

At a 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 30, 2014.

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

-----X
Julio Cesar Rodriguez,
Plaintiff-Respondent,

-against-

Hertz Vehicles, et al.,
Defendants,

M-6091X
Index No. 308125/10

Cameron Fisher and Panagiotis G. Makkas,
Defendants-Appellants.
-----X

Appeals having been taken from the order of the Supreme Court, Bronx County, entered on or about April 9, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" December 8, 2014, and due deliberation having been had thereon,

It is ordered that the appeals are withdrawn in accordance with the aforesaid stipulation.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 30, 2014.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzairelli
Richard T. Andrias
Leland G. DeGrasse
Darcel D. Clark, Justices.

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

-against-

M-4644
Ind. No. 2440/11

Clifford Bostic,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about November 1, 2011, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

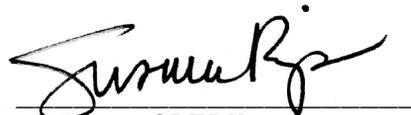
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) 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 30, 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 and or Visitation Under
Article 6 of the Family Court Act.

Myles M.,
Petitioner-Appellant,

-against-

M-4420
Docket Nos. V-2882/10
V-2882/10A
V-14731/10
V-14731/10A

Pei-Fong K.,
Respondent-Respondent.

Larry S. Bachner, Esq.,
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 August 20, 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;¹ **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.** (See M-4466, decided simultaneously herewith.)

ENTER:



CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 30, 2014.

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

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

Myles M.,
Petitioner-Appellant,

-against-

M-4466
Docket Nos. V-2882/10
V-2882/10A
V-14731/10
V-14731/10A

Pei-Fong K.,
Respondent-Respondent.

Larry S. Bachner, Esq.,
Attorney for the Child.

-----X

Elliot Podhorzer, Esq., Family Court attorney for the subject child, having moved on said child's behalf for leave to respond, as a poor person, to the appeal from the order of the Family Court, New York County, entered on or about August 20, 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, Larry S. Bachner, Esq., 153-10 Jamaica Avenue, Suite #201, Jamaica, NY 11432, Telephone No. (917) 378-0176, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this Court. (See M-4420, 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 30, 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 and/or Visitation Under
Article 6 of the Family Court Act.

Goffrey Colin D., **M-4736**
Petitioner-Respondent, Index No. V-43049-10/13

-against-

Janelle Latoya A.,
Respondent-Appellant.

Seth Kaufman, Esq.,
Attorney for the Child.
-----X

Petitioner-respondent having moved for leave to respond, as a poor person, to the appeal from the order of the Family Court, New York County, entered on or about January 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, Kenneth M. Tuchillo, Esq., 591 Warburton Avenue, #576, Hastings on the Hudson, New York, NY 10706, Telephone No. (914) 439-4843, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition

that one copy of such brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this Court. Sua sponte, the appeal is adjourned to the March 2015 Term.

ENTER:

A handwritten signature in black ink, appearing to read "Susan R. Jones". The signature is written in a cursive style with a prominent initial "S".

CLERK

At a 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 30, 2014.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
David Friedman
Judith J. Gische, Justices.

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

Rodney W., Petitioner-Respondent, **M-5013**
Docket No. V-28884/12

-against-

Josephine F., Respondent-Appellant.

Jessica M. Brown, Esq., Attorney for the Child.
-----X

Petitioner-respondent having moved for leave to respond, as a poor person, to the appeal from the order of the Family Court, Bronx County, entered on or about November 18, 2013, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Steven N. Feinman, Esq., One North Broadway, Suite 412, White Plains, NY 10601, Telephone No. (914) 949-8214, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this Court. Sua sponte, the appeal is adjourned 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 30, 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-5314
Ind. No. 5473/01

James Massey,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County (Bruce, J.), entered on or about October 1, 2014, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

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

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 30, 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-5320
Ind. No. 11639/87

Jose Garcia,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Roger S. Hayes, J.), entered on or about August 27, 2014, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

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

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 30, 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-5369
Ind. No. 5988/06

Maurice Newton,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Ronald Zweibel, J.), entered on or about October 3, 2014, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

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

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 30, 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-5422
Ind. No. 819/13

Leondriss Jeffreys,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Robert Stolz, J.), entered on or about October 9, 2014, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

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

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 30, 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-5330
Ind. No. 99022/14

George Reid,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County (Raymond Bruce, J.), entered on or about October 1, 2014, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

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

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 30, 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-5536
Ind. No. 30169/13

Raul Guadalupe,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Neil Ross, J.), entered on or about October 10, 2013, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

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

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 30, 2014.

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

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

-against-

M-5553
Ind. No. 3654/11

Gilberto Vargas,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Kahn, J.), entered on or about October 24, 2014, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

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

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 30, 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-5554
Ind. No. 79/13

Jesse Badillo,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County (Raymond Bruce, J.), entered on or about October 8, 2014, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

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

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

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 30, 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-5664
Ind. No. 6208/06

Jerome Arps,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Clott, J.), entered on or about October 30, 2014, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

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

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 30, 2014.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
David B. Saxe
Rosalyn H. Richter
Paul G. Feinman
Barbara R. Kapnick, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-4366
Ind. No. 636/12

Kashmisha Monroe,
Defendant-Appellant.

-----X

An order of this Court having been entered on July 30, 2014 (M-2933), granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about April 23, 2013, and assigning Steven Banks, Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such 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 striking the designation of successor assigned counsel Seymour W. James, Jr., Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York, 10007, Telephone No. 212-402-4100, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

ENTER:


CLERK

At a 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 30, 2014.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
David B. Saxe
Rosalyn H. Richter
Paul G. Feinman
Barbara R. Kapnick, Justices.

