

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 2014.

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

-----X  
Edward A. Hudacko and Christine M.  
Hudacko,  
Plaintiffs-Appellants,

-against-

M-2986X  
Index No. 154342/12

Bank of America, N.A., et al.,  
Defendants-Respondents.  
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about September 9, 2013,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 3, 2014, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 2014.

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

-----X  
Jose Vargas,  
Plaintiff-Respondent,

-against-

M-2987X  
Index No. 307870/11

The New York City Housing Authority,  
Defendant-Appellant.  
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about October 30, 2013,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 6, 2014, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 2014.

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

-----X  
Morris Greenzweig,  
Plaintiff-Respondent,

-against-

M-3044X  
Index No. 152160/12

Yaakov Rooz,  
Defendant-Appellant,

Kenmare Mott Realty Associates, Inc.,  
et al.,  
Defendants.

-----X

An appeal having been taken from orders of the Supreme Court, New York County, entered on or about October 29, 2013 and November 26, 2013, respectively,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 10, 2014, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 2014.

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

-----X  
Mirna Singh,  
Plaintiff-Appellant,

-against-

M-3046X  
Index No. 307269/10

Consolidated Edison Company of New York, Inc., et al.,  
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 16, 2013,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 11, 2014, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 2014.

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

-----X  
Joseph Lugo,  
Plaintiff-Respondent,

-against-

M-3048X  
Index No. 301111/10

Sunbyrd Realty Corp.,  
Defendant-Appellant.

-----X

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

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 11, 2014, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 2014.

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

-----X  
Hudson Insurance Company,  
Petitioner-Respondent,

-against-

M-3300X  
Index No. 652837/13

Ullico Inc.,  
Respondent-Appellant.  
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 13, 2013,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 26, 2014, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 2014.

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

-----X  
G2 Media, Inc.,  
Plaintiff-Respondent,

-against-

M-3193X  
Index No. 652258/12

Canoc Productions CC,  
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about October 23, 2013 (mot. seq. no. 003),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 18, 2014, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 2014.

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

-----X  
Alan Mruvka, et al.,  
Petitioners-Respondents,

-against-

M-3248X  
Index No. 653989/13

Warren Diamond, et al.,  
Defendants-Appellants.  
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about February 6, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 24, 2014, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Rolando T. Acosta  
David B. Saxe  
Roselyn H. Richter  
Sallie Manzanet-Daniels, Justices.

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

Respondent,

-against-

Michael Clare,

Defendant-Appellant.  
-----X

M-1133  
Ind. Nos. 4538/10  
933/12  
Case No. 37685C/10

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgments of the Supreme Court, Bronx County, rendered on or about January 30, 2014, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Rolando T. Acosta  
David B. Saxe  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

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

-against-

M-1154  
Ind. No. 5264/96

David Brown, also known as  
Daniel Haynesworth,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of **resentence** of the Supreme Court, New York County, rendered on or about February 10, 2014, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript of the stenographic minutes of **resentence**. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the first Judicial Department in the County of New York on July 31, 2014.

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

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

-against-

**M-1278**  
Ind. Nos. 3905/12  
3418/12

Brandon Freeman,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about February 15, 2013, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

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

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

Seymour W. James, Jr., Esq., 199 Water Street, 5th Floor, New York, New York 10004, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the first Judicial Department in the County of New York on July 31, 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-1433  
Ind. No. 1522/10

Richard Horsford,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about March 18, 2014, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

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

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

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Angela M. Mazzarelli  
John W. Sweeny, Jr.  
Sallie Manzanet-Daniels  
Darcel D. Clark, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-1580  
Ind. No. 309/12

Charles Little, also known as  
Clifton Little,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about January 7, 2014, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

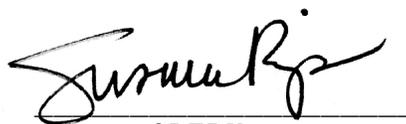
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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

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

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. (212)402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 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-1564  
Ind. No. 3866/11

Hollis Hosear,  
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 (Farber, J.) entered on or about March 7, 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) two transcripts of the stenographic minutes of the SORA hearing and any other proceedings before Justice Farber 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 July 31, 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-1645  
Ind. No. 3737/02

Desmond Rohan,  
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 March 1, 2010, 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 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 10 reproduced copies of such brief, together with the original record, with this Court, and it is further ordered that,

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 as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Richard M. Greenberg, 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 July 31, 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-1750  
Case No. 66254C/04

Vincent Brunson,  
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 (Seth Marvin, J.) entered on or about January 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) two transcripts of the stenographic minutes of the SORA hearing and any other proceedings before Justice Marvin as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Seymour W. James, Jr., Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. (212) 577-3688, 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 July 31, 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-1751  
Ind. No. 2431/01

Anthony Beaker,  
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 (Steven Barrett, J.) entered on or about February 13, 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) two transcripts of the stenographic minutes of the SORA hearing and any other proceedings before Justice Barrett 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 July 31, 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-2033**

Ind. No. 4330/10

Jorge Gudino,  
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 (Marvin, J.), entered on or about April 11, 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 Marvin 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 July 31, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Rolando T. Acosta  
David B. Saxe  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

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

-against-

M-1166  
Ind. No. 640/12

Randy Swinson,  
Defendant-Appellant.

-----X

An order of this Court having been entered on July 16, 2013 (M-2636), 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 25, 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 assigned counsel Scott A. Rosenberg, Esq., as successor to Steven Banks, 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 July 31, 2014.

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

-----X

The People of the State of New York,

Respondent,

-against-

**M-1234**

Ind. No. 89/11

Jaquan Layne,

Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to file a pro se supplemental brief in connection with the appeal from the judgment of the Supreme Court, New York County, rendered on or about November 29, 2011, and for related relief,

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

It is ordered that the motion is denied as premature, the aforesaid appeal having not yet been perfected.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 2014.

PRESENT: Hon: Luis A. Gonzalez, Presiding Justice,  
Angela M. Mazzarelli  
John W. Sweeny, Jr.  
Sallie Manzanet-Daniels  
Darcel D. Clark, Justices.

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

-against-

M-1516  
Ind. No. 6315/10

Cachin Anderson,  
Defendant-Appellant.

