

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 4, 2015.

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

-----X
Daniel G. Hahn,
Plaintiff-Respondent,

-against-

M-3246X
Index No. 308856/12

Roberta Hahn,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about February 23, 2015,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 9, 2015, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 August 4, 2015.

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

-----X
Zvika Klepar,
Petitioner-Respondent-Appellant,

-against-

M-3146X
Index No. 652849/14

Sharone Ben-Harosh, et al.,
Respondents-Appellants-Respondents.
-----X

An appeal and cross appeal having been taken from an order of the Supreme Court, New York County, entered on or about October 23, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 7, 2015, and due deliberation having been had thereon,

It is ordered that the appeal and cross appeal are withdrawn in accordance with the aforesaid stipulation.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the first Judicial Department in the County of New York on August 4, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom,
David Friedman,
Barbara R. Kapnick, Justices.

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

-against-

M-2338
Ind. No. 1355/13

Timothy Ferreira,
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 March 23, 2015, 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 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 4, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzarelli
Leland G. DeGrasse
Barbara R. Kapnick, Justices.

-----X

HSBC Bank USA, etc.,
Plaintiff-Respondent,

-against-

M-2760
Index No. 109886/07

Christine Carvalho,
Defendant-Appellant.

-----X

Plaintiff-respondent 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 12, 2015 (Appeal No. 15082N),

Now, upon 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 August 4, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzaelli
Leland G. DeGrasse
Barbara R. Kapnick, Justices.

-----X
Anthony Toxey,
Plaintiff-Appellant-Respondent,

-against-

M-2814

Index No. 400844/10

The City of New York,
Defendant-Respondent-Appellant.

-----X

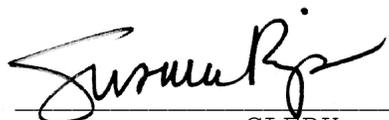
An order of this Court entered on May 19, 2015 (M-1448/M-1696), having denied so much of plaintiff-appellant-respondent's motion for the assignment of counsel,

And plaintiff-appellant-respondent having moved for reconsideration of the aforesaid order of this Court,

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

Ordered that the 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 August 4, 2015.

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

-----X
In the Matter of

Stephany A.,

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

M-1660A
Docket No. NA-08786/14

- - - - -
The Commissioner of the Administration
for Children's Services,
Petitioner-Appellant,

Effa A.,
Respondent-Respondent.

-----X

Petitioner-appellant the Commissioner for the Administration for Children's Services having moved for a stay of all proceedings pending hearing and determination of the appeal taken from the order of the Family Court, Bronx County, entered on or about April 14, 2015,

Now, upon 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 April 15, 2015, is hereby vacated. The order of this Court entered on June 18, 2015 (M-1660) is hereby recalled and vacated.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 4, 2015.

Present - Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Diane T. Renwick
Richard T. Andrias, Justices.

-----X
WA Route 9, LLC,
Plaintiff/Counterclaim Defendant,

-against-

PAF Capital LLC,
Defendant/Counterclaim Plaintiff.
-----X

SEALED

M-919A
M-1016A
Index No. 651688/12

PAF Capital LLC,
Third-Party Plaintiffs,

-against-

Third-Party
Index No. 590475/12

Jacob Frydman, et al.,
Third-Party Defendants.
-----X

Jacob Frydman,
Fourth-Party Plaintiff-Respondent,

-against-

Fourth-Party
Index No. 590603/12

David Lichtenstein and PAF Capital,
LLC,
Fourth-Party Defendants-Appellants,

The Lighthouse Group, et al.,
Fourth-Party Defendants.
-----X

Appeals having been taken to this Court from orders of the Supreme Court, New York County, entered on or about June 27, 2013 and September 2, 2014, and said appeals having been perfected,

And fourth-party defendants-appellants having moved for an order staying the an order of Supreme Court entered on or about February 5, 2015 pending hearing and determination of the aforesaid appeal (M-919A),

And fourth-party plaintiff-respondent having cross-moved for an order compelling fourth-party defendants-appellants to perfect an appeal from the February 5, 2015 order (M-1016A),

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 for a stay is granted (M-919A). The cross motion is granted to the extent of directing the fourth-party defendants-appellants to perfect the appeal from the February 5, 2015 order (M-1016A). The order of this Court entered April 2, 2015 (M-919/M-1016) is hereby recalled and vacated.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 4, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
Espen Robak,
Plaintiff-Respondent,

-against-

M-3163
Index No. 157390/13

Hanying Liu,
Defendant-Appellant,

SpiceLoftHouse Corp.,
Defendant-Respondent.
-----X

Defendant-respondent having moved for dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about March 31, 2015, for failure to timely prosecute,

Now, upon reading 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 August 4, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X

Charles Wingate, also known as
Charly Wingate, presently known
as Max B and doing business as
Big Gavel Music Publishing (ASCAP),
Plaintiff-Respondent,

M-2998
Index No. 602585/08

-against-

Jones Family, Inc., et al.,
Defendants-Appellants.

-----X

Plaintiff-respondent having moved for dismissal of the appeal from an order of the Supreme Court, New York County, entered on or about October 7, 2010, 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 August 4, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
In the Matter of the Application of
Menachem Klein,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78 M-1930
of the Civil Practice Law and Rules, Index No. 400374/12

-against-

John B. Rhea, et al.,
Respondents-Respondents.

-----X
An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 7, 2013,

Now, upon reading and filing the affirmation submitted by Fraidy Nachman, Esq., of counsel, dated June 18, 2015 and the letter from respondents dated July 2, 2015, and due deliberation having been had thereon,

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 4, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
Paul J. Napoli,
Plaintiff-Appellant,

-against-

M-2714
Index No. 159576/14

Marc J. Bern,
Defendant-Respondent.

-----X

Plaintiff-appellant having moved for a stay of all proceedings pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about November 17, 2014,

Now, upon reading and filing the papers with respect to the motion, including the stipulation between the parties dated July 14, 2015, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn in accordance with the aforesaid stipulation of the parties.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 4, 2015.

