

At a 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 18, 2015.

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

-----X
Kison Utsey,
Plaintiff-Respondent,

-against-

M-3522X
Index No. 302531/12

HP Lafayette Boynton Housing
Development Fund Company, Inc.,
Defendant-Appellant.
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about February 18, 2015,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 23, 2015, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:


DEPUTY CLERK

At a 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 18, 2015.

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

-----X
Robert Carr,
Plaintiff-Respondent,

-against-

M-3523X
Index No. 107413/10

Bovis Lend Lease, et al.,
Defendants-Appellants.
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about January 22, 2015,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 22, 2015, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:


DEPUTY CLERK

At a 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 18, 2015.

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

-----X
Ridge Produce, Inc.,
Plaintiff-Respondent,

-against-

M-3465X
Index No. 160363/13

Blue Dog Café At Le Parker Meridien
Inc., et al.,
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about January 20, 2015,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 21, 2015, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:


DEPUTY CLERK

At a 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 18, 2015.

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

-----X
Ridge Produce, Inc.,
Plaintiff-Respondent,

-against-

M-3466X
Index No. 160361/13

BDKP, LLC, et al.,
Defendants-Appellants.
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about January 20, 2015,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 21, 2015, and due deliberation having been had thereon,

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

ENTER:


DEPUTY CLERK

At a 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 18, 2015.

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

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

-against-

M-3498
Ind. No. 588/14

Carl Jimenez,
Defendant-Appellant.
-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about June 25, 2014,

Now, upon reading and filing the stipulation of the parties hereto, dated July 16, 2015, and due deliberation having been had thereon,

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

ENTER:



DEPUTY CLERK

At a 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 18, 2015.

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

-----X
Men Women N.Y. Model Management,
Plaintiff-Respondent-Appellant,

-against-

M-3296X
Index No. 154076/14

Ali Kavoussi,
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 September 30, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 13, 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:


DEPUTY CLERK

At a 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 18, 2015.

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

-----X
Hermitage Insurance Company,
Plaintiff-Appellant-Respondent,

-against-

Bronx Steel Fabricators, Inc., et al.,
Defendants,

-and-

M-2840
Index No. 113060/11

77 Reade, LLC and Leeco
Construction Corp.,
Defendants-Respondents-Appellants,

-and-

Weidlinger Associates, Inc., et al.,
Defendants-Respondents,

New York Marine and General Insurance
Company,
Intervenor-Respondent-Appellant.

-----X

An appeal and cross appeal having been taken from an order of the Supreme Court, New York County, entered on or about February 18, 2014 (mot. seq. no. 004),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, dated May 14, 2015, and due deliberation having been had thereon,

It is ordered that the appeal and cross appeal, previously perfected for the May 2015 Term, are withdrawn in accordance with the aforesaid stipulation.

ENTER:


DEPUTY CLERK

At a 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 18, 2015.

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

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

- - - - -
Juan Jose R., Docket No. V-21698/14
Petitioner-Appellant,

-against-

Krystal R.,
Respondent-Respondent.

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

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about April 23, 2015, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Anne Reiniger, Esq., 801 Second Avenue, 10th Floor, New York, NY 10017, Telephone No. (212) 972-5430, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed

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

ENTER:



DEPUTY CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 18, 2015.

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

-----X
In the Matter of a Custody/Visitation
Proceeding Under Article 20 of the
Family Court Act.

- - - - -
Melinda R., Docket Nos. V-34751/12
Petitioner-Respondent, V-49929/12

-against-

Salvatore A.,
Respondent-Appellant.
- - - - -

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

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about April 24, 2015, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Geoffrey P. Berman, Esq., 2005 Palmer Avenue, #176, Larchmont, NY 10538, (914) 419-8407 as counsel for purposes of prosecuting the appeal; (2) directing the

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

ENTER:



DEPUTY CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 18, 2015.

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

-----X
In the Matter of

Genesis R.,
and Israel R.,

M-2710

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

Docket Nos. N-34865/14
N-35677/14

Administration for Children's Services,
Petitioner-Respondent,

Marcelino C.,
Respondent-Appellant.

Adam Hassuk, Esq.,
Attorney for the Child.
-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about June 1, 2015, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Anne Reiniger, Esq., 801 Second Avenue, 10th Floor, New York, NY 10017, Telephone No. (212) 972-5430, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed

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

ENTER:



DEPUTY CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 18, 2015.