-----X

An order of this Court having been entered on March 21, 2013 (M-721), inter alia, granting defendant's motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about January 11, 2013, under Indictment No. 6315/10, and assigning counsel therefor,

And defendant having moved for an order amending the notice of appeal and the aforementioned order to include the judgment of resentence of said Court, rendered on or about March 13, 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 amending defendant's notice of appeal and the aforementioned order of this Court to include the judgment of resentence of said Court, rendered on or about March 13, 2014, and extending the poor person relief previously granted to cover same.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 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

Brianna Monique F.,

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

**M-1816**

Docket No. B-337/11

-----  
Edwin Gould Services for Children,  
Petitioner-Respondent,

Monique F.,  
Respondent-Appellant.

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

-----X

Respondent-appellant mother having moved for leave to prosecute, as a poor person, the appeal from an Order of Fact-Finding, Conclusions of Law, and an Order of Disposition, of the Family Court, Bronx County, all entered on or about March 10, 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, Tennille M. Tatum-Evans, Esq., 260 Covert Avenue, Suite #34, New York, NY 10031, Telephone No. (347) 645-6660, as counsel for purposes of prosecuting the

appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor;<sup>1</sup> **within 30 days (FCS 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



---

CLERK

---

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 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

Jalicia G.,

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

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

**M-1817**  
Docket No. NN-12252/12

Jacquelin G., also known as Jacqueline G.,  
Respondent-Appellant,

Randolf W.,  
Respondent-Appellant.

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

-----X  
Respondent-appellant father Randolf W. having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about November 26, 2013, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Tennille M. Tatum-Evans, Esq., 260 Convent Avenue, Suite #34, New York, NY 10031 (347) 645-6660,

as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor;<sup>1</sup> **within 30 days (FCS 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



CLERK

---

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 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

Joele Z. F.,

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

**M-1850**

Docket No. NN-36334/12

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

Jacqueline M-F.,  
Respondent-Appellant.

- - - - -  
Barbara Milbauer, Esq.,  
Attorney for the Child.

-----X

Respondent-appellant mother 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 March 28, 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, Tennille M. Tatum-Evans, Esq., 260 Convent Avenue, Suite #34, New York, NY 10031, Telephone No. (347)645-6660, as counsel for purposes of prosecuting the appeal;

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

ENTER:

  
\_\_\_\_\_  
CLERK

---

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Karla Moskowitz  
Leland G. DeGrasse  
Rosalyn H. Richter  
Barbara R. Kapnick, Justices.

-----X  
The People of the State of New York,  
ex rel. Tyquan Haskins,  
Petitioner,

-against-

M-1943  
Index No. 340879/13

Warden, New York City Department of  
Corrections of New York, Rikers Island,  
Respondent.

-----X

A purported appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about December 13, 2013,

And petitioner having moved for leave to prosecute, as a poor person, the aforesaid purported appeal and for leave to have said appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that said motion is denied.

ENTER:



\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 2014.

PRESENT - Hon. Peter Tom, Justice Presiding,  
David Friedman  
Richard T. Andrias  
David B. Saxe  
Leland G. DeGrasse, Justices.

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

-against-

Candido Baez, also known as  
Edwin Rivera,  
Defendant-Appellant.

M-1522  
Ind. Nos. 3616/12  
2462N/13

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about February 20, 2014, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth the amount and sources of funds to pay the fee of trial counsel, Matthew B. Touhy, Esq., to post the \$4,120 bail bonds in the amount of \$40,000 and \$20,000 in the Supreme Court, the disposition thereof, and an explanation as to why similar funds are not available to prosecute this appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 2014.

PRESENT - Hon. Peter Tom, Justice Presiding,  
David Friedman  
Richard T. Andrias  
David B. Saxe  
Leland G. DeGrasse, Justices.

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

-against-

M-1529  
Ind. No. 2200/13

Kroucher Deleon, also known as  
Krouche Deleon,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about January 31, 2014, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth the amount and sources of funds to pay trial counsel's fee, to post the \$15,000 bail in the Supreme Court, the disposition thereof, and an explanation as to why similar funds are not available to prosecute this appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 2014.

PRESENT - Hon. Peter Tom, Justice Presiding,  
David Friedman  
Richard T. Andrias  
David B. Saxe  
Leland G. DeGrasse, Justices.

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

-against- M-1563  
Ind. Nos. 5105/12  
Alexis Soto, 3995/12  
Defendant-Appellant.  
-----X

Defendant-appellant 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 February 10, 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 notice of appeal timely filed.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 2014.

PRESENT: Hon: Peter Tom, Justice Presiding,  
Rolando T. Acosta  
Helen E. Freedman  
Barbara R. Kapnick, Justices.

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

-against-

M-1175  
Ind. No. 828/08

Travis Woods,  
Defendant-Appellant.  
-----X

An order of this Court having been entered on February 4, 2014 (M-5535), inter alia, granting defendant's motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about September 9, 2013, and assigning counsel therefor,

And defendant having moved for an order amending the notice of appeal and the aforementioned order to include the judgment of said Court entered on or about January 22, 2009,

Now, upon 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 amending defendant's notice of appeal and the aforementioned order of this Court to include the judgment of the Supreme Court, New York County, rendered on or about January 22, 2009, and extending the poor person relief previously granted to cover same.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 2014.

PRESENT: Hon: Peter Tom, Justice Presiding,  
Rolando T. Acosta  
Helen E. Freedman  
Barbara R. Kapnick, Justices.

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

-against-

Kirk Laurencin,  
Defendant-Appellant.

M-1260  
Ind. Nos. 1848/10  
3108/11

-----X

An order of this Court having been entered on July 16, 2013 (M-2521), inter alia, granting defendant's motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about June 26, 2012, under Indictment No. 1848/10, and assigning counsel therefor,

And defendant having moved for an order amending the notice of appeal and the aforementioned order to include Indictment No. 3108/11,

Now, upon 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 amending defendant's notice of appeal and the aforementioned order of this Court to include Indictment No. 3108/11, and extending the poor person relief previously granted to cover same.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Karla Moskowitz  
Leland G. DeGrasse  
Rosalyn H. Richter  
Barbara R. Kapnick, Justices.