Present - Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----x
Sarah Baez,

Plaintiff-Appellant,

-against-

M-2663

M-3106

Index No. 110301/09

State of New York, and New York State
Office of Temporary and Disability
Assistance,

Defendants-Respondents.
-----x

A purported appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about December 3, 2014 (mot. seq. no. 007),

And defendants-respondents having moved for dismissal of the aforesaid purported appeal for failure to file a timely notice of appeal (M-2663),

And plaintiff-appellant having cross-moved for leave to file a late notice of appeal (M-3106),

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

It is ordered that the motion (M-2663) is granted and the purported appeal is dismissed. The cross motion (M-3106) is denied, as academic.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 4, 2015.

Present - Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----x
The People of the State of New York
ex rel. Maxwell Kampfner, Esq., on
behalf of Jaquan Cunningham,
Petitioner-Appellant,

-against-

M-3011
Index No. 250994/15

Dora B. Schriro, Commissioner of the
New York City Department of Corrections,
etc.,
Respondents-Respondent.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, Bronx County, entered on or about June 24, 2015, which denied his petition for a writ of habeas corpus seeking a reduction of bail,

And petitioner having moved for expedited hearing of the appeal, for a reduction of bail, 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 as academic, and the appeal is dismissed as moot.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 4, 2015.

Present: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X

Mark Family Realty LLC,
Plaintiff-Appellant,

-against-

Anton Sanko,
Defendant-Respondent.

-----X

(And a third-party action)

M-3332

M-3018

Index No. 105924/11

Defendant-respondent having moved for an order dismissing plaintiff-appellant's appeal taken from the order of the Supreme Court, New York County, entered on or about April 18, 2015 (M-3332),

And plaintiff-appellant having cross-moved for an enlargement of time to perfect the aforesaid appeal (M-3018),

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 to dismiss the appeal is granted unless the appeal is perfected on or before October 5, 2015 for the December 2015 Term. The cross motion is granted as indicated.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 4, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

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

-against-

M-2919
Ind. No. 1671/11

Luis Vidro,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about February 23, 2015, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of deeming the notice of appeal as timely filed and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 4, 2015.

PRESENT - Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

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

Respondent,

-against-

Jose Ortega,

M-3097
M-3169
Ind. No. 3624/13

Defendant-Appellant.
-----X

Defendant-appellant having moved by duplicate motions for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, Bronx County, rendered on or about July 17, 2014,

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

It is ordered that the motion is granted to the extent of deeming the moving papers a timely filed notice of appeal (M-3097),

It is further ordered that the duplicate motion (M-3169) is withdrawn.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 4, 2015.

Present - Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

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

-against-

M-3025
SCI No. 299/15

Jaime Cintron,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about April 21, 2015, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of deeming the moving papers a timely filed notice of appeal and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 4, 2015.

Present: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
In the Matter of the Application of
Robert Simon,
Petitioner-Appellant,

M-3244

For a Judgment Pursuant to Article 78 Index No. 101190/15
of the Civil Practice Law and Rules,

-against-

City of New York Department of Homeless
Services (DHS), etc., et al.,
Respondents-Respondents.

-----X

Petitioner-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 July 7, 2015, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, for a stay of said order pending hearing and determination of said appeal, and for other relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the attorney for respondent and file 8 copies of such brief, together with the original record, with this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record. So much of the motion which seeks a stay 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 August 4, 2015.

Present - Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
In the Matter of the Application of
Kenneth Howell and Fontayne Mora,
Petitioners,

For a Judgment Pursuant to Article 78 of the Civil Practice Law and Rules, M-3131
Index No. 100416/14

-against-

Shola Olatoye, as Chairman of the
New York City Housing Authority,
Respondent.

-----X

An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about July 24, 2014, to review a determination of respondent,

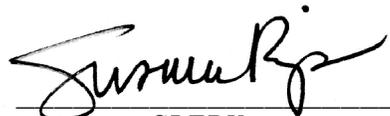
And an order of this Court having been entered on June 16, 2015 (M-1892), dismissing the aforesaid proceeding,

And petitioner having moved for leave to prosecute the proceeding as a poor person, 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 denied as moot, the proceeding having already been 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 August 4, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
In the Matter of Prunella C. Dickerson,
Petitioner-Appellant,

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

M-2958
Index. No. 400410/14

-against-

NY State Division of Human Rights,
Respondent-Respondent.

-----X

Petitioner-appellant pro se having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, entered on or about July 29, 2014, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is 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 August 4, 2015.

Present: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
In the Matter of the Application of
George W. Nash,
Petitioner-Appellant,

M-3052

For a Judgment Pursuant to Article 78 Index No. 400783/14
of the Civil Practice Law and Rules,

-against-

New York City Police Department,
et al.,
Respondents-Respondents.

-----X
Petitioner-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 December 11, 2014, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, to enlarge the time 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 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 August 4, 2015.

Present - Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
Vera Djeddah, as Conservator/Guardian
for Estate of Richard Djeddah,

Plaintiff-Appellant,

-against-

M-3133
Index No. 350094/00

Rachel Djeddah,

Defendant-Respondent.
-----X

Plaintiff-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, entered on or about June 4, 2015, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that said motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 4, 2015.

Present: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
Marie M. Josa,

Plaintiff-Appellant,

-against-

Auburn Family Residence, et al.,

Respondents-Respondents.
-----X

M-3255

Index. No. 400712/14

Plaintiff-appellant having renewed her motion for leave to prosecute, as a poor person, the appeal from an order of the Supreme Court, New York County, entered on or about March 31, 2015, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 4, 2015.

Present: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

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

-against- **M-3166**
Ind. No. 2090/10

Martrell Terrell,
Defendant-Appellant.
-----X

An order of this Court having been entered on January 26, 2015 (M-4826), 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 5, 2013,

And assigned counsel, Robert S. Dean, Esq., having moved for an order to be relieved as counsel for defendant and to substitute other counsel to prosecute defendant's appeal,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Robert S. Dean, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Seymour W. James, Jr., Esq., Legal Aid Society, 199 Water Street, 5th Floor, New York, New York 10004, Telephone No. 212-577-3688, as such counsel. The poor person relief previously granted is continued, and appellant's 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 August 4, 2015.

Present: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
Tyrae White, by his Mother and
Guardian, Annette White,

Plaintiff-Respondent,

M-2978

Index No. 350279/10

-against-

The New York City Housing Authority,

Defendant-Appellant.
-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about March 5, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the November 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 August 4, 2015.