-----x
Naum Friedman,
Plaintiff-Appellant,

-against-

Yakov, also known as Jacob Fayenson,
et al.,
Defendants-Respondents,

M-4372
Index No. 650106/11

-and-

Korm Realty Inc.,
Nominal Defendant-Respondent.

-----X
Jacob Fayenson Revocable Trust,
Counterclaim Plaintiff-Respondent,

-against-

Naum Friedman, et al.,
Counterclaim Defendants-Appellants,

-and-

Korm Realty Inc.,
Nominal Defendant-Respondent.

-----x

Plaintiff/counterclaim defendant-appellant and counterclaim defendants-appellants Naum Freidman, et al. 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 December 9, 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 30, 2014.

PRESENT - Hon. Peter Tom, Justice Presiding,
David Friedman
Dianne T. Renwick
Sallie Manzanet-Daniels
Barbara R. Kapnick, Justices.

-----X

Paul Hsu,
Plaintiff-Appellant,

-against-

M-5643
Index No. 400136/14

Carolyn Shields, et al.,
Defendants-Respondents.

-----X

Defendants-respondents having moved to dismiss the appeal from the order of the Supreme Court, New York County, entered on or about September 18, 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 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 30, 2014.

Present - Hon. Peter Tom, Justice Presiding,
Dianne T. Renwick
Karla Moskowitz
Rosalyn H. Richter
Barbara R. Kapnick, Justices.

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

-against-

M-4499
Ind. No. 947/14

Giovanny Negron,
Defendant-Appellant.

-----X

Defendant, both pro se and by The Legal Aid Society, having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about July 17, 2014, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) 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 30, 2014.

Present - Hon. Peter Tom, Justice Presiding,
Dianne T. Renwick
Karla Moskowitz
Rosalyn H. Richter
Barbara R. Kapnick, Justices.

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

-against-

Ismael Bencome,
Defendant-Appellant.

M-4646
Ind. Nos. 2882/13
4087/12
3935/11

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about January 9, 2014, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 30, 2014.

Present - Hon. Peter Tom, Justice Presiding,
Karla Moskowitz
Rosalyn H. Richter
Barbara R. Kapnick, Justices.

-----x

In the Matter of

Jake M.,

A Person Alleged to be a Juvenile
Delinquent,

M-4593
Docket No. D-01793/13

Appellant.

-----x

Appellant having moved for an enlargement of time to perfect the appeal from the order of the Family Court, Bronx County, entered on or about 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 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 30, 2014.

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

-----x
In the Matter of the Application of
Jill Guttman,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78
of the CPLR,

M-5642
Index No. 103514/12

-against-

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

-----x
Petitioner-appellant having moved for an enlargement of time to perfect the appeal from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about December 11, 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 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 30, 2014.

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

-----X
Barbara Molnar,
Plaintiff,

Index No. 111470/11

-against-

Pasquale Fabio Granato,
Defendant.

-----X
Pasquale Fabio Granato,
Plaintiff-Appellant,

M-5818

Index No. 158347/12

-against-

Barbara Molnar,
Defendant-Respondent.

-----X

An appeal having been taken to this Court by defendant/plaintiff-appellant, Pasquale Fabio Granato, from an order of the Supreme Court, New York County, entered on or about January 10, 2014 [Index No. 158347/12],

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

Now, upon reading and filing the papers with respect to the motion, and 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 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 30, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick, Justices.

-----X
Latisha A. Gibbs, et al.,
Plaintiffs,

Janes E. Jackson,
Plaintiff-Respondent,

-against-

M-5673
Index No. 17945/06

The New York City Transit Authority,
Defendant-Appellant,

The Manhattan and Bronx Surface Transit
Operating Authority, et al.,
Defendants.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, Bronx County, entered on or about July 17, 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 May 2015 Term, with no further enlargements.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 30, 2014.

Present: Hon. Peter Tom, Justice Presiding,
David Friedman
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick, Justices.

-----X
In the Matter of the Application of
Jonathan Jacobs,
Petitioner-Cross Respondent,

For an Order Pursuant to Article 78 M-5779
of the Civil Practice Law and Rules, Index No. 401303/13

-against-

New York State Division of Human Rights,
and Lillie Davis Staton,
Respondents-Cross Petitioners,

Jacobs RE LLC,
Respondent.
-----X

An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about November 14, 2013, to review a determination of respondent,

And respondents-cross petitioner New York State Division of Human Rights having moved for an enlargement of time to perfect the aforesaid proceeding on its cross petition,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the proceeding (petition and cross petition) 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 30, 2014.

Present - Hon. Peter Tom, Justice Presiding,
David Friedman
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick, Justices.

-----x
Jerry B. Bias,

Plaintiff-Appellant,

-against-

Lauren Maillian Bias,
Defendant-Respondent.

-----x

M-5943

M-5953

Index No. 350016/10

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about January 7, 2014, and said appeal having been perfected,

And defendant-respondent having moved for an enlargement of time to file a respondent's brief (M-5943),

And plaintiff-appellant having cross-moved for a stay of the order pending hearing and determination of the aforesaid appeal (M-5953),

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

It is ordered that the motion is granted to the extent of adjourning the appeal to the May 2015 Term (M-5943). The cross 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 30, 2014.

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

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

Christopher E. C., **M-5371**
Petitioner-Appellant, Docket No. V-10178/13

-against-

Ivana K. S.,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for a stay of the Order of Fact-Finding in the above-entitled action pending hearing and determination of the appeal taken from an order of the Supreme Court, Bronx County, entered on or about October 14, 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 on condition that the appeal is perfected on or before February 23, 2015 for 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 30, 2014.