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

-against-

M-1952  
Ind. No. 3671/09

William Lane, also known as Gary Rice,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to file a pro se supplemental brief in connection with an appeal from a judgment of the Supreme Court, Bronx County, rendered on or about December 6, 2010, for a copy of the trial transcripts and for an enlargement of time in which to file said pro se supplemental brief,

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

It is ordered that the motion is granted to the extent of directing defendant to serve and file 8 copies of his pro se supplemental brief on or before September 29, 2014 for the December 2014 Term, to which Term the appeal is adjourned. The Clerk of the Court is directed to forward to the Warden at the State correctional facility wherein defendant is incarcerated a transcript of the minutes relating to defendant's appeal, said transcript to be made available to appellant and returned by appellant to this Court when submitting the pro se supplemental brief hereto. The appeal will not be heard unless and until all material furnished to appellant has been returned.

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
David B. Saxe  
Leland G. DeGrasse  
Helen E. Freedman, Justices.

-----X  
Highrise Hoisting & Scaffolding, Inc.,  
Plaintiff-Respondent,

-against-

Liberty Insurance Underwriters, Inc.,  
et al.,  
Defendants,

M-2810  
Index No. 301410/12

RSUI Indemnity Company,  
Defendant-Appellant,

Jamilah Duvall, et al.,  
Defendants-Respondents.

-----X

Defendant-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on April 29, 2014 (Appeal Nos. 12139-12140),

Now, upon 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 July 31, 2014.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
Leland G. DeGrasse  
Helen E. Freedman  
Barbara R. Kapnick, Justices.

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

-against-

M-1312  
Ind. No. 2069/13

Bryant Green,  
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 9, 2013, for leave to prosecute the appeal as a poor person upon the original record and upon a reproduced appellant's brief, and for assignment of counsel,

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) 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., 199 Water Street, 5th Floor, New York, New York 10038, Tel. 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 July 31, 2014.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
Leland G. DeGrasse  
Helen E. Freedman  
Barbara R. Kapnick, Justices.

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

-against-

M-1314  
Ind. No. 1978/10

Ben Sidibe,  
Defendant-Appellant.

-----X

Defendant having renewed his motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about December 6, 2011, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) 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, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 2014.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
Leland G. DeGrasse  
Helen E. Freedman  
Barbara R. Kapnick, Justices.

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

-against-

James D. Garlick,  
Defendant-Appellant.

M-1316  
Ind. No. 3681/11  
Case No. 61160C/11

-----X

Defendant having renewed his motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about November 1, 2013, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) 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, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
Dianne T. Renwick  
Richard T. Andrias  
Karla Moskowitz, Justices.

-----X  
Silvia Perina,  
Plaintiff-Appellant,

-against-

M-2163  
Index No. 401403/13

Animal Care and Control of New York  
City, Inc.,  
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Supreme Court, New York County, entered on or about October 8, 2013, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that said motion is 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 serve one copy of such brief upon the attorney for respondent and file ten copies of such brief, together with the original record, with this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record. The Clerk of Supreme Court, County, is directed to have transcribed the minutes of the proceedings held therein, if any, for inclusion in the record on appeal, with a copy to appellant's counsel, the cost thereof to be charged against the City of New York from funds available therefor and any other fees in connection therewith. The time to perfect the aforesaid appeal is enlarged to on or before September 29, 2014 for the December 2014 Term.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 2014.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
Leland G. DeGrasse  
Helen E. Freedman  
Barbara R. Kapnick, Justices.

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

-against-

M-1313  
Ind. No. 5092/13

Alexis Cordero,  
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 15, 2014, for leave to prosecute the appeal as a poor person, upon the original record and upon a reproduced appellant's brief, and for assignment of counsel,

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

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

The motion, insofar as it seeks poor person relief, is denied, with leave to renew upon defendant's submission of a notarized affidavit, pursuant to CPLR 1101(a), setting forth facts sufficient to establish that defendant has no funds or assets with which to prosecute the appeal, including the amount and sources of his income and listing his property with its value.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 2014.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
Leland G. DeGrasse  
Helen E. Freedman  
Barbara R. Kapnick, Justices.

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

-against-

M-1315  
Ind. No. 1404/13

Sidney Curry,  
Defendant-Appellant.

-----X

An order of this Court having been entered on March 4, 2014 (M-498), assigning Richard M. Greenberg, Esq., as counsel to prosecute defendant's appeal from the judgment of the Supreme Court, New York County, rendered on or about October 22, 2013; and a motion having been made to relieve such counsel, 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 striking the designation of assigned counsel Richard M. Greenberg, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Seymour W. James, Jr., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688 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 July 31, 2014.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
Leland G. DeGrasse  
Paul G. Feinman  
Barbara R. Kapnick, Justices.

-----X

Richard Henkin,

Plaintiff-Appellant,

-against-

The City of New York, et al.,

Defendants-Respondents.

-----X

**M-1094**  
**M-1209**  
Index No. 105938/11

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about February 7, 2013 and May 16, 2013, respectively,

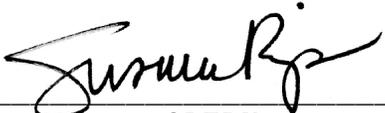
And plaintiff-appellant having moved to withdraw the aforesaid appeals (M-1094),

And defendant-respondent having cross-moved for an order dismissing the aforesaid appeals (M-1209),

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

Ordered that plaintiff's motion is granted to the extent of deeming the appeals withdrawn (M-1094). Defendants' cross motion is denied as academic (M-1209).

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
Leland G. DeGrasse  
Helen E. Freedman  
Barbara R. Kapnick, Justices.

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

-against-

M-1404  
Ind. No. 4512/02

Steve Darbasie,  
Defendant-Appellant.

-----X

An order of this Court having been entered on August 25, 2011 (M-3065), inter alia, granting defendant leave to file a pro se supplemental brief in connection with the appeal from a judgment of the Supreme Court, New York County, rendered on or about June 12, 2003,

And defendant having moved for an extension of time in which to file the pro se supplemental brief, and a copy of the defendant's arraignment held on August 1, 2002,

Now, upon 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 directing defendant to serve and file 8 copies of his pro se supplemental brief on or before September 29, 2014 for the December 2014 Term, to which Term the appeal is adjourned. The appeal will not be heard unless and until all material furnished to appellant has been returned.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
David B. Saxe  
Sallie Manzanet-Daniels  
Paul G. Feinman, Justices.

-----X

In the Matter of  
Michail Sorodsky,  
Petitioner-Appellant,

-against-

M-2049  
Index No. 306992/13

New York State Department of  
Corrections,  
Defendant-Respondent.