Present: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
Peter Greenblum,
Plaintiff-Appellant,

-against-

M-3227

Index No. 316174/12

Gila Greenblum,
Defendant-Respondent.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about September 9, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the November 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 August 4, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
Curtis Stewart,
Plaintiff-Appellant,

-against-

M-3132
Index No. 260685/13

ARC Development, 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, Bronx County, entered on or about August 22, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to on or before September 8, 2015 for the November 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 August 4, 2015.

Present: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
Roslyn Curry,
Plaintiff-Appellant,

-against-

Hundreds of Hats, Inc., et al.,
Defendants-Respondents.

M-3178
Index No. 101192/12

-----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 September 18, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the November 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 August 4, 2015.

PRESENT - Hon: David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
Lloyd A. Gelwan,

Plaintiff-Appellant,

-against-

M-3272

Index No. 653656/13

Youni Gems Corporation, et al.,
Defendants-Respondents,

-and-

Sabharwal & Associates,
Nominal Defendant-Appellant.

-----X

Appeals having been taken from the orders of the Supreme Court, New York County, entered on or about August 12, 2014 (mot. seq. nos. 001 and 002), respectively,

And plaintiff-appellant and nominal defendant-appellant having moved for an enlargement of time to perfect the appeals from the aforesaid orders and to continue the stay previously granted by an order of this Court entered on December 23, 2014 (M-5223), pending hearing and determination of the appeals 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 enlarging the time to perfect the appeals to the November 2015 Term and continuing the aforesaid stay on condition the appeals are perfected for said November 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 August 4, 2015.

Present: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X

In the Matter of the Application of
Dana Grossbard,
Petitioner-Appellant,

M-3129

For a Judgment Pursuant to Article 78 Index No. 100497/14
of the Civil Practice Law and Rules,

-against-

New York State Division of Housing
and Community Renewal, et al.,
Respondents-Respondents.

-----X

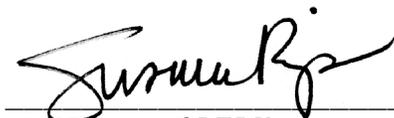
An appeal having been taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about January 14, 2015,

And petitioner-appellant having moved for an enlargement of time to perfect the aforesaid appeal and for an extension of the stay granted by an order of this Court entered on April 30, 2015 (M-1322), 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 enlarging the time to perfect the aforesaid appeal to the November 2015 Term, and extending the stay granted by order of this Court on April 30, 2015 (M-1322) pending hearing and determination of said 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 August 4, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
In the Matter of the Application of
Palmore Clarke,
Petitioner-Respondent,

For a Judgment Pursuant to Article 75
of the Civil Practice Law and Rules

-against-

M-2880
Index No. 652634/13

New York City Department of
Education, City School District
of the City of New York,
Respondent-Appellant.

-----X

Respondent-appellant having moved for an enlargement of time to perfect the appeal from the decision and order (one paper) of the Supreme Court, New York County, entered on or about September 22, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the December 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 August 4, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
Darya Braverman,
Plaintiff-Respondent,

-against-

M-2943
Index No. 306221/11

Eric Braverman,
Defendant-Appellant.
-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about November 6, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the December 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 August 4, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
In the Matter of the Application of
Dawn Webb,
Petitioner-Appellant,

-against-

M-2997
Index No. 654123/13

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

Petitioner-appellant having moved for an enlargement of time to perfect the appeal from a judgment of the Supreme Court, New York County, entered on or about September 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 enlarging the time to perfect the appeal to the December 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 August 4, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
In the Matter of

Naethael Makai A.,

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

M-3023
Docket No. B-20603-09/11

- - - - -
Catholic Guardian Society & Home
Bureau, et al.,
Petitioners-Respondents,

Adwoa M.,
Respondent-Appellant.

- - - - -
Melinda Oliver, Esq.,
Law Guardian for the Child.

-----X

Respondent-appellant having moved for an enlargement of time to perfect the appeal from the order of the Family Court, Bronx County, entered on or about April 28, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the December 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 August 4, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
Katie Kelly, Shannon Kelly and
Joelle Kelly, Infants by their
Father and Natural Guardian, Brian
Kelly and Brian Kelly, Individually,
Plaintiffs-Respondents,

-against-

M-3092
Index No. 800280/11

Dr. Mark Bronsky,
Defendant-Appellant,

-and-

Dr. Jorge Matos,
Defendant-Appellant.

-----X

Defendant-appellant, Mark Bronsky, having moved for an enlargement of time to perfect his appeal from an order of the Supreme Court, New York County, entered on or about August 25, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the December 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 August 4, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
Clarence Gaines as Executor of the
Estate of Janie Gaines, Deceased,
Plaintiff-Respondent,

-against-

M-3116
Index No. 14471/03

The City of New York,
Defendant-Appellant,

-and-

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

-----X

Defendant-appellant having moved for an enlargement of time to perfect his appeal from an order of the Supreme Court, Bronx County, entered on or about August 22, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the December 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 August 4, 2015.

Present: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

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

People Care Incorporated, doing
business as Assisted Care,
Petitioner-Appellant,

M-3153
Index No. 111467/11

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

-against-

City of New York Human Resources
Administration Department of Social
Services,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for an enlargement of time to perfect the appeals taken from a judgment of the Supreme Court, New York County, entered on or about February 24, 2014 and from an order of said Court, entered on or about June 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 enlarging the time to perfect the appeals to the December 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 August 4, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

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

-against-

M-3157
Ind. No. 589/12

John Draper,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, New York County, rendered on or about March 25, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the December 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 August 4, 2015.

Present: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
In Re: New York City Asbestos Litigation:
Peter C. Liman and Regine Feinstein,
Plaintiffs-Respondents,

-against-

M-3198

Index No. 190217/12

Air and Liquid Systems Corporation,
etc.,
Defendants,

Crane Co.,
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about September 26, 2013,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the December 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 August 4, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
Deborah Gibber, etc., et al.,
Plaintiffs-Respondents,

-against-

M-3211
Index No. 159326/12

Naomi Colton, et al.,
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time in which to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about January 31, 2014 (mot. seq. no. 002),

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

Ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the December 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 August 4, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
William Dugan, et al.,
Plaintiffs-Respondents,

-against-

M-3238
Index No. 603468/09

London Terrace Gardens, L.P.,
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal from the orders of the Supreme Court, New York County, entered on or about September 10, 2013 (mot. seq. nos. 003-004),

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the December 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 August 4, 2015.

