz  
Justice of the Appellate Division

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

M-4720  
Ind. No. 11902/94

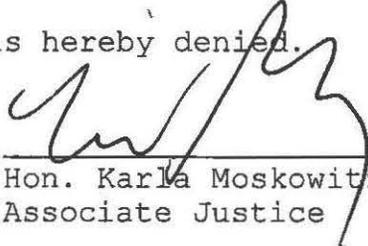
-against-

CERTIFICATE  
DENYING LEAVE

Edgar Rivera,

Defendant--  
-----X

I, Karla Moskowitz, 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, §§ 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about July 18, 2014 is hereby denied.

  
\_\_\_\_\_  
Hon. Karla Moskowitz  
Associate Justice

Dated: October 27, 2014  
New York, New York

ENTERED: **DEC 04 2014**

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

BEFORE: Hon. Karla Moskowitz  
Justice of the Appellate Division

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

M-4648  
Ind. No. 5103/2008

-against-

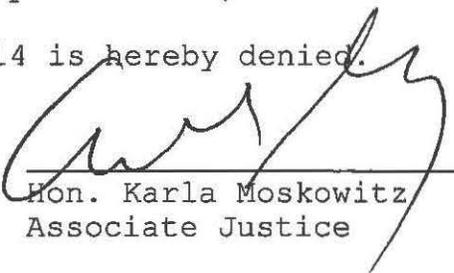
CERTIFICATE  
DENYING LEAVE

Andre Fields,

Defendant.

-----X

I, Karla Moskowitz, 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, §§ 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about August 15, 2014 is hereby denied.

  
\_\_\_\_\_  
Hon. Karla Moskowitz  
Associate Justice

Dated:

*November 7, 2014*  
New York, New York

ENTERED: **DEC 04 2014**

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

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

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

M-4002  
Ind. No. 8414/99

-against-

CERTIFICATE  
DENYING LEAVE

Lashawn Mackey  
Defendant.

-----X

I, Hon. Leland G. DeGrasse, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about May 30, 2014, is hereby denied.

Dated: New York, New York  
October 30, 2014

\_\_\_\_\_  
Hon. Leland G. DeGrasse  
Justice of the Appellate Division

**ENTERED** DEC 04 2014

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

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

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

M-4502  
Ind. No. 1111/10

-against-

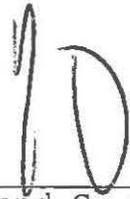
CERTIFICATE  
DENYING LEAVE

Ravi Loganathan,  
Defendant.

-----X

I, Hon. Leland G. DeGrasse, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about May 19, 2014, is hereby denied.

Dated: New York, New York  
October 22, 2014



**ENTERED**

**DEC 04 2014**

\_\_\_\_\_  
Hon. Leland G. DeGrasse  
Justice of the Appellate Division

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

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

-----x

The People of the State of New York,

M-4842  
Ind. Nos. 4982/85  
1158/94

-against-

ORDER DENYING LEAVE  
UPON REARGUMENT

Hector Rivera,

Defendant.

-----X

I, Leland G. DeGrasse, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application made by the above-named defendant for reargument of the order of a Justice of this Court (M-2964), entered on July 31, 2014, which denied his motion for a certificate pursuant to Criminal Procedure Law, section 460.15, and no question of law or fact having been misapprehended or overlooked, permission to reargue the denial of leave to appeal from the order of the Supreme Court, Bronx County, entered on or about April 4, 2014, is hereby denied.



\_\_\_\_\_  
Hon. Leland G. DeGrasse  
Justice of the Appellate Division

Dated: New York, New York  
November 6, 2014

**ENTERED**

DEC 04 2014

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

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

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

M-4330  
Ind. No. 1448/09

-against-

CERTIFICATE  
DENYING LEAVE

Osman Osman,

Defendant.

-----X  
I, Sallie Manzanet-Daniels, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about July 29, 2014, is hereby denied.

  
Associate Justice

Dated: October 27, 2014  
New York, New York

ENTERED:

DEC 04 2014

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-4704  
Ind. No. 2043/05

-against-

CERTIFICATE  
DENYING LEAVE

Jarvis Cromwell,  
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 dated June 25, 2014 of the  
Supreme Court, New York County (Gregory Carro, J.), is hereby  
denied.

  
\_\_\_\_\_  
Associate Justice

Dated: October 28, 2014  
New York, New York

ENTERED: **DEC 04 2014**

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,  
Respondent

M-5296  
Ind. No. 6306/2010

-against-

CERTIFICATE  
GRANTING LEAVE

Camacho Olivero,

Defendant-Appellant  
-----X

I, Judith J. Gische, a Justice of the Appellate Division, First Judicial Department, do hereby certify that in the proceedings herein questions of law or fact are involved which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is hereby granted to the above-named defendant to appeal to the Appellate Division, First Judicial Department, from the order of the Supreme Court, New York County (Daniel P. Fitzgerald, J.), entered on or about September 17, 2014.<sup>1</sup>

Dated: November 3, 2014  
New York, New York

**ENTERED**

DEC 04 2014

\_\_\_\_\_  
Hon. Judith J. Gische  
Associate Justice

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

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

P.M ORDERS  
FOR  
DECEMBER 4,  
2014

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 4, 2014.

Present: Hon. Peter Tom, Justice Presiding,  
David Friedman  
Diane T. Renwick  
Sallie Manzanet-Daniels  
Barbara R. Kapnick, Justices.

-----X  
In the Matter of the Application of  
Prospect Park East Network, et al.,  
Petitioners-Appellants,

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

**M-5610**  
**M-5628**  
Index No. 101695/13

-against-

New York State Homes & Community  
Renewal, et al.,  
Respondents-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 18, 2014, and said appeal having been perfected,

And respondents-respondents having moved for an order dismissing the aforesaid appeal (M-5610),

And petitioners-appellants having cross-moved for an order granting a temporary restraining order pursuant to CPLR §5518, and for a preference in the hearing of the aforesaid appeal (M-5628),

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 respondents' motion and petitioner's cross motion are both denied.

ENTER:

  
CLERK