Present: Hon. Peter Tom, Justice Presiding,
David Friedman
Rolando T. Acosta
Leland G. DeGrasse
Judith J. Gische, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-4353
Ind. No. 3816/03

Raymond Mormile,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on April 18, 2006 (Appeal No. 8294), unanimously affirming a judgment of the Supreme Court, New York County (Charles Solomon, J.), rendered on April 20, 2004

And defendant-appellant having moved for an order granting movant anonymity in connection with the aforesaid appeal, designating the case as *People v Anonymous*, sealing the record on appeal, and for related relief,

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

It is ordered that the motion is 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 30, 2014.

PRESENT - Hon. Peter Tom, Justice Presiding,
David Friedman
Paul G. Feinman
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
In re Pierino Anastasio,
Petitioner-Appellant,

-against-

M-5797
Index No. 101014/11

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

-----X

Petitioner-appellant having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on October 9, 2014 (Appeal No. 13137),

Now, upon 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 30, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
Sallie Manzanet-Daniels
Barbara R. Kapnick, Justices.

-----X
The People of the State of New York
ex rel. Richard Sunday Ifill,
Petitioner,

-against-

M-5449

Warden Duffy, Rikers Island, et al.,
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 application for the writ is hereby granted, and

It is further ordered that the matter is transferred to the Ex Parte Office of the Supreme Court at 60 Centre Street, New York, New York 10007 for the issuance of said writ and service by mail upon the respective parties.

The motion is otherwise denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 30, 2014.

Present: Hon. Peter Tom, Justice Presiding,
David Friedman
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick, Justices.

-----X
Julio German and Edit Fordesi,
Plaintiffs-Appellants-Respondents,

-against-

M-5773

Index No. 104446/10

Antonio Development, LLC, et al.,
Defendants-Respondents.

-----X
MCP So Strategic 56, L.P., et al.,
Third-Third-Party Plaintiffs-
Respondents,

-against-

Cross Country Construction LLC,
Third-Third-Party Defendant-
Respondent-Appellant,

Paramount Plumbing Co. of New York
Inc.,
Third-Third-Party Defendant-
Appellant,

PRT Contracting, Inc., et al.,
Third-Third-Party Defendants.

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

Appeals having been taken by plaintiffs, Julio German and Edit Fordesi, from orders of Supreme Court, New York County, entered on or about January 10, 2014 and June 12, 2014 and separate cross appeals having been taken by third-third-party defendants-appellants, Cross Country Construction LLC and PRT Contracting, Inc., respectively, from the aforesaid order of the Supreme Court, New York County, entered on or about January 10, 2014 the direct appeal and cross appeal having been perfected,

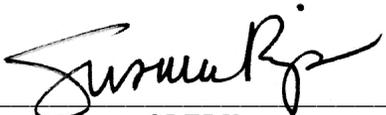
And an appeal having been taken by third-third-party defendant-appellant, Paramount Plumbing Co. of New York Inc., from an order of said Supreme Court, New York County, entered on or about January 10, 2014,

And third-third-party defendant-appellant, Paramount Plumbing Co. of New York Inc., having moved for an enlargement of time to perfect their appeal,

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

It is ordered that, sua sponte, the perfected appeals are adjourned to the April 2015 Term. Third-third-party defendant-appellant, Paramount Plumbing Co. of New York Inc.'s motion is granted to the extent of enlarging the time to perfect its appeal to 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 30, 2014.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
Leland G. DeGrasse
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

-----X

Juanita Young,
Plaintiff-Appellant,

-against-

M-5786
Index No. 303506/10

Compas Car Service Inc., et al.,
Defendants-Respondents.

-----X

Defendants-respondents having moved to dismiss the appeal taken from the order of the Supreme Court, Bronx County, entered on or about September 19, 2013,

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

It is ordered that the motion is 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 30, 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-

Geudy Martinez,

M-4325
Ind. No. 653/13

Defendant-Appellant.
-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about January 7, 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 deeming the moving papers a timely filed notice of appeal.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 30, 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,
Respondent,

-against- M-4610
Ind. Nos. 513/09
Robert Pastore, 5477/12
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about February 6, 2014, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) 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 30, 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-

Waldy Mena-Lopez, Defendant-Appellant.
Ind. Nos. 4228/09
1381/12

-----X

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

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) 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 30, 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-4277
Ind. No. 1037/11

Kier Valentine,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about July 17, 2013, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) 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 30, 2014.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Leland G. DeGrasse
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

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

-against-

M-5709
Ind. No. 4107/13

Aaron Hope,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about October 17, 2013, for leave to prosecute the appeal as a poor person, 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 only to the extent of deeming the moving papers a timely filed notice of appeal.

The motion, to the extent that it seeks poor person relief, is denied, with leave to renew upon defendant's submission of a notarized affidavit, in compliance with CPLR 1101, setting forth the terms of defendant's retainer agreement with trial counsel, Jonathan Goldin, Esq., as well as the amount and sources of funds for trial counsel's fee, and an explanation as to why similar funds are not available to prosecute this appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 30, 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,

Respondent,

-against-

M-4432
Ind. No. 4770/11

Eric Jones,

Defendant-Appellant.

-----X

An order of this Court having been entered on November 20, 2012 (M-4657), granting defendant leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about September 6, 2012, and assigning Steven Banks, Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such 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 striking the designation of successor assigned counsel Seymour W. James, Jr., Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York, 10007, Telephone No. 212-402-4100, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

ENTER:


CLERK

At a 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 30, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick, Justices.