-----X

Petitioner, pro se, having moved to stay a certain order pending hearing and determination of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about February 19, 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 July 31, 2014.

PRESENT - Hon: Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
Leland G. DeGrasse  
Helen E. Freedman  
Barbara R. Kapnick, Justices.

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

-against-

M-1306  
Ind. No. 3280/10

Hipolito Ramos,  
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, Bronx County, entered on or about September 15, 2011

An order of this Court having been entered on December 24, 2013 (M-4629) denying defendant-appellant's motion for an order deeming the notice of appeal be deemed timely, and other relief,

And defendant-appellant having moved for an order deeming the notice of appeal dated February 8, 2012 to include the appeal from the order entered, pursuant to the Sex Offender Registration Act, on or about February 2, 2012,

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

It is ordered that the motion is granted to the extent of directing defendant-appellant to file a notice of appeal from the order of the Court entered on or about February 2, 2012, forthwith. (See Correction Law 168-n[3]); and granting leave to renew the motion for enlargement of the prior order of assignment to extend to the appeal from said order upon so filing the 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 July 31, 2014.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
Sallie Manzanet-Daniels  
Darcel D. Clark, Justices.

-----X  
Mark Hersh, derivatively on behalf of  
nominal defendant, BRA Management LLC,  
Plaintiff-Respondent,

-against-

M-921  
Index No. 104360/11

Betty Weg, et al.,  
Defendants-Appellants,

BRA Management LLC,  
Nominal Defendant.

-----  
Mark Hersh, derivatively on behalf of  
nominal defendant, BRA Management LLC,  
Plaintiff-Respondent,

-against-

Betty Weg, et al.,  
Defendants-Appellants,

BRA Management LLC,  
Nominal Defendant-Appellant.

-----X

Plaintiff-respondent Mark Hersh having moved for Leave to renew with respect to the decision and order of this Court entered on April 16, 2013 (Appeal Nos. 9242-43),

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

It is ordered that the motion is dismissed. (See M-1341 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 July 31, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
Sallie Manzanet-Daniels  
Darcel D. Clark, Justices.

-----X  
Mark Hersh, derivatively on behalf of  
nominal defendant, BRA Management LLC,  
Plaintiff-Respondent,

-against-

M-1341  
Index No. 104360/11

Betty Weg, et al.,  
Defendants-Appellants,

BRA Management LLC,  
Nominal Defendant.

-----  
Mark Hersh, derivatively on behalf of  
nominal defendant, BRA Management LLC,  
Plaintiff-Respondent,

-against-

Betty Weg, et al.,  
Defendants-Appellants,

BRA Management LLC,  
Nominal Defendant-Appellant.

-----X  
Plaintiff-respondent Mark Hersh having moved for an order staying the trial in the above-entitled action pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about January 30, 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, and the interim relief granted by an order of a Justice of this Court dated March 18, 2014, is hereby vacated. (See M-921 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 July 31, 2014.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
Leland G. DeGrasse  
Helen E. Freedman  
Barbara R. Kapnick, Justices.

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

Anonymous  
Petitioner,

Pursuant to Article 81 of the Mental Hygiene Law for the Appointment of a Guardian of the Personal Needs and Property Management of

M-1401  
Index No. 500041/14

Anonymous,

A Person Alleged to be Incapacitated,  
Respondent.

-----X

Counsel for the person alleged to be incapacitated having moved pursuant to CPLR 5704(a) for certain relief denied by a Justice of the Supreme Court, New York County, on or about March 10, 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 without prejudice to further proceedings in the Supreme Court if so advised.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Richard T. Andrias  
Sallie Manzanet-Daniels  
Barbara R. Kapnick, Justices.

-----X  
Maria Rosado,  
Plaintiff,

Theresa Christmas, etc., et al.,  
Plaintiffs-Respondents,

-against-

M-2155  
Index No. 20373/06

State Material & Masonry  
Supply Corp., etc.,  
Defendant-Appellant,

Dimitrios S. Tseperkas, et al.,  
Defendants.

-----X

Plaintiffs-respondents having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on April 1, 2014 (Appeal No. 12116),

Now, upon 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 July 31, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
Leland G. DeGrasse  
Helen E. Freedman  
Barbara R. Kapnick, Justices.

-----X

In re Leonide Prado,  
Petitioner,

-against-

M-2983

Index No. 401432/12

New York City Housing Authority,  
Respondent.

-----X

Petitioner, pro se, having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on April 22, 2014 (Appeal No. 12275),

Now, upon 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 July 31, 2014.

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

-----X

In the Matter of the Application of

Adetokunbo C. Ogunrinde,  
Petitioner-Appellant,

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

M-2680  
Index No. 117886/09

-against-

New York State Division of Housing and  
Community Renewal,  
Respondent-Respondent.

-----X

A decision and order of this Court having been entered October 3, 2013 (Appeal No. 10661),

And an order of this Court having been entered on December 12, 2013 (M-5575) denying petitioner-appellant's motion for reargument of or, leave to, inter alia, appeal to the Court of Appeals from the aforesaid decision and order of this Court (Appeal No. 10661),

And an order of this Court having been entered on April 22, 2014 (M-212) denying petitioner-appellant's motion for an order, inter alia, determining that this Court lacked jurisdiction to issue the aforesaid order of this Court entered October 3, 2013 (Appeal No. 10661) (M-5575),

And petitioner-appellant, pro se, having moved for an order dismissing, for lack of jurisdiction, the aforesaid order of this Court entered December 12, 2013 (M-5575) (Appeal No. 10661), 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 July 31, 2014.

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

-----x  
Marco Battistella,

Plaintiff-Appellant,

-against-

Marnie Ann Joyce,

Defendant-Respondent.  
-----x

M-1797  
Index No. 310389/10

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, New York County, entered on or about 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 to the extent of enlarging the time to perfect the appeal to the January 2015 Term. (See M-2996, decided simultaneously herewith.)

ENTER:

  
CLERK

CORRECTED ORDER - October 1, 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 July 31, 2014.

Present = Hon. Karla Moskowitz, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Darcel D. Clark  
Barbara R. Kapnick, Justices.