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

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

Kent D.,
Petitioner-Appellant, **M-2791**
Docket No. V-17322/13

-against-

Rachel D.,
Respondent-Respondent.

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

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about May 11, 2015, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Thomas R. Villecco, Esq., 366 North Broadway, Suite #410, Jericho, NY 11753, (Telephone No. (516) 942-4221, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have

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

ENTER:



DEPUTY CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 18, 2015.

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

-----X

In the Matter of

Noah Martin Benjamin L.,
and Noel B.,

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

M-2843
Docket Nos. B-25959-60/14
NN-24030/13
NN-31387/12

Administration for Children's Services,
Petitioner-Respondent,

Frajon B.,
Respondent-Appellant.

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

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about June 8, 2015, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Thomas R. Villecco, Esq., 366 North Broadway, Suite 410, Jericho, NY 11753, Telephone No.

(516) 942-4221, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor;¹ **within 30 days (FCS 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



DEPUTY CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 18, 2015.

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

-----X
In the Matter of

Mia Anaya M.,

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

M-2877
Docket No. B-51324/13

- - - - -
The Children's Aid Society, et al.,
Petitioners-Respondents,

Barry M.,
Respondent-Appellant.

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

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about May 5, 2015, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Thomas R. Villecco, Esq., 366 North Broadway, Suite #410, Jericho, NY 11753, Telephone No. (516) 942-4221, as counsel for purposes of prosecuting the

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

ENTER:



DEPUTY CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 18, 2015.

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

-----X

In the Matter of

Yisrael R.,

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

M-2882
Docket No. NN-18324/13

- - - - -

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

Jocelyn R.,
Respondent-Appellant.

- - - - -

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

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an Order of Fact-Finding of the Family Court, New York County, entered on or about November 14, 2014 and an Order of Disposition of said Family Court, entered on or about April 8, 2015, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Thomas R. Villecco, Esq., 366 North Broadway, Suite #410, Jericho, NY 11753, Telephone No. (516) 942-4221, as counsel for purposes of prosecuting the

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

ENTER:



DEPUTY CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 18, 2015.

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

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

Jennifer D.,
Petitioner-Respondent,

M-2963
Docket No. F-23255-13/14D

-against-

Artis J.,
Respondent-Appellant.

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

-----X
Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about March 13, 2015, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Randall Carmel, Esq., 53 Jackson Avenue, Syosset, NY 11791, Telephone No. (516) 921-880, as counsel for purposes of prosecuting the appeal; (2) directing the

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

ENTER:



DEPUTY CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 18, 2015.

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

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

Sharon B., **M-2138**
Petitioner-Respondent, Docket No. V-45488-10/12A

-against-

Tiffany M.,
Respondent-Appellant,

Morris T.,
Respondent.

Lewis S. Calderon, Esq.,
Attorney for the Child.
-----X

Respondent-appellant mother, Tiffany M., having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about March 20, 2015, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Neal D. Futerfas, Esq., 50 Main Street, Suite 1000, White Plains, NY 10606, Telephone No. (914) 552-6076, as counsel for purposes of prosecuting the

appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor;¹ **within 30 days (FCS 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** (See M-2247 and M-2139, decided simultaneously herewith.)

ENTER:



DEPUTY CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 18, 2015.

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

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

Sharon B., **M-2139**
Petitioner-Respondent, Docket No. V-45488-10/12A

-against-

Tiffany M.,
Respondent-Appellant,

Morris T.,
Respondent.

Lewis S. Calderon, Esq.,
Attorney for the Child.

-----X
Gary Schultz, Esq., Family Court attorney for the subject child, having moved for leave to respond, as a poor person, to the appeal from the order of the Family Court, New York County, entered on or about March 20, 2015, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Lewis S. Calderon, Esq., 153-01 Jamaica Avenue, Suite # 201, Jamaica, NY 11432, Telephone No. (718) 883-1560, as counsel for purposes of responding to the

appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this Court. (See M-2138 and M-2247, decided simultaneously herewith.)

ENTER:

A handwritten signature in cursive script, reading "Margaret Saval".

DEPUTY CLERK

At a 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 18, 2015.