-----X
Latisha A. Gibbs, et al.,
Plaintiffs,

Janes E. Jackson,
Plaintiff-Respondent,

-against-

M-5673
Index No. 17945/06

The New York City Transit Authority,
Defendant-Appellant,

The Manhattan and Bronx Surface Transit
Operating Authority, et al.,
Defendants.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, Bronx County, entered on or about July 17, 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 May 2015 Term, with no further enlargements.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 30, 2014.

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

-----X

National Liability & Fire Insurance
Company,
Plaintiff-Appellant,

-against-

M-5817
Index No. 151174/14

Tatianna Joseph, 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 October 20, 2014, and said appeal having been perfected,

And plaintiff-appellant having moved for a stay of all proceedings in the above-captioned matter, as well as proceedings in certain related Civil Court matters, pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is granted only to the extent of staying all proceedings related to the New York County Supreme Court action, and otherwise denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 30, 2014.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Leland G. DeGrasse
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

-----X
Amy Kawata Carter,
Plaintiff-Respondent,

-against-

M-5608
Index No. 306591/12

Gregory Philip Carter,
Defendant-Appellant.
-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about January 21, 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 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 30, 2014.

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

-----X
Hudmor Corp.,
Plaintiff,

-against-

M-5674
Index No. 158732/12

Lenora Mickey and Terence Mickey,
Defendants.

-----X
Lenora Mickey,
Third-Party Plaintiff-Respondent,

-against-

Marybeth Duffy,
Third-Party Defendant-Appellant.

-----X

Third-party defendant-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about August 26, 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 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 30, 2014.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Leland G. DeGrasse
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

-----x

Pedro Bautista,
Plaintiff-Appellant,

-against-

M-5671
Index No. 109503/08

165 West End Avenue Associates, L.P.,
et al.,
Defendants-Respondents.

- - - - -
[And other actions]

-----x

Separate appeals having been taken to this Court by plaintiff from the order of the Supreme Court, New York County, entered on or about January 10, 2014 (mot. seq. no. 007), and from the judgment of said Court entered on or about February 28, 2014, respectively,

And plaintiff-appellant having moved for an enlargement of time to perfect the aforesaid appeals,

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

It is ordered that, sua sponte, the appeal from the order entered on or about January 10, 2014 is deemed subsumed in the appeal from the judgment entered on or about February 28, 2014, and it is further,

Ordered that the time to perfect the appeal from the judgment entered on or about February 28, 2014 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 30, 2014.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Leland G. DeGrasse
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

-----x

Tadco Construction Corp.,
Plaintiff-Appellant,

-against-

M-5652
Index No. 600040/07

Dormitory Authority of the State of
New York,
Defendant-Respondent.

-----x

Appeals having been taken to this Court by plaintiff from orders of the Supreme Court, New York County, entered on or about June 19, 2012 and January 9, 2013, respectively,

And plaintiff-appellant having moved for an enlargement of time to perfect the aforesaid appeals,

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

It is ordered that, sua sponte, the appeals are consolidated, and plaintiff-appellant is permitted to prosecute the consolidated appeals upon 9 copies of one record and one set of appellant's points covering the consolidated appeals. The attention of the parties is directed to 22 NYCRR § 600.11. The time to perfect the consolidated appeals 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 30, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Leland G. DeGrasse
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

-----X
IG Second Generation Partners, L.P.,
Plaintiff-Respondent,

Action No. 1

-against-

Index No. 114175/11

Franco La Motta, also known as Francesco
La Motta, also known as Frank La Motta,
Defendant-Appellant.

-----X
Café Amore of NY Restaurant, Inc.,
and Frank La Motta,
Plaintiffs-Appellants,

M-5492

Action No. 2

-against-

Index No. 653124/12

IG Second Generation Partners, L.P.,
and Dewar's Management Co., Inc.
Defendants-Respondents.

-----X

An appeal having been taken to this Court by defendant-appellant (Action No. 1) from an order of the Supreme Court New York County, entered on or about December 20, 2013 and an appeal having been taken in by plaintiff-appellant (Action No. 2) from an order of the same Court and Justice entered on or about December 23, 2013 (Action No. 2), respectively,

And plaintiffs-appellants in both actions having moved for consolidation of the aforesaid appeals,

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

It is ordered that the motion is granted to the extent of permitting appellants to prosecute the aforesaid appeals upon 9 copies of one record and one set of appellant's points covering the appeals and enlarging the time in which to perfect the consolidated appeals 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 30, 2014.

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

-----x

Arrowhead Target Fund, Ltd.,
Plaintiff-Respondent,

-against-

M-4352
Index No. 651481/10

Peter Hoffman, et al.,
Defendants-Appellants.

-----x

Appeals having been taken to this Court by defendants from the order of the Supreme Court, New York County, entered on or about October 4, 2013, and from the order and judgment (one paper) of said Court entered on or about January 30, 2014, respectively,

And defendants-appellants having moved for consolidation of the aforesaid appeals,

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

It is ordered that the motion is granted to the extent of permitting defendants-appellants to prosecute the consolidated appeals upon 9 copies of one record and one set of appellants' points covering the consolidated appeals. The attention of the parties is directed to 22 NYCRR § 600.11. The time to perfect the consolidated appeals 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 30, 2014.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
Dianne T. Renwick
Richard T. Andrias
Rosalyn H. Richter
Paul G. Feinman, Justices.