-----x  
Marco Battistella,  
Plaintiff-Appellant,

-against-

M-2996  
Index No. 310389/10

Marnie Ann Joyce,  
Defendant-Respondent.  
-----x

An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, entered on or about September 19, 2013,

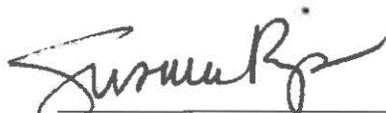
And an order of this Court having been entered on April 1, 2014 (M-6351), inter alia, granting plaintiff-appellant's motion for leave to prosecute the aforesaid appeal as a poor person,

And plaintiff-appellant having moved for an order enlarging the record on appeal to include transcripts in nine Family Court matters (File #115543, Docket Nos. F-25851/10; F-04178/10; V-15757-58/10; V-43031-32/10; V-2503-04/11), said Family Court matters having been consolidated with the instant action,

Now, upon 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 directing the Clerk of the Family Court, New York County, to transcribe the minutes of the aforesaid proceeding(s) under File #115543, Docket Nos. F-25851/10; F-04178/10; V-15757-58/10; V-43031-32/10; V-2503-04/11, for inclusion in the record on appeal, with a copy to be furnished to **appellant** without charge, **the cost thereof to be charged against the City of New York from funds available therefor**, within 30 days from the date of service upon the Clerk of a copy of this order, which counsel is directed to serve upon the Clerk and the individual court reporter(s) within 10 days from the date of entry hereof. If the minutes are unavailable or do not exist, the Clerk of said Court is directed to provide a statement to that effect. (See M-1797, 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 July 31, 2014.

PRESENT - Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
Arnold Steven Burvick,  
Plaintiff-Appellant,

-against-

M-2877  
Index No. 406045/07

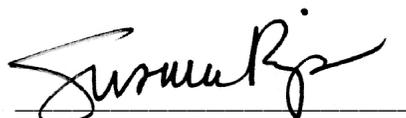
Nicole J. Kafka, M.D., et al.,  
Defendants-Respondents.  
-----X

Defendants-respondents having moved to dismiss the appeal from the order of the Supreme Court, New York County, entered on or about February 2, 2012,

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

It is ordered that the motion is granted 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 July 31, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
Koya Abe,  
Plaintiff-Respondent,

-against-

Joseph Giovannelli, et al.,  
Defendants-Appellants.

M-3108  
Index No. 152780/10

-----X

Plaintiff-respondent having moved for dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about May 3, 2013, for failure to timely perfect,

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

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

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
274 Madison Company LLC,  
Plaintiff-Respondent,

-against-

Smart Apartments LLC, et al.,  
Defendants-Appellants.

M-3075  
Index No. 153988/13

-----X

Plaintiff-respondent having moved for dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about April 4, 2014, for failure to timely file record on appeal,

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

It is ordered that the motion is granted unless the defendants-appellants file the record on appeal within 30 days of the date hereof.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the first Judicial Department in the County of New York on July 31, 2014.

PRESENT - Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
Richard T. Andrias  
Judith J. Gische  
Darcel D. Clark, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-1220  
Ind. No. 1030/05

Alvin Raysor,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of resentence of the Supreme Court, New York County, entered on or about February 18, 2014, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief,

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of resentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 2014.

PRESENT - Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
Richard T. Andrias  
Judith J. Gische  
Darcel D. Clark, Justices.

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

-against-

M-1242  
Ind. No. 923/11

Craig Hutter,  
Defendant-Appellant.

-----X  
Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about February 8, 2012, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

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

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

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 2014.

Present - Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
Richard T. Andrias  
David B. Saxe  
Barbara R. Kapnick, Justices.

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

- - - - -  
Mayra L.,  
Petitioner-Appellant,

M-2940  
Docket No. F-14937/05

-against-

Jose Ramon M., Sr.,  
Respondent-Respondent.

-----x

An order of this Court having been entered on February 20, 2014 [Corrected Order March 12, 2014] (M-6660), granting petitioner-appellant leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about September 27, 2013, and assigning Randall Carmel, Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel and to substitute other counsel to prosecute 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 striking the designation of assigned counsel Randall Carmel, Esq., as counsel to prosecute appellant's appeal and substituting, pursuant to Article 18b of the County Law and § 1120 of the Family Court Act, Larry S. Bachner, Esq., 163-01 Jamaica Avenue, Suite 201, Jamaica, NY 11432, Telephone No. 917-378-0176, as such counsel. The poor person relief previously granted is continued, and the time 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 July 31, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
David B. Saxe  
Paul G. Feinman  
Judith J. Gische, Justices.

-----X  
In the Matter of the Application of  
Akiya Calloway,  
Petitioner-Appellant.

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

-against-

M-2133  
Index No. 400529/13

New York City Housing Authority,  
Respondent-Respondent.

-----X

Petitioner-appellant, pro se, having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, entered on or about August 27, 2013, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that said motion is 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 serve one copy of such brief upon the attorney for respondent and file 8 copies of such brief, together with the original record, with this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record. The Clerk of Supreme Court, New York County, is directed to have transcribed the minutes of the proceedings held therein, if any, for inclusion in the record on appeal, with a copy to appellant, the cost thereof to be charged against the City of New York from funds available therefor and any other fees in connection therewith. The time to perfect the aforesaid appeal is enlarged to on or before September 29, 2014 for the December 2014 Term.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
Richard T. Andrias  
David B. Saxe, Justices.

-----X

The People of the State of New York,

-against-

M-3022

Ind. No. 875/78

Bernard DeVeaux,

Defendant.

-----X

Defendant-appellant, pro se, having moved for an enlargement of time in which to file a notice of appeal from an order of the Supreme Court, Bronx County, entered on or about March 3, 2006,

Now, upon 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 July 31, 2014.

PRESENT - Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Richard T. Andrias  
David B. Saxe, Justices.

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

-against- M-3116  
Ind. No. 3608/11  
Larry Stroman,  
Defendant.

-----X

Defendant having moved for an enlargement of time to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about January 15, 2012, and for other relief,

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

It is ordered that the motion is denied.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 2014.

PRESENT - Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
Richard T. Andrias  
David B. Saxe, Justices.

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

-against-  
Billy Irving,  
Defendant.

M-3128  
Ind. No. 4671/07  
Case No. 69640C/07

-----X

Defendant having moved for an enlargement of time to file a notice of appeal from the judgment of the Supreme Court, Bronx County, rendered on or about July 12, 2011, and for other relief,

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

It is ordered that the motion is denied.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
Richard T. Andrias  
David B. Saxe  
Barbara R. Kapnick, Justices.