Present: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
In the Matter of the Application of
Douglas Gausney-Cruz,

Petitioner-Appellant,

M-3359

Index No. 101588/13

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

-against-

Dora B. Schriro, Correction
Commissioner of the City of New York
Department of Correction, et al.,
Respondents-Respondents.

-----X

Petitioner-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 October 2, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the December 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 August 4, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
In the Matter of Ibrahim Donmez,
Petitioner,

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

M-3134
Index No. 401875/13

-against-

Department of Parks & Recreation,
Department of Consumer Affairs,
Respondents.

-----X

An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about February 14, 2014, to review a determination of respondent,

And petitioner having moved for an enlargement of time to perfect the aforesaid proceeding,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the aforesaid proceeding to the December 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 August 4, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
Florence Ahnor,
Plaintiff-Respondent,

-against-

M-3173
Index No. 305051/09

City of New York, et al.,
Defendants-Appellants,
-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about September 11, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the January 2016 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 August 4, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
U.S. Bank National Association,
solely in its capacity as Trustee
of the Home Equity Asset Trust
2007-3 (Heat 2007-3),
Plaintiff-Respondent-Appellant,

M-2961
Index No. 651563/13

-against-

DLJ Mortgage Capital, Inc.,
Defendant-Appellant-Respondent.
-----X

An appeal and cross appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 23, 2014,

And defendant-appellant-respondent having moved for an enlargement of time to perfect the appeal and cross appeal from the aforesaid order,

Now, upon reading and filing the papers with respect to the motion including the stipulation between the parties dated June 23, 2015, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal and cross appeal to the January 2016 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 August 4, 2015.

Present: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
Nayci Contracting Associates, LLC,
et al.,
Petitioners,

For a Judgment Pursuant to Article 78 **M-3040**
of the Civil Practice Law and Rules, Index No. 106851/10

-against-

New York City Department of Consumer
Affairs, et al.,
Respondents.

-----X

An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about May 10, 2011, to review a determination of respondents,

And an order of this Court having been entered on December 23, 2014 (M-5659), enlarging the time to perfect the proceeding to the June 2015 Term, with leave to seek further enlargements if necessary,

And petitioners having moved for an clarification of the aforesaid order or for a further enlargement of time to perfect the proceeding,

Now, upon reading 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 further enlarging petitioners' time to perfect the proceeding to the April 2016 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 August 4, 2015.

PRESENT - Hon: David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

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

Alexander Deliz,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78
of the CPLR,

-against-

M-2773
M-3100
Index No. 100506/14

Shola Olatoye, etc.,
Respondent-Respondent.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about August 8, 2014,

And petitioner-appellant having moved for an enlargement of time to perfect the appeal, and for a stay of the aforesaid order pending hearing and determination of said appeal (M-2773),

And respondent-respondent having cross-moved for dismissal of the appeal for failure to prosecute (M-3100),

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 denied in its entirety (M-2773). The cross motion is granted to the extent of dismissing the appeal (M-3100).

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 4, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

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

-against-

M-2957
Ind. No. 2615/08

Jeffrey Wilson,
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 July 23, 2013, 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 8, 2015 for the November 2015 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 August 4, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

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

-against-

M-2970
Ind. No. 2390/12

Twanek D. Cummings,
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, New York County, rendered on or about January 16, 2014, 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 8, 2015 for the November 2015 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 August 4, 2015.

Present: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X

The People of the State of New York,
Respondent,

M-3087

-against-

Ind. No. 4502/11

Joffre Alcivar,
Defendant-Appellant.

-----X

Defendant-appellant, in connection with a perfected appeal taken from the judgment of the Supreme Court, New York County, rendered on or about June 14, 2013, 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 8, 2015 for the November 2015 Term, to which Term the perfected 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 August 4, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

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

-against-

Bakary Camara,
Defendant-Appellant.

M-3054
Ind. Nos. 3389/12
5758/11

-----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, New York County, rendered on or about November 14, 2012, 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 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 August 4, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----x

Naum Friedman,
Plaintiff-Appellant,

-against-

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

M-3158
Index No. 650106/11

-and-

Korm Realty Inc.,
Nominal Defendant-Respondent.

-----X

Jacob Fayenson Revocable Trust,
Counterclaim Plaintiff-Respondent,

-against-

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

-and-

Korm Realty Inc.,
Nominal Defendant-Respondent.

-----x

Appeals having been taken from the order of the Supreme Court, New York County, entered on or about December 9, 2013 and from an order of the same Court and Justice entered on or about September 17, 2014, respectively,

And an order of this Court entered on March 24, 2015 (M-346) having consolidated the aforesaid appeals and enlarged the time to perfect same to the September 2015 Term,

And plaintiff-appellant and counterclaim defendants-appellants having moved for an enlargement of time to perfect the consolidated appeals,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the consolidated appeals to the November 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 August 4, 2015.

Present: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X

Susan Dedona, as Administratrix of
the Estate of Anthony Dedona, and
Susan Dedona, Individually,
Plaintiffs-Appellants,

M-2693
Index No. 21498/06

-against-

Robert DiRaimo, M.D., et al.,
Defendants-Respondents.

-----X

Appeals having been taken from orders of the Supreme Court, Bronx County, entered on or about July 29, 2014 and on or about November 13, 2014, respectively,

And plaintiffs-appellants having moved for an enlargement of time to perfect the aforesaid appeals,

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

It is ordered that, sua sponte, the aforesaid appeals are consolidated and appellants are permitted to prosecute said appeals upon 9 copies of one record and of one set of appellants' points covering the consolidated appeals. The time to perfect said appeals is enlarged to the November 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 August 4, 2015.

Present: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
Jason Stone and Jeffrey Stone,
Plaintiffs-Respondents,

-against-

Action No. 1
Index No. 654049/12

INGK Labs, LLC and Payz, Inc.,
Defendants-Appellants,

Damion Hankejh, et al.,
Defendants.

-----X
David Ecker,
Plaintiff-Respondent,

M-3016

-against-

Action No. 2
Index No. 157437/12

INGK Labs, LLC and Payz, Inc.,
Defendants-Appellants,

Damion Hankejh, et al.,
Defendants.