-----X

Benjamin Morales,
Plaintiff-Appellant,

-against-

M-5294
Index No. 301781/07

Jorge Garzon, et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on September 23, 2014 (Appeal No. 13006-13006A),

Now, upon 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 30, 2014.

Present - Hon. David Friedman, Justice Presiding,
Karla Moskowitz
Paul G. Feinman
Judith J. Gische
Barbara R. Kapnick, Justices.

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

Respondent,

-against-

M-4479
Ind. No. 4140N/11

Edward Luna,

Defendant-Appellant.

-----X

Defendant having renewed the motion for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 11, 2013, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) 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 30, 2014.

Present - Hon. David Friedman, Justice Presiding,
Karla Moskowitz
Paul G. Feinman
Judith J. Gische
Barbara R. Kapnick, Justices.

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

-against-

M-4480
Ind. No. 3357/12

Steven Pacheco,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about May 8, 2014, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) 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 30, 2014.

Present - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
David B. Saxe
Sallie Manzanet-Daniels, Justices.

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

-against-

M-4689
Ind. No. 1196/04

Jamel Purnell,
Defendant-Appellant.

-----X

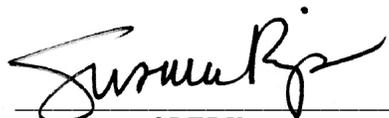
Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County, entered on or about September 2, 2014, resentencing defendant pursuant to CPL 440.46, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief,

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

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 30, 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,

Respondent,

-against-

M-4125
Ind. No. 1979/09

Marcus King, also known as Knight, Marcus,
King, Markus,

Defendant-Appellant.
-----x

Defendant-appellant having moved, through assigned counsel, for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about January 11, 2012,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the 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 30, 2014.

Present - Hon. David Friedman, Justice Presiding,
Karla Moskowitz
Paul G. Feinman
Judith J. Gische
Barbara R. Kapnick, Justices.

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

-against-

M-4535
Ind. No. 829/08

Nathan Sams,
Defendant-Appellant.

-----X

An order of this Court having been entered on May 5, 2009 (M-1711), inter alia, assigning Robert S. Dean, Esq., as counsel to prosecute defendant's appeal from a judgment of the Supreme Court, New York County, rendered on March 31, 2009,

And counsel having moved for an order abating the appeal by reason of appellant's death, remanding the matter to the trial court to vacate the judgment of conviction, and dismissing the indictment,

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

It is ordered that the motion is granted to the extent of dismissing the appeal because of appellant's death on April 24, 2014, and remanding the matter to the Supreme Court, New York County, for proceedings to vacate the judgment of conviction and to dismiss the indictment. (See *People v Matteson*, 75 NY2d 745; *People v Mintz*, 20 NY2d 753, 770.)

ENTER:


CLERK

At a 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 30, 2014.

PRESENT - Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Leland G. DeGrasse
Darcel D. Clark
Barbara R. Kapnick, Justices.

-----X
James C. Powell, As Administrator of
the Estate of James Williamson,
Plaintiff-Appellant,

-against-

M-5586
Index No. 301724/12

Beth Israel Medical Center, et al.,
Defendants-Respondents.
-----X

Defendants-respondents having moved to dismiss the appeal taken from the order of the Supreme Court, Bronx County, entered on or about July 23, 2012,

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

It is ordered that the motion is granted 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 30, 2014.

PRESENT - Hon. John W. Sweeny, Jr., Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Rosalyn H. Richter
Darcel D. Clark, Justices.

-----X
In the Application of:

Karelis Gutierrez, an Infant Under the Age of 14 Years old by her Mother and Natural Guardian Ivelisse Melendez, and Ivelisse Melendez, Individually, Petitioners-Appellants,

-against-

M-5695
Index No. 350116/13

The Motor Vehicle Accident Indemnification Corporation, Respondent-Respondent.

-----X

Respondent-respondent having moved to dismiss the appeal from the order of the Supreme Court, Bronx County, entered on or about June 12, 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 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 30, 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- M-4201
Ind. No. 3595/08
Koleen Robinson, Case No. 49041C/08
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about October 29, 2012, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, for the assignment of retained counsel on the appeal, and for other relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, 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 serve one copy of such brief upon the District Attorney of said county and file 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.

Defendant-appellant's time in which to perfect the appeal is enlarged until 120 days from the date of filing of the record. The motion, to the extent it seeks assignment of retained counsel, is denied as unnecessary.

ENTER:


CLERK

At a 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 30, 2014.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Rosalyn H. Richter
Darcel D. Clark, Justices.

-----X
Joseph Gelsi, et al.,

Plaintiffs-Respondents,

-against-

RCA Asphalt, LLC,

Defendant-Appellant.
-----X

M-5647

Index No. 302293/10

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about July 9, 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 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 30, 2014.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Rosalyn H. Richter
Darcel D. Clark, Justices.

-----x
Maria Casanova,

Plaintiff-Respondent-Appellant,

-against-

M-5716

M-5780

Index No. 107936/09

Midtown West B L.L.C., et al.,

Defendants-Appellants-Respondents.

-----x

An appeal and cross appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about November 25, 2013,

And plaintiff-respondent-appellant having moved for an enlargement of time to perfect her cross appeal (M-5716),

And defendants-appellants-respondents having separately moved for an enlargement of time to perfect the direct appeal (M-5780),

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 to the extent of enlarging the time to perfect the appeal and cross appeal 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 30, 2014.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,
Richard T. Andrias
David B. Saxe
Leland G. DeGrasse
Judith J. Gische, Justices.