-----X  
Geri Bauer,  
Plaintiff-Appellant,

-against-

M-2710  
M-2949  
Index No. 110211/11

Beekman International Center LLC,  
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about August 20, 2013 (M-2710),

And defendants-respondents having cross-moved to dismiss the aforesaid appeal (M-2949),

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the November 2014 Term (M-2710). The cross motion is granted unless the appeal is perfected for said November 2014 Term (M-2949).

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 2014.

PRESENT - Hon: David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Richard T. Andrias  
David B. Saxe, Justices.

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

-against-

M-2850  
Ind. No. 1293/11

James Thomas,  
Defendant-Appellant.

-----X

An appeal having been taken from judgment of the Supreme Court, New York County, rendered on or about September 7, 2011,

And an order of this Court having been entered on May 29, 2014 (M-2153) deeming the appeal withdrawn,

And defendant-appellant pro se, and assigned counsel Leonard J. Levenson, Esq., having moved for an order reinstating said appeal, and for the reassignment of counsel,

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

It is ordered that the motion is granted to the extent of reinstating the appeal and reassigning counsel Leonard J. Levenson, Esq. as counsel to prosecute said appeal. The poor person and other relief granted by the order of this Court entered January 17, 2012 (M-4605) is reinstated, and the time to perfect the appeal is enlarged, sua sponte, to the January 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 July 31, 2014.

Present: Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
Diane T. Renwick  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
In the Matter of the Application of  
Jack Guttman, Alan Mruvka, et al.,

Petitioners-Respondents, **M-2168**  
Index No. 651079/13

-against-

Warren Diamond, et al.,  
Respondents-Respondents,

For the Dissolution of 367 Southern  
Partners, LLC, A Limited Liability  
Company,

Patrick Gagliardi,  
Non-Party Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 21, 2014,

And non-party appellant having moved for an order awarding sanctions in the form of counsel fees as against petitioners-respondents,

Now, upon 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 July 31, 2014.

PRESENT - Hon. John W. Sweeny, Jr., Justice Presiding,  
David B. Saxe  
Helen E. Freedman  
Rosalynd H. Richter, Justices.

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

-against-

M-1710  
Ind. No. 3724/11  
Case No. 58569C/11

Dystell D. Jarrett,  
Defendant-Appellant.  
-----X

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

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

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

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

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. (212)402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 2014.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Rolando T. Acosta  
David B. Saxe  
Sallie Manzanet-Daniels  
Darcel D. Clark, Justices.

-----X  
Peter Scalamandre & Sons, Inc.,  
Plaintiff-Appellant,

-against-

M-1339  
Index No. 106092/10

Pavarini McGovern, LLC, et al.,  
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about May 6, 2013,

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

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

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 2014.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Rolando T. Acosta  
David B. Saxe  
Sallie Manzanet-Daniels  
Darcel D. Clark, Justices.

-----X  
Accounting by Lyndsay Howard-Zita,  
Ercil Howard-Wroth and Melvin J.  
Zalel, as Executors of the Estate  
of Nathan S. Howard, Deceased,  
Petitioners-Appellants,

M-2001  
File No. 1660A-05

-against-

Gerard Penneroux,  
Objectant-Respondent.

-----X  
Petitioners-appellants having moved for an enlargement of time to perfect the appeal from the order of the Surrogate's Court, New York County, entered on or about December 29, 2011,

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

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

ENTER:



\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 2014.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,  
Karla Moskowitz  
Leland G. DeGrasse  
Judith J. Gische, Justices.

-----X  
National Union Fire Insurance Company  
of Pittsburgh, Pennsylvania, et al.,  
Plaintiffs-Appellants,

**M-1354**  
**M-1384**  
**M-1471**

Associated Electric & Gas Insurance  
Services Limited,  
Plaintiff,

Index Nos. 650515/10  
400759/11

-against-

TransCanada Energy USA, Inc., et al.,  
Defendants-Respondents.

- - - - -

TC Ravenswood, LLC,  
Plaintiff-Respondent,

-against-

National Union Fire Insurance Company  
of Pittsburgh, Pennsylvania, etc.,  
et al.,  
Defendants-Appellants,

Associated Electric & Gas Insurance  
Services Limited,  
Defendant.

-----X

Defendant-appellant, Factory Mutual Insurance Company  
[Index No. 400759/11], having moved for reargument of or, in the  
alternative, for leave to appeal to the Court of Appeals from the  
decision and order of this Court entered on February 25, 2014  
(Appeal No. 11815N) [M-1354],

And plaintiffs-defendants-appellants, National Union Fire Insurance Company of Pittsburgh, Pennsylvania, ACE INA Insurance and Arch Insurance Company, [Index Nos. 650515/10; 400759/11] having jointly moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the same decision and order of this Court entered on February 25, 2014 (Appeal No. 11815N) [M-1384],

And The American Insurance Association having moved for leave to file a brief amicus curiae in connection with the aforesaid motions [M-1471],

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

It is ordered that motion by The American Insurance Association to file a brief amicus curiae is denied (M-1471).

It is further ordered that the motions by defendant-appellant Factory Mutual Insurance Company (M-1354) and plaintiffs/defendants appellants, National Union Fire Insurance Company of Pittsburgh, Pennsylvania, ACE INA Insurance and Arch Insurance Company's (M-1384), to the extent they seek leave to appeal to the Court of Appeals are denied. So much of said motions which seek reargument are granted and, upon reargument, the decision and order of this Court entered on February 25, 2014 (Appeal No. 11815N) is recalled and vacated and a new decision and order substituted therefor. (See Appeal No. 11815N, 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 July 31, 2014.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,  
Diane T. Renwick  
Karla Moskowitz  
Helen E. Freedman  
Paul G. Feinman, Justices.

-----X  
Edward Callegari,  
Plaintiff-Respondent,

-against-

M-3111  
Index No. 102354/05

Davis & Partners, LLC, et al.,  
Defendants-Appellants.

-----X  
Davis & Partners, LLC, et al.,  
Third-Party Plaintiffs-Appellants,

-against-

Third-Party  
Index No. 590635/08

Jansen Associates, Inc.,  
Third-Party Defendant-Respondent.