-----X

Appeals having been taken in Action No. 1 from an order of the Supreme Court, New York County, entered on or about September 11, 2014, and from a judgment of said Court entered on or about April 20, 2015; and an appeal having been taken in Action No. 2 from an order of said Court entered on or about September 4, 2014,

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

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

It is ordered that the motion is granted to the extent of consolidating the aforesaid appeals and enlarging the time to perfect said appeals to the November 2015 Term. Defendants-appellants are permitted to prosecute the consolidated appeals upon 9 copies of one record and of one set of appellants' points covering the appeals.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 4, 2015.

Present: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
Lane Altschuler,
Plaintiff-Respondent,

-against-

M-3148

Index No. 603556/09

Jobman 478/480 LLC,
Defendant-Appellant.
-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about January 18, 2013 (mot. seq. no. 004 and on or about October 1, 2013 (mot. seq. nos. 005-006),

And an order of this Court having been entered on January 30, 2014 (M-5770), consolidating the aforesaid appeals,

And appeals having been taken from orders of said Supreme Court, entered on or about April 14, 2015 (mot. seq. no. 007) and on or about June 8, 2015,

And defendant-appellant having moved to consolidate all of the aforesaid appeals and enlarge the time to perfect same,

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

It is ordered that the motion is granted to the extent of permitting defendant-appellant to prosecute the consolidated appeals upon 9 copies of one record and of one set of appellant's points covering the appeals and enlarging the time to perfect the consolidated appeals to the November 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 August 4, 2015.

Present - Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----x

Jose Carlos DeSilva,
Plaintiff-Respondent,

-against-

M-3217

Structural Preservation Systems, LLC,
et al.,
Defendants-Appellants,

Index No. 308964/10

-and-

Everest Scaffolding, Inc.,
Defendant-Respondent.

- - - - -

Structural Preservation Systems, LLC,
Third-Party Plaintiff-Appellant,

-against-

Index No. 83732/11

Greenline Industries, Inc.,
Third-Party Defendant.

-----x

Appeals having been taken to this Court by from orders of the Supreme Court, Bronx County, entered on or about September 22, 2014 and December 15, 2014, respectively,

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

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

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

directed to 22 NYCRR § 600.11. The time to perfect the consolidated appeals is enlarged to the November 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 August 4, 2015.

Present: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X

Safka Holdings LLC,
Plaintiff-Appellant,

M-3192

-against-

Index No. 652371/13

220 West 57th Street Limited
Partnership,
Defendant-Respondent.

-----X

(And another action)

Plaintiff-appellant having moved for consolidation of the appeals taken from the orders of the Supreme Court, New York County, both entered on or about May 8, 2014, and from the judgment of said Court entered on or about June 29, 2015, respectively,

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

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

PRESENT: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
SUK Incorporated, et al.,
Plaintiffs-Respondents,

-against-

M-2975
Index No. 155192/13

Flushing Workers Center, et al.,
Defendants-Appellants.

-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about February 4, 2014 and April 3, 2015, respectively,

And defendants-appellants having moved for consolidation of the aforesaid appeals, 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 appellants to prosecute the appeals upon 9 copies of one record and one set of appellant's points covering the appeals and enlarging the time in which to perfect the consolidated appeals to the February 2016 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 August 4, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----x
Aaron Elkin,
Plaintiff-Appellant,

-against-

Andrea Labis,
Defendant-Respondent.
-----x

M-2994
M-2995
Index No. 105411/08

An appeal having been taken to this Court from an order of the Supreme Court, New York County, both entered on or about August 25, 2014; and appeals having been taken from orders of said Court entered on or about August 29, 2014,

And plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order entered on or about August 25, 2014 (M-2994),

And plaintiff-appellant having moved to consolidate the appeals taken from the order entered on or about August 29, 2014 and for an enlargement of time to perfect same (M-2995),

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

It is ordered that the motion for an enlargement of time to perfect the appeal from the order entered on or about August 25, 2014 is granted to the extent of enlarging the time to perfect same to the January 2016 Term, with no further enlargements to be granted (M-2994). The motion seeking consolidation of the appeals taken from orders delineated in M-2995 of the same Court entered on August 29, 2014, and for related relief is denied (M-2995).

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 4, 2015.

Present: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
Collateral Loanbrokers Association
of New York, Inc., et al.,
Plaintiffs-Respondents,

For a Declaratory Judgment Under
CPLR § 3001,

M-3147
Index No. 303901/14

-against-

The City of New York and Bill
de Blasio, as Mayor of the City
of New York,
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about June 8, 2015,

And defendants-appellants having moved to stay all proceedings, pending hearing and determination of the 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.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 4, 2015.

Present: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
Kevin McDermott and Endicott Consulting,
Inc.,
Plaintiff-Respondent,

-against-

M-3070

Index No. 151792/14

Jon Chapski, individually and as member
of East End Restaurant Holdings LLC,
et al.,
Defendants-Appellants.

-----X
Appeals having been taken from orders of the Supreme Court, New York County, entered on or about March 4, 2015 (mot. seq. no. 003) and June 23, 2015 (mot. seq. nos. 004 and 005),

And defendants-appellants having moved for a stay of enforcement of a money judgment imposed against defendants-appellants pursuant to the orders appealed, 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.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 4, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X

Joshua Haron,
Plaintiff-Respondent,

-against-

M-3084
Index No. 306866/12

Leah Azoulay,
Defendant-Appellant,

Joseph P. Doonan, et al.,
Non-Party Respondents.

-----X

Defendant-appellant having moved for a stay of trial pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about April 8, 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.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 4, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
CPS 227 LLC,
Plaintiff-Respondent,

-against-

M-2913
Index No. 654378/13

Martin Brody, also known as
Mendel Brody,
Defendant-Appellant.

-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about June 4, 2015 and from a judgment of the same Court and Justice entered on or about June 9, 2015, respectively,

And defendant-appellant having moved for a stay of
(1) a certain hearing on attorneys costs and fees and
(2) enforcement of a money judgment entered on or about June 9, 2015, 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 maintaining the terms set forth in an order of a Justice of this Court, dated June 18, 2015, denying defendant's application to stay enforcement of the aforesaid judgment entered on or about June 9, 2015 and granting so much of defendant's application for a stay as to the hearing on attorney's fees.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 4, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X

Peter Kosovsky, M.D.,
Plaintiff-Respondent,

-against-

M-3076
Index No. 602813/07

Park South Tenants Corp., et al.,
Defendants-Appellants,

A M& G Waterproofing, LLC, et al.,
Defendants-Respondents.