-----X
Jin Hee Park, as Administratrix of
the Estate of Chan Gil Park, deceased,
Jin Hee Park, Individually, and Kyoo
Hee Park,

Plaintiffs-Appellants,

-against-

MTLR Corp. and Junior R. Gregory,
Defendants-Respondents.

M-5663
Index No. 303637/11

-----X

Appeals having been taken from orders of the Supreme Court, Bronx County, entered on or about August 29, 2013 and on or about April 9, 2014, respectively,

And plaintiffs-appellants having moved for an enlargement of time to perfect the appeal taken from the order of said Supreme Court, entered on or about August 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, sua sponte, the aforesaid appeals are consolidated, and plaintiffs-appellants are permitted to prosecute said appeals upon 9 copies of one record and of one set of appellants' points covering the appeals. The time to perfect said consolidated appeals 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 30, 2014.

PRESENT - Hon. John W. Sweeny, Jr., Justice Presiding,
Richard T. Andrias
David B. Saxe
Leland G. DeGrasse
Judith J. Gische, Justices.

-----X
MSMC Residential Realty, LLC, a New York
Limited Liability Company,
Petitioner-Landlord-Respondent,

-against-

M-5634
Index No. 571021/13
53034/13

CP at Madison Avenue, Inc., a New York
Corporation, etc.,
Respondent-Tenant-Appellant,

-and-

"John Doe" 1-3 and/or "Jane Doe" 1-3,
Respondents-Undertenants.

-----X

Respondent-tenant-appellant having moved for leave to appeal to this Court from the decision and order of the Appellate Term, entered in the office of the Clerk of the Supreme Court, New York County on or about June 5, 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 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 30, 2014.

PRESENT - Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Richard T. Andrias
Rosalyn H. Richter
Barbara R. Kapnick, Justices.

-----X

Tarsheka Luckey, et al.,
Plaintiffs-Appellants,

-against-

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

M-4209
Index No. 18937/03

-----X

Plaintiffs-appellants having moved for reargument of the decision and order of this Court entered on August 7, 2014 (Appeal No. 12796),

Now, upon 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 30, 2014.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
David B. Saxe
Darcel D. Clark, Justices.

-----X
Netologic, Inc., doing business as
Investars,
Plaintiff-Appellant-Respondent,

-against-

M-5447
Index No. 600394/09

Goldman Sachs Group, Inc.,
Defendant-Respondent-Appellant,

Wall Street on Demand, Inc.,
Defendant-Respondent,

Beverly Westle,
Defendant.

-----X

Plaintiff-appellant-respondent having moved for clarification of this Court's decision and order entered on October 1, 2013 (Appeal No. 10647),

Now, upon 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 30, 2014.

Present: Hon. Rolando T. Acosta, Justice Presiding,
Karla Moskowitz
Rosalyn H. Richter
Paul G. Feinman
Darcel D. Clark, Justices.

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

Gunther Powers,
Petitioner,

M-5653
Index No. 103347/12

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

-against-

Robert Doar, etc.,
Respondent.

-----X

An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about January 24, 2013, to review a determination of respondent,

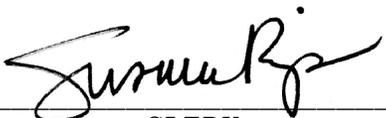
And an order of this Court having been entered on August 28, 2014 (M-1846), denying, with leave to renew, petitioner's motion for leave to prosecute the aforesaid proceeding as a poor person,

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

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

It is ordered that the motion is denied and, sua sponte, the time to perfect the proceeding 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 30, 2014.

Present - Hon. Rolando T. Acosta, Justice Presiding,
Karla Moskowitz
Rosalyn H. Richter
Paul G. Feinman
Darcel D. Clark, Justice.

-----X
In the Matter of a Support Proceeding
Under Article 4 of the Family Court
Act.

Stefani L.,
Petitioner-Appellant,

-against-

M-5609
Docket No. F-27775/09

Eugene B.,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for an enlargement of time to perfect the appeal from an order of the Family Court, New York County, entered on or about April 16, 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 30, 2014.

Present - Hon. Rolando T. Acosta, Justice Presiding,
Karla Moskowitz
Rosalyn H. Richter
Paul G. Feinman
Darcel D. Clark, Justices.

-----x
In the Matter of the Application of
Maria Rocio Auqui for the Appointment
of a Guardian of

Jose V.,

An Alleged Incapacitated Person,

-and-

M-5697
Index No. 500137/09

Maria Rocio Auqui, Property Guardian
of Jose V.,
Petitioner-Appellant,

-against-

Peachtree Funding Northeast, LLC,
Respondent-Respondent.

-----x
Petitioner-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 31, 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 30, 2014.

PRESENT - Hon. Rolando T. Acosta, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

-----X
Svetlana Prokhorova, Sergey Prokhorov,
Plaintiffs-Appellants,

-against-

M-5750
Index No. 307718/08

Angeliki Kasimis, et al.,
Defendants-Respondents.

-----X

Plaintiffs-appellants having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the order of this Court entered on October 16, 2014 (M-3740),

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

It is ordered that the motion is denied.