-----X

Appeals having been taken from an order of the Supreme Court, New York County, entered on or about May 25, 2012 and a judgment of said Court entered on or about January 21, 2014,

And an order of this Court having been entered on May 1, 2014 (M-665/M-972), inter alia, granting dismissal of the aforesaid appeals,

And defendants/third-party plaintiffs-appellants, Davis & Partners, LLC and RFD 425 Fifth Avenue, L.P., having moved to reargue the aforesaid order of this Court entered May 1, 2014 (M-665/M-972) and for an enlargement the time to perfect the appeal taken from the order entered on or about May 25, 2012,

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

Ordered that the motion is denied.

ENTER:

  
\_\_\_\_\_

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 2014.

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

-----X

In re William Mallay,  
Petitioner-Appellant,

-against-

M-3074  
Index No. 400554/12

New York City Housing Authority,  
Respondent-Respondent.

-----X

Petitioner-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on May 22, 2014 (Appeal No. 12554),

Now, upon 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 July 31, 2014.

PRESENT - Hon. Karla Moskowitz, Justice Presiding,  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Darcel D. Clark  
Barbara R. Kapnick, Justices.

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

-against-

M-954  
Ind. No. 2249/11

Eugene Kindell,  
Defendant-Appellant.

-----X

Defendant-appellant, in connection with an appeal taken from the judgment of the Supreme Court, New York County, rendered on or about December 19, 2011, having moved for leave to file a pro se supplemental 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 directing defendant to serve and file 8 copies of his pro se supplemental brief on or before September 29, 2014 for the December 2014 Term, to which Term the appeal is adjourned. The Clerk of the Court is directed to forward to the Warden at the State correctional facility wherein defendant is incarcerated a transcript of the minutes relating to defendant's appeal, said transcript to be made available to appellant and returned by appellant to this Court when submitting the pro se supplemental brief hereto. The appeal will not be heard unless and until all material furnished to appellant has been returned.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 2014.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Darcel D. Clark  
Barbara R. Kapnick, Justices.

-----X  
In the Matter of the Application of  
the State of New York,  
Petitioner-Respondent,  
  
-against-

**SEALED**  
M-3239  
Index No. 300114/08

Rasheem Salley,  
Respondent-Appellant.  
-----

For Civil Management Pursuant to  
Article 10 of the Mental Hygiene Law.  
-----X

Respondent-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 May 11, 2012,

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

Ordered that motion is granted to the extent of enlarging the time to perfect the appeal to the December 2014 Term.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 2014.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Darcel D. Clark  
Barbara R. Kapnick, Justices.

-----X

Anthony Mejia and Karen Santos,  
Plaintiffs-Appellants,

-against-

M-3246  
Index No. 304990/09

Rafael Ramos, et al.,  
Defendants-Respondents.

-----X

Plaintiffs-appellants having moved for a stay of trial pending hearing and determination of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about March 26, 2014, and said appeal having been perfected,

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

It is ordered that the motion is granted.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in in the County of New York on July 31, 2014.

Present: Hon. Karla Moskowitz, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Darcel D. Clark  
Barbara R. Kapnick, Justices.

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

-against-  
**M-3201**  
Ind. No. 1483/11  
Case No. 5227C/11

Lawrence G. Beatty,  
Defendant-Appellant.  
-----X

An order of this Court having been entered on April 17, 2014 (M-303), inter alia, reinstating the stay of execution of sentence previously granted by order of this Court entered July 11, 2013 (M-3621), upon the same terms and conditions, and upon the further condition that the appeal be perfected on or before July 7, 2014 for the September 2014 Term,

And defendant-appellant having moved for continuation of the aforesaid stay of execution of the judgment of the Supreme Court, Bronx County, rendered on or about June 14, 2013, pending hearing and determination of the appeal taken therefrom,

Now, upon 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 continuing and extending the aforesaid stay of execution of sentence upon the same terms and conditions pending hearing and determination of the appeal on the further condition defendant-appellant perfects the appeal on or before September 29, 2014 for the December 2014 Term.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 2014.

Present: Hon. Karla Moskowitz, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Darcel D. Clark  
Barbara R. Kapnick, Justices.

-----X  
Robert Rosasco, et al.,  
Plaintiffs-Respondents,

-against-

John Cella, as Administrator of the  
Estate of Walter Rosasco, deceased,  
John Cella, individually, and as  
appointed Preliminary Executor of  
the Estate of Mildred Rosasco,  
deceased,  
Defendant-Appellant,

**M-2939**  
Index No. 153666/13

Liana Smith, et al.,  
Defendants.

-----X

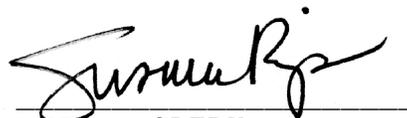
An appeal having been taken from an order of the Supreme Court, New York County, entered on or about February 20, 2014,

And defendant-appellant having moved, pursuant to CPLR 5519(c) for a stay of so much of the order on appeal directing that the subject property be partitioned and sold,

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

Ordered that the motion for a stay is granted pending determination of the appeal on condition said appeal be perfected on or before September 29, 2014 for the December 2014 Term.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 31, 2014.

Present - Hon. Karla Moskowitz, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Darcel D. Clark  
Barbara R. Kapnick, Justices.

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

Vikram J., M-2985  
Petitioner-Respondent, Docket No. V-41775/13

-against-

Anuparma S.,  
Respondent-Appellant.  
-----x

An appeal having been taken to this Court from the order of the Family Court, New York County, entered on or about June 6, 2014,

And respondent-appellant/mother having moved for vacatur of the order appealed or, in the alternative, to stay all Family Court proceedings pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is granted to the extent staying all proceedings in the Family Court, New York County, pending hearing and determination of the appeal, on condition the appeal is perfected on or before September 2, 2014 for the November 2014 Term. The motion is otherwise denied.

ENTER:

  
CLERK

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

BEFORE: **Hon. Angela M. Mazzarelli,**  
Justice of the Appellate Division

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

M-1694  
Ind. No. 765/82

-against-

CERTIFICATE  
DENYING LEAVE

**Jimmy Aponte,**

Defendant.

-----X

I, Angela M. Mazzarelli, 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 (Richard Lee Price, J.), entered on or about December 31, 2013, is hereby denied.

  
Justice

Dated: New York, New York  
*July 2*, 2014

ENTERED

JUL 31 2014

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

BEFORE: Hon. DAVID FRIEDMAN  
Justice of the Appellate Division

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

M-1840  
Ind. No. 2013/10

-against-

CERTIFICATE  
DENYING LEAVE

Andre Walton,  
Defendant.