-----X

Defendants-appellants having moved for a stay of trial and all proceedings pending hearing and determination of the appeal taken from the an order of the Supreme Court, New York County, entered on or about November 12, 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 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 August 4, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X

Joseph Rizzuti,
Plaintiff-Appellant,

-against-

M-3237
Index No. 25224/05

Michael Laucella, et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant 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 June 2, 2015,

Now, upon 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 August 4, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
Towan Allen,
Plaintiff-Appellant-Respondent,

-against-

M-3179
Index No. 800004/14

St. Luke's Hospital,
Defendant-Respondent-Appellant.
-----X

Plaintiff-appellant-respondent having moved for a stay of all proceedings pending hearing and determination of the appeal and cross appeal taken from the order of the Supreme Court, New York County, entered on or about December 8, 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 August 4, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
Douglas Hepworth,
Plaintiff-Respondent,

-against-

M-3013
Index No. 311330/13

C. Louise Hepworth,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 24, 2015,

And defendant-appellant having moved for a stay of enforcement of the aforesaid order, 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 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 August 4, 2015.

PRESENT: Hon. David Friedman, Justices.
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
Morgan Stanley Smith Barney LLC,
et al.,
Petitioners-Respondent,

-against-

M-3172
Index No. 652946/14

Vladimir Eydelman,
Respondent-Appellant.
-----X

Respondent-appellant having moved for a stay of proceedings pending hearing and determination of the appeal taken from the judgment of the Supreme Court, New York County, entered on or about July 2, 2015,

Now, upon 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 August 4, 2015.

Present: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X

Cacophony LLC,

Plaintiff-Respondent,

-against-

Denver West LLC, et al.,

Defendants-Appellants.

-----X

M-3402

Index No. 651227/14

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about July 13, 2015,

And defendants-appellants having moved for a stay of the aforesaid order pending hearing and determination of the appeal,

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

Ordered that the motion is denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 4, 2015.

Present: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X

Tonya Muro Phillips,
Plaintiff-Respondent,

M-3077

M-3078

-against-

Index No. 307883/12

Roger Phillips,
Defendant-Appellant.

-----X

Appeals having been taken by defendant-appellant father from orders of the Supreme Court, New York County, entered on or about June 19, 2015 and June 29, 2015,

And defendant-appellant having moved for a stay of the order entered on or about June 29, 2015 with respect to issues of financial discovery, pending hearing and determination of the aforesaid appeal (M-3077),

And defendant-appellant having moved for a stay of the order entered on or about June 19, 2015 with respect to custody and visitation, pending hearing and determination of the aforesaid appeal (M-3078),

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

Ordered that motion (M-3077) is denied without prejudice to renewal in the event plaintiff-respondent wife fails to comply with properly requested financial discovery, and it is further

Ordered that motion (M-3078) 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 August 4, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X

Heng Wang & Associates, P.C., et al.,
Plaintiffs-Respondents,

-against-

M-3273

M-3274

Aihong You, et al.,
Defendants-Appellants.

Index No. 156052/15

-----X

Defendants-appellants having moved for a stay of the order of the Supreme Court, New York County, entered on or about June 18, 2015, pending hearing and determination of the appeal (M-3273),

And defendants-appellants having moved by a separate motion pursuant to CPLR 5704(a) for certain relief denied by a Justice of the Supreme Court, New York County, on or about June 19, 2015 and June 22, 2015, respectively (M-3274),

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

It is ordered that the motions are denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 4, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
In the Matter of a Proceeding Under
Article 8 of the Family Court Act

Jacquelin M.,
Petitioner-Appellant,

-against-

Joseph M.,
Respondent-Respondent.

M-3030
M-3032
IDV. No. 203/10
Index No. 3360/11
Docket Nos. V-00613-10
V-00614-10
V-00618-10
V-00619-10

-----X

Appeals having been taken from an order of the Supreme Court, Bronx County, Integrated Domestic Violence Part, entered on or about May 19, 2015 and from an order of the same Court and Justice entered on or about May 20, 2015,

And petitioner-appellant having moved to stay divorce proceeding pending hearing and determination of the aforesaid appeals (M-3030),

And petitioner-appellant having moved separately for leave to enlarge the record on appeal (M-3032),

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

It is ordered that the motions are denied (M-3030/M-3032).

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 4, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
The People of the State of New York
ex rel. Shanica Wilkinson,
Petitioner,

-against-

M-2923
Ind. No. 496/15

Joseph Ponte, Commissioner, New York
City Department of Corrections,
Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 3, 2015, denying an application by petitioner for a writ of habeas corpus and dismissing same,

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

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

It is ordered that the motion is granted to the extent of reducing the bail granted by an order of a Justice of this Court on June 19, 2015 to \$35,000 cash or surety bond and otherwise denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 4, 2015.

Present: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
The People of the State of New York
ex rel. Gregory Ferguson,
Petitioner,

-against-

M-1542

Ind. No. 2061/11

Joe Ponte, Commissioner, New York
City Department of Corrections, et al.,
Respondents.

-----X

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

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

It is ordered that the motion be and the same hereby is granted to the extent of issuing the writ, and

It is further ordered that the habeas corpus proceeding herein be transferred to and be heard before a Justice of the Supreme Court of the State of New York, Bronx County, 851 Grand Concourse, Bronx, New York 10451, forthwith, and

It is further ordered that service by mail of a copy of this writ of habeas corpus petition, and supporting papers, by the Clerk of this Court, contemporaneous with the entry hereof, upon the Warden at Otis Bantum Correctional Center, 16-00 Hazen Street, East Elmhurst, New York 11370; the Attorney General of the State of New York, 120 Broadway, New York, New York 10271; and the District Attorney of Bronx County, 198 East 161st Street, Bronx, New York 10451, shall be deemed due and sufficient notice of the proceeding hereby transferred.

The motion is otherwise denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 4, 2015.

Present: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
The People of the State of New York
ex rel. Xavier Donaldson, Esq., on
behalf of Ackquille Pollard,

Petitioner-Appellant,

-against-

M-3121

Index No. 30032/15
Ind. No. 0039/15

Joseph Ponte, Commissioner of NYC
Department of Corrections, City of
New York,

Respondent-Respondent.
-----X

A purported appeal having been taken from an order of the Supreme Court, Criminal Term, New York County, dated February 26, 2015, which denied and dismissed petitioner's writ of habeas corpus,

And petitioner having moved to reduce bail pending hearing and determination of the aforesaid purported appeal, and to expedite the hearing of said appeal,

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

Ordered that the motion is denied. Sua sponte, the purported 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 August 4, 2015.