ENTER:


CLERK

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

BEFORE: Hon. Peter Tom
Justice of the Appellate Division

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

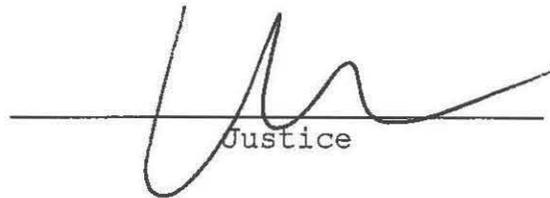
M-3791
Ind. No. 5485/01

-against-

Jason Lewis,
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, Bronx County, entered on or about, September 15, 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: October 31, 2014
New York, New York

ENTERED: **DEC 30 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,

Respondent,

M-5091
Ind. No. 8535/97

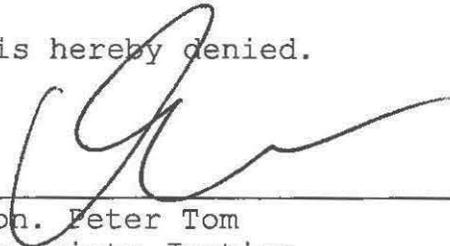
-against-

Carter Baboocall a/k/a Carter Baboolall,

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 August 29, 2013 is hereby denied.



Hon. Peter Tom
Associate Justice

Dated: November 5, 2014
New York, New York

ENTERED

DEC 30 2014

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

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

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

M-5312
Ind. No. 1495/79
3362/80

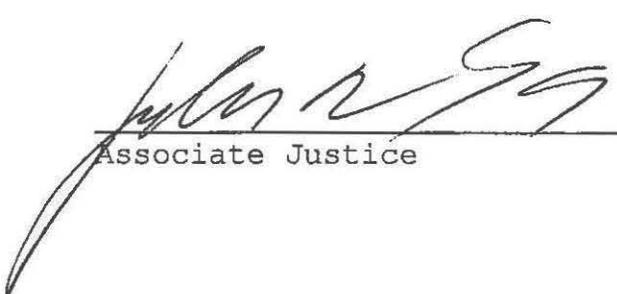
-against-

CERTIFICATE
DENYING LEAVE

Vernon Snype,

Defendant.

-----X
I, John W. Sweeny, Jr., a Justice of the Appellate Division,
First Judicial Department, do hereby certify that, upon
application timely made by the above-named defendant for a
certificate pursuant to Criminal Procedure Law, sections 450.15
and 460.15, and upon the record and proceedings herein, there is
no question of law or fact presented which ought to be reviewed
by the Appellate Division, First Judicial Department, and
permission to appeal from the order of the Supreme Court, Bronx
County, entered on or about September 24, 2013 (Alvin Yearwood,
J.) is hereby denied.


Associate Justice

Dated: December 3, 2014
New York, New York

ENTERED:

DEC 30 2014

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

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

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

M-5089
Ind. No. 4504/02

-against-

CERTIFICATE
DENYING LEAVE

Raymond Ortiz a/k/a Carlos Reyes

Defendant.
-----X

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



Associate Justice

Dated: New York, New York
December 4, 2014

ENTERED: **DEC 30 2014**

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

BEFORE: Hon. Rosalyn H. Richter
Associate Justice of the Appellate Division

-----X
Arbor Realty Funding, LLC,
Plaintiff,

-against-

M-5838
Lead Index No.
651079/2011

Herrick, Feinstein LLP,
Defendant.

Arbor Realty Funding, LLC,
Plaintiff,

-against-

Index No. 601122/2012

Garrett Gourlay, et al.,
Defendants.

East 51st Street Development, LLC,
et al.,
Plaintiffs,

-against,

Index No. 651623/2011

Blank Rome, LLP., and Cozen O'Connor,
Defendants.

-----X

Plaintiffs East 51st Street Development, LLC, 968 Kingsman, LLC, and 964 Associates, LLC, having moved for leave to appeal to this Court from the order of the Supreme Court, New York County, entered on or about October 6, 2014, as amended by order entered on or about October 14, 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.



Hon. Rosalyn H. Richter
Associate Justice

Dated: December 18, 2014
New York, New York

Entered: DEC 30 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 30, 2014.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
David Friedman
John W. Sweeny, Jr.
Diane T. Renwick, Justices.

-----X
Alexander Gliklad,
Petitioner-Respondent,

SEALED

-against-

M-6075
Index No. 15518/14

Michael Cheroni, also known as Michael
Cherney,
Respondent,

Erip, LLC,
Respondent-Appellant.

-----X

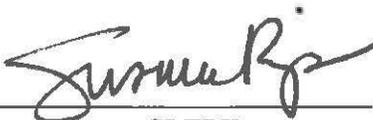
An appeal having been taken from an order of the Supreme Court, New York County, entered on or about October 10, 2014, and said appeal having been perfected,

And respondent-appellant having moved for leave to file a supplemental record on appeal including the documents attached to the Affirmation of Thomas J. Quigley, Esq. submitted in support of the motion, Exhibits A through F,

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

Ordered that the motion is granted, and movant is directed to serve 1 copy and file 9 copies of a supplemental record on appeal for the February 2015 Term containing the aforesaid exhibits A through F, to which Term the perfected appeal is adjourned.

ENTER:


CLERK

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-5520
Ind. No. 4123/10

-against-

CERTIFICATE
DENYING LEAVE

Liza Biscette-James,
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 October 2, 2014 of the Supreme Court, New York County (Patricia Nunez, J.), is hereby denied.