-----X

I, DAVID FRIEDMAN, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, section 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about July 12, 2013, is hereby denied. To the extent that defendant seeks poor person relief and assignment of counsel, that motion is hereby denied as academic.

Dated: New York, New York  
June 25, 2014

  
\_\_\_\_\_  
DAVID FRIEDMAN  
Justice of the Appellate Division

ENTERED

JUL 31 2014

STATE OF NEW YORK  
APPELLATE DIVISION : FIRST DEPARTMENT

BEFORE: Hon. David B. Saxe  
Justice of the Appellate Division

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

M-893  
NY Co.  
Indictment No.  
7734/02

-against-

CERTIFICATE  
DENYING LEAVE

Rafael Figueroa,

Defendant.

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

Dated: New York, New York

*July 2, 2014*

*[Signature]*  
Justice of the Appellate Division

ENTERED

JUL 31 2014

STATE OF NEW YORK  
APPELLATE DIVISION : FIRST DEPARTMENT

BEFORE: Hon. David B. Saxe  
Justice of the Appellate Division

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

M-4813  
Bronx Co.  
Ind. No.  
4960/99

-against-

CERTIFICATE  
DENYING LEAVE

Manuel Cerano a/k/a Manuel Seijas,

Defendant.  
-----X

I, David B. Saxe, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law section 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County, entered on or about August 5, 2013, is hereby denied.

Dated: *July 1, 2014*  
New York, New York

*David B. Saxe*  
Justice of the Appellate Division

ENTERED

JUL 31 2014

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

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

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

M-2964  
Ind. Nos. 4982/85  
1158/94

-against-

CERTIFICATE  
DENYING LEAVE

Hector Rivera,  
Defendant.

-----X

I, Hon. Leland G. DeGrasse, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County, entered on or about April 4, 2014, is hereby denied.

Dated: New York, New York  
July 7, 2014

415

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

ENTERED

JUL 31 2014

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

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

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

M-3092  
Ind. No. 1913/83

-against-

CERTIFICATE  
DENYING LEAVE

Juan Matias,  
Defendant.

-----X

I, Hon. Leland G. DeGrasse, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about September 25, 2013, is hereby denied.

Dated: New York, New York  
July 7, 2014



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

ENTERED

JUL 31 2014

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

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

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

M-5105  
Ind. Nos. 1721/06  
1857/01

-against-

CERTIFICATE  
DENYING LEAVE

Frankie Ramos,

Defendant.

-----X

I, Hon. Leland G. DeGrasse, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County, entered on or about August 19, 2013, is hereby denied.

Dated: New York, New York  
July 1, 2014

415

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

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

BEFORE: Hon. HELEN E. FREEDMAN  
Justice of the Appellate Division

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

-against-

Nicholas Simpson,

Defendant.  
-----X

M-1051  
Ind. No. 948/05

CERTIFICATE  
GRANTING LEAVE

I, Helen E. Freedman, a Justice of the Appellate Division, First Judicial Department, do hereby certify that in the proceedings herein questions of law or fact are involved which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is hereby granted to the above-named defendant to appeal to the Appellate Division, First Judicial Department, from the order of the Supreme Court, New York County, entered on or about January 28, 2014.<sup>1</sup>

Dated: July 5, 2014  
New York, New York

H E F  
Hon. Helen E. Freedman  
Associate Justice

ENTERED

JUL 31 2014

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

<sup>1</sup> In the event defendant has an existing (direct) appeal from a judgment, such appeal shall be consolidated with the appeal from the aforesaid order; and any poor person relief granted with respect to the appeal from the judgment shall be extended to cover the appeals so consolidated.

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

BEFORE: Hon. HELEN E. FREEDMAN  
Justice of the Appellate Division

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

-against-

Natch Black

Defendant.  
-----X

M-2817  
Ind. No. 2632/93

CERTIFICATE  
DENYING LEAVE

I, Helen E. Freedman, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application deemed timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented that ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County, entered on or about March 10, 2014, is hereby denied.

  
\_\_\_\_\_  
Hon. Helen E. Freedman  
Associate Justice

Dated:

*July 2, 2014*  
New York, New York

ENTERED:

**JUL 31 2014**

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

BEFORE: Hon. HELEN E. FREEDMAN  
Justice of the Appellate Division

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

M-2726  
Ind. Nos. 29/08  
5411/03

-against-

CERTIFICATE  
DENYING LEAVE

Edgar Valette

Defendant.

-----X

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

  
\_\_\_\_\_  
Hon. Helen E. Freedman  
Associate Justice

Dated: *July 7*, 2014  
New York, New York

ENTERED: **JUL 31 2014**

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

BEFORE: Hon. HELEN E. FREEDMAN  
Justice of the Appellate Division

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

-against-

Latoya Cannonier

Defendant.  
-----X

M-2954  
Ind. No. 2714/08

CERTIFICATE  
DENYING LEAVE

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

  
\_\_\_\_\_  
Hon. Helen E. Freedman  
Associate Justice

Dated: *July 31*, 2014  
New York, New York

ENTERED: **JUL 31 2014**

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

BEFORE: Hon. HELEN E. FREEDMAN  
Justice of the Appellate Division

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

-against-

Carl Watkins,

Defendant.  
-----X

M-3067  
Ind. No. 12401/93

CERTIFICATE  
DENYING LEAVE

I, Helen E. Freedman, 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, section 460.15, and upon the record and proceedings herein, there is no question of law or fact presented that ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about June 5, 2014, is hereby denied.

  
\_\_\_\_\_  
Hon. Helen E. Freedman  
Associate Justice

Dated: *July 2*, 2014  
New York, New York

ENTERED: **JUL 31 2014**

P.M ORDERS  
FOR JULY 31,  
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 July 31, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
David Friedman  
Karla Moskowitz  
Helen E. Freedman  
Barbara R. Kapnick, Justices.

-----X  
In the Matter of the Final Account  
of Julie Stoil Fernandez, Esq., as  
Guardian of the Property and Co-Guardian  
of the Person of

Linda Salvati,

M-1861  
Index No. 500088/02

An Incapacitated Person  
(now deceased).

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Julie Stoil Fernandez,  
Petitioner-Respondent,

-against-

George McCormack, Esq.,  
Objectant-Appellant.

-----X  
Objectant-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 June 27, 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 January 2015 Term.

ENTER:



CLERK