Present - Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----x
Crest Hill Capital, LLC, et al.,

Plaintiffs-Respondents,

-against-

M-3208
Index No. 156590/15

Brian Corso, et al.,

Defendants-Appellants.
-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County entered on or about July 8, 2015,

And defendants-appellants having moved for vacatur of a temporary restraining order pending hearing and determination of the aforesaid appeal and this motion, 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 August 4, 2015.

Present: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X

Yousef Yahudaii,
Plaintiff-Appellant-Respondent,

-against-

M-2988

M-3327

Nourallah Baroukhian, et al.,
Defendants-Respondents-Appellants,

Index No. 103449/08

-and-

Manoucher Malekan, et al.,
Defendants.

-----X

An appeal and cross appeal having been taken from an order of the Supreme Court, New York County, entered on or about April 5, 2012,

And Bailey & Sherman, P.C. (Anthony V. Gentile, Esq., of counsel), representing defendants-respondents on the appeal, having moved to be relieved as counsel on the appeal, and for related relief (M-2988),

And defendant-respondent-appellant, Nourallah Baroukhian, having cross-moved pro se for sanctions against Anthony V. Gentile, Esq., to preserve defendant-respondent-appellant's rights to recover damages, and for other relief (M-3327),

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 permitting Bailey & Sherman, P.C. to withdraw as counsel on the appeal. The cross motion is denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 4, 2015.

Present: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
Roberto Rodriguez,
Plaintiff-Appellant,

-against-

Jessica Baranex and Hawel Santana
Montero,
Defendants-Respondents.

M-2536
M-2798
Index No. 110422/10

-----X
An appeal having been taken from an order of the Supreme Court, New York County, entered on or about October 30, 2014, and said appeal having been perfected,

And defendant-respondent, Jessica L. Baranek, having moved to strike plaintiff-appellant's record on appeal on the grounds that it is defective, or, in the alternative, for an enlargement of time to file a respondent's brief (M-2536),

And defendant-respondent, Hawel Santana Montero, having moved to dismiss plaintiff-appellant's appeal on the grounds that the record on appeal is defective or, in the alternative, excluding certain documents from said record on appeal, or, in the alternative, for an enlargement of time to file a respondent's brief (M-2798),

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

Ordered that defendants-respondents' motions are granted to the extent of directing plaintiff-appellant to supplement the record on appeal by filing a settled statement in lieu of transcript pursuant to CPLR 5525(d), and adjourning the appeal to the January 2016 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 August 4, 2015.

Present - Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----x
Vincent Joseph Melapioni,

Plaintiff-Appellant,

-against-

M-3085
Index No. 111974/11

Lisa Melapioni, now known as Lisa
Astorino,

Defendant-Respondent.
-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about March 27, 2014, and said appeal having been perfected,

And plaintiff-appellant having moved for leave to file a supplemental 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 to the extent of permitting plaintiff-appellant to file a supplemental record on appeal containing p. 6 of his post-trial brief constituting "Point II", forthwith.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 4, 2015.

Present - Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
Janusz Sendowski,

Petitioner-Landlord-Respondent,

-against-

M-3012
Index No. 570248/14

Suzanne Pilzer,

Respondent-Tenant-Appellant.
-----X

Respondent-tenant-appellant having moved for leave to appeal to this Court from the decision and order of the Appellate Term entered in the office of the Clerk of the Supreme Court, New York County, on or about April 27, 2015, for leave to appeal as a poor person and for a stay of eviction pending hearing and determination of this motion,

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

It is ordered that the motion is denied, and the interim relief granted by the order of a Justice of this Court dated June 26, 2015, is vacated.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 4, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Leland G. DeGrasse
Judith J. Gische, Justices.

-----X

RTN Networks, LLC,
Plaintiff-Respondent,

-against-

M-1563
Index No. 154494/12

Telco Group, Inc., et al.,
Defendants-Appellants.

-----X

Plaintiff-respondent having moved for reargument of the decision and order of this Court entered on March 10, 2015 (Appeal No. 14468) or in the alternative for leave to amend the complaint,

Now, upon 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 August 4, 2015.

Present: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Leland G. DeGrasse
Judith J. Gische, Justices.

-----X

Miron Properties, LLC,

Plaintiff-Appellant,

-against-

Bruno W. Eberli, et al.,

Defendants-Respondents.

-----X

M-1439

Index No. 652925/11

Plaintiff-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 March 10, 2015 (Appeal No. 14470),

Now, upon 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 August 4, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

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

-against-

M-2368
Ind. No. 3247/06

Michael Antwi,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, rendered on or about December 2, 2009,

And an order of this Court entered on August 21, 2014 (M-3591) having ordered the aforesaid appeal withdrawn,

And defendant-appellant, pro se, having moved to reinstate the aforesaid appeal,

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

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 4, 2015.

PRESENT - Hon: David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
In the Matter of the Temporary
Guardianship of a Child Whose First
Name is:

Eliyahu

Surrogate's Court
M-3168
File No. 2008-155

Nekadam Y.,
Plaintiff.

-----X

Plaintiff having moved for, inter alia, leave to appeal to this Court from the order of the Surrogate's Court, New York County, entered on or about June 1, 2015, for dismissal of the aforesaid order, and 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 in its entirety.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 4, 2015.

Present: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
Marguerite Camaio,
Plaintiff-Respondent,

-against-

M-3069

Index No. 350023/05

Frank Farance,
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to appeal to this Court from an order of Supreme Court, New York County, entered on or about June 12, 2015, for modification of certain aspects of his visitation schedule with his children, for a stay of the aforesaid order, and/or vacatur of said order,

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

Ordered that the motion, to the extent it seeks leave to appeal to this Court, is granted. So much of the motion which seeks a stay or the vacatur of the aforesaid order 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 August 4, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
Janet Neufeld,
Plaintiff-Respondent,

-against-

M-3043
Index No. 300870/11

Richard Neufeld,
Defendant-Appellant.
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about August 13, 2014, and said appeal having been perfected,

And, plaintiff-respondent having moved to enlarge the record on appeal to include certain subpoenaed records from defendant's employer (Exhibit "G" to the moving papers),

Now, upon reading 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 record on appeal to include the aforesaid subpoenaed records.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 4, 2015.