Associate Justice

Dated: December 8, 2014
New York, New York

ENTERED: **DEC 30 2014**

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

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

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

M - 5392
Ind. No. 3326/11

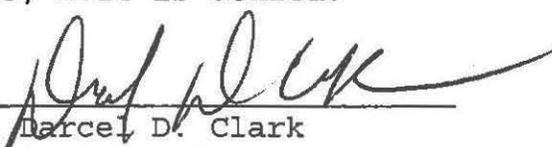
-against-

CERTIFICATE
DENYING LEAVE

Jose Bermudez,

Defendant.
-----X

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



Hon. Darcel D. Clark
Associate Justice

Dated: December 8, 2014
New York, New York

ENTERED: DEC 30 2014

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

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

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

M - 5417
Ind. No. 4155/09

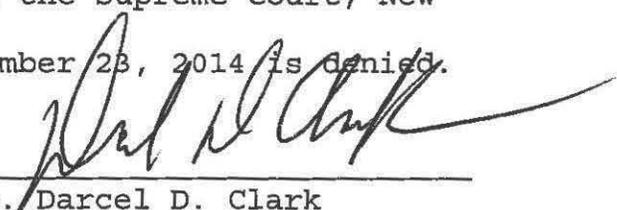
-against-

CERTIFICATE
DENYING LEAVE

Robert Garcia,

Defendant.
-----X

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



Hon. Darcel D. Clark
Associate Justice

Dated: December 8, 2014
New York, New York

ENTERED: **DEC 30 2014**

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

BEFORE: Hon. Barbara R. Kapnick
Justice of the Appellate Division

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

-against-

Alfredo Victoria

Defendant.
-----X

M-4839
Ind. No. 4404/1997
CERTIFICATE
DENYING LEAVE

I, Barbara R. Kapnick, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon the application made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County, dated July 17, 2014, is hereby denied.



Hon. Barbara R. Kapnick

Dated: October 29, 2014
New York, New York

ENTERED: DEC 30 2014

P.M ORDERS
FOR
DECEMBER
30, 2014

(CORRECTED ORDER - February 18, 2015)

At a 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 30, 2014.

Present: Hon. Peter Tom, Justice Presiding,
David Friedman
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick, Justices.

-----X
Cesar N. Ladignon and Helen Ladignon,
Plaintiffs-Respondents,

-against-

Lower Manhattan Development Corporation,
Defendant,

M-5712

M-5977

M-5897

Index No. 100889/10

Bovis Lend Lease LMB, Inc.,
Defendant-Respondent-Appellant/
Appellant,

Paradise Electrical Energy Contractors,
Inc.,
Defendant,

R & J Construction Corp.,
Defendant-Appellant-Respondent/
Respondent,

Gramercy Wrecking & Environmental
Contractors, Inc.,
Defendant-Respondent/Respondent,

-----X
Bovis Lend Lease LMB, Inc.,
Third-Party Plaintiff-Respondent-
Appellant/Appellant,

-against-

Third-Party
Index No. 590379/10

Paradise Electrical Energy Contractors,
Inc.,
Third-Party Defendant,

R & J Construction Corp.,
Third-Party Defendant-Appellant-
Respondent/Respondent,

Gramercy Wrecking & Environmental
Contractors, Inc.,
Third-Party Defendant-Respondent/Respondent.
-----X

(CORRECTED ORDER – February 18, 2015)

(M-5712/M-5977/M-5897)

-2-

December 30, 2014

Separate appeals having been taken by defendant/ third-party defendant-appellant-respondent, R & J Construction Corp., from two separate orders of the Supreme Court, New York County, both entered on or about December 17, 2013 (mot. seq. nos. 004, 006),

And defendant/third-party plaintiff-respondent-appellant, Bovis Lend Lease having taken an appeal from the order of Supreme Court, New York County, entered on or about December 17, 2013 (mot. seq. no. 005), and having taken a cross-appeal from the aforesaid order of the Supreme Court, New York County, entered on or about December 17, 2013 (mot. seq. no. 004), and said appeal and cross-appeal having been perfected,

And a cross appeal having been taken by defendant/third-party defendant-appellant-respondent, Paradise Electrical Energy Contractors, Inc., from the aforesaid order of the same Court and Justice entered on or about December 17, 2013 (mot. seq. no. 004),

And defendant, R & J Construction Corp., having moved for an order enlarging the time to perfect its appeals and to file its respondent's briefs on defendant, Bovis Lend Lease's appeal and cross appeal (M-5712),

And defendant/third-party plaintiff-respondent-appellant, Bovis Lend Lease, having cross-moved to adjourn its perfected appeal and to have its appeal heard with the appeal taken by defendant, R & J Construction Corp. (M-5897),

And defendant, Paradise Electrical Energy Contractors, Inc., having cross-moved to adjourn defendant, Bovis Lend Lease's perfected appeal and cross appeal and to have the aforesaid appeals calendared for hearing together (M-5977),

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

Ordered that the motion (M-5712) and cross motions (M-5977 and M-5897) are granted to the extent of enlarging defendant, R & J Construction Corp.'s time to perfect its appeals and respond to the aforesaid perfected appeal and cross-appeal from the orders entered on December 17, 2013 (mot. seq. nos. 004, 005, 006), to the April 2015 Term, to which Term the perfected appeals are adjourned. Defendant, R & J Construction Corp., is granted leave to file a supplemental appendix containing its notice of appeal (with attached short-form order [mot. seq. no. 004]) dated February 12, 2014, its preargument statement, and its papers in opposition to the motion by defendant

(CORRECTED ORDER - February 18, 2015)

(M-5712/M-5977/M-5897)

-2-

December 30, 2014

Gramercy Wrecking & Environmental Contractors, Inc., for summary judgment. The Clerk is directed to calendar defendant R & J Construction's and defendant Bovis Lend Lease's appeals and cross-appeal during the aforesaid April 2015 Term. Plaintiff respondent, Gramercy Wrecking & Environmental Contracting, Inc., is granted leave to file a supplemental respondent's brief, if so advised, on or before the respondent's deadline for said April 2015 Term. The appeal taken by defendant, Paradise Electrical Energy Contractors, Inc., from the order entered December 17, 2013, is deemed withdrawn.

ENTER:


CLERK