PRESENT - Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
SunTrust Mortgage, Inc.,
Plaintiff-Respondent,

-against-

Benjamin Adams, et al.,
Defendants,

M-3020
M-3350
Index No. 102084/10

Ann Jennings-Purnell,
Defendant-Appellant.
-----X

Plaintiff-respondent having moved to dismiss the appeal taken from the judgment of the Supreme Court, New York County, entered on or about January 29, 2015 (M-3020),

And defendant-appellant having cross-moved for an enlargement of time to perfect the appeal, and for other relief (M-3350),

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

It is ordered that the motion is granted to the extent of dismissing the appeal (M-3020). The cross motion is denied, as academic (M-3350).

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 4, 2015.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Richard T. Andrias
Leland G. DeGrasse
Judith J. Gische, Justices.

-----X

In re Alkaren Parris,
Petitioner,

-against-

M-2565
Index No. 101635/13

Nirav R. Shah, M.D.,
M.P.J., etc.,
Respondent.

-----X

Petitioner, having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on April 14, 2015 (Appeal No. 14793),

Now, upon 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 August 4, 2015.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Rosalyn H. Richter, Justices.

-----X

In re The Port Authority of
New York and New Jersey,
Petitioner-Appellant,

-against-

M-2983
Index No. 450618/13

The Port Authority Police Detectives
Endowment Association, Inc.,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on April 30, 2015 (Appeal No. 14992N),

Now, upon 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

8/4

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-2866
Ind. No. 5145/09

-against-

CERTIFICATE
DENYING LEAVE

Lionel McCray,
Defendant.

-----X

I, Hon. Leland G. DeGrasse, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about May 15, 2015, is hereby denied.

Dated: New York, New York
July 21, 2015



Hon. Leland G. DeGrasse
Justice of the Appellate Division

ENTERED AUG 04 2015

8/4

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-2874
Ind. No. 8834C/05

-against-

CERTIFICATE
DENYING LEAVE

Nathaniel Ortiz,
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 May 4, 2015, is hereby denied.

Dated: New York, New York
July 21, 2015



Hon. Leland G. DeGrasse
Justice of the Appellate Division

ENTERED

AUG 04 2015

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

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

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

Respondent,

M-3047
Ind. No. 943/09

-against-

Sharmon Wade,

CERTIFICATE
DENYING LEAVE

Defendant.
-----X

I, 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 June 4, 2015 is hereby denied.



Hon. Leland G. DeGrasse
Associate Justice

Dated: July 22, 2015
New York, New York

ENTERED

AUG 04 2015

P.M ORDERS
FOR AUGUST
4, 2015

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 4, 2015.

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

-----X
James Montrose Sansum,
Plaintiff-Respondent-Appellant,

-against-

M-2649
M-2980
Index No. 604989/01

Helen Constantino Fioratti, et al.,
Defendants-Appellants-Respondents.
-----X

Plaintiff-respondent-appellant having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on May 5, 2015 (Appeal No. 15004-15005-15006) [M-2649],

Defendants-appellants-respondents having cross-moved for reargument of the aforesaid appeal (M-2980),

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 and cross motion are 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 August 4, 2015.

PRESENT : Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzairelli
Rolando T. Acosta
Darcel D. Clark
Barbara R. Kapnick, Justices.

-----X

Steven L. Wittels,
Petitioner-Respondent

SEALED

M-1838A

Index No. 652479/14

-against-

David W. Sanford, et al.,
Respondents-Appellants.

-----X

Appeals having been taken to this Court from an order of the Supreme Court, New York County, entered on or about December 5, 2014 and from a judgment of said Court, entered on or about February 3, 2015; and leave to appeal to this Court from an order of said Supreme Court, entered on or about March 26, 2015, having been granted by a Justice of this Court on May 21, 2015,

And respondents-appellants having moved to consolidate all appeals, and grant respondents-appellants leave to file a supplemental 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 portion of the motion seeking leave having previously granted by a Justice of this Court on May 21, 2015 is denied as academic; it is further ordered that the appeals are consolidated and respondents-appellants are permitted to prosecute the consolidated appeals upon 10 copies of one set of appellants' points covering the consolidated appeals, and granted leave to file a supplemental record containing that portion of the record underlying the order entered on March 26, 2015, with this Court, provided that the briefs and record are filed "under seal". (The order of this Court entered on July 28, 2015 (M-1838) is hereby recalled and vacated).

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 4, 2015.

PRESENT : Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzairelli
Rolando T. Acosta
Darcel D. Clark
Barbara R. Kapnick, Justices.

-----X
Steven L. Wittels,
Petitioner-Respondent

SEALED

M-1838A

Index No. 652479/14

-against-

David W. Sanford, et al.,
Respondents-Appellants.
-----X

Appeals having been taken to this Court from an order of the Supreme Court, New York County, entered on or about December 5, 2014 and from a judgment of said Court, entered on or about February 3, 2015; and leave to appeal to this Court from an order of said Supreme Court, entered on or about March 26, 2015, having been granted by a Justice of this Court on May 21, 2015,

And respondents-appellants having moved to consolidate all appeals, and grant respondents-appellants leave to file a supplemental 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 portion of this motion seeking leave to appeal to this Court having previously been granted by a Justice of this Court on May 21, 2015, is denied as academic; it is further ordered that all the appeals are consolidated and respondents-appellants are permitted to prosecute the consolidated appeals upon 10 copies of an additional set of appellants' points covering the appeals consolidated by this order. Appellants are granted leave to file a supplemental record containing the documents underlying the order entered on March 26, 2015, with this Court, provided that the briefs and record are filed "under seal". (The order of this Court entered on July 28, 2015 (M-1838) is hereby recalled and vacated).

ENTER:


CLERK

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

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

M-3083
Ind. No.10208/96

-against-

CERTIFICATE
DENYING LEAVE

Dexter Washington a/k/a Eze Alimase,
Defendant.

-----X

Defendant having moved for reargument and/or renewal of the order of a Justice of this Court entered April 9, 2015 (M-749) which denied defendant's application for a certificate granting leave to appeal to this Court from an order of the Supreme Court, New York County, entered on or about December 9, 2014,

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

It is ordered that the motion is denied in its entirety.



Leland G. DeGrasse
Associate Justice

Dated: New York, New York
July 21, 2015

ENTERED

AUG 04 2015