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

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

Sharon B., **M-2247**
Petitioner-Respondent, Docket No. V-45488-10/12A

-against-

Tiffany M.,
Respondent-Appellant,

Morris T.,
Respondent.

Lewis S. Calderon, Esq.,
Attorney for the Child.
-----X

Petitioner-respondent having moved for leave to respond, as a poor person, to the appeal from the order of the Family Court, New York County, entered on or about March 20, 2015, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Bruce A. Young, Esq., 100 Church Street, Suite #800, New York, NY 10007, Telephone No. (212) 965-0050, as counsel for purposes of responding to

the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this Court. (See M-2138 and M-2139, decided simultaneously herewith.)

ENTER:

A handwritten signature in cursive script, reading "Margaret Saval".

DEPUTY CLERK

At a 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 18, 2015.

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

-----X

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

- - - - -

Austrolyn O.,
Petitioner-Respondent,

M-2424

Docket No. V-37573/14

-against-

Michelle R.,
Respondent-Appellant.

- - - - -

Randall Carmel, Esq.,
Attorney for the Child.

-----X

Colleen Samuels, Esq., Family Court attorney for the subject child, having moved on said child's behalf for leave to respond, as a poor person, to the appeal from the order of the Family Court, New York County, entered on or about February 6, 2015, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Randall Carmel, Esq., 53 Jackson Avenue, Syosset, NY 11791, Telephone No. (516) 921-8800, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this Court.

ENTER:



DEPUTY CLERK

At a 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 18, 2015.

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

-----X
In the Matter of

Leidi N.,
Christian T.,
Erika T.,
and Chris T.,

M-2968
Docket Nos. NA-13141/13
NA-13142/13
NA-13143/13
NA-13144/13

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

Administration for Children's Services,
Petitioner-Appellant,

Beato T.,
Respondent-Respondent.

Randall Carmel, Esq.,
Attorney for the Children
Christian T., Erika T.
and Chris T.,

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

-----X

Keith Brown, Esq., Family Court attorney for the subject children, Christian T., Erika T. and Chris T., having moved on said children's behalf for leave to respond, as a poor persons, to the appeal from the order of the Family Court, Bronx County, entered on or about January 12, 2015, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Randall Carmel, Esq., 53 Jackson Avenue, Syosset, NY 11791, Telephone No. (516) 921-8800, as counsel for purposes of responding to the appeal on said children's behalf; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this Court.

ENTER:



DEPUTY CLERK

At a 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 18, 2015.

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

-----X
In the Matter of

Derick L.,

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

M-3201

Docket Nos. V-4045/13
O-3373/13
NN-31802/12

- - - - -
Administration for Children's Services,
Petitioner-Respondent,
Catherine L.,
Respondent-Appellant.

- - - - -
Randall Carmel, Esq.,
Attorney for the Child.

-----X

Mina MacFarlane, Esq., Family Court attorney for the subject child, having moved on said child's behalf for leave to respond, as a poor person, to the appeal from the orders of the Family Court, Bronx County, both entered on or about February 11, 2015, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Randall Carmel, Esq., 53 Jackson Avenue, Syosset, NY 11791, Telephone No. (516) 921-8800, as counsel for purposes of responding to the appeal; (2) permitting

movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this Court.

ENTER:

A handwritten signature in black ink, reading "Margaret Saval". The signature is written in a cursive style with a large initial 'M' and a long, sweeping tail.

DEPUTY CLERK

At a 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 18, 2015.

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

-----X
Jaynie S.,

Petitioner-Respondent,

-against-

M-2835

IDV No. 310/02

Gaetano D.,

Respondent-Appellant.

-----X

Petitioner-respondent having moved for leave to respond, as a poor person, to the appeal from the order of the Supreme Court, Bronx County, Integrated Domestic Violence Court (IDV), entered on or about November 14, 2013, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Andrew Baer, Esq., 299 Broadway, Suite #1415, New York, NY 10007, Telephone No. (212) 233-0318, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for respondent-appellant and 8 copies thereof are filed with this Court. Sua sponte, the appeal is adjourned to the November 2015 Term.

ENTER:


DEPUTY CLERK

At a 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 18, 2015.

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

-----X
Linda J. Weksler, individually and as
a shareholder of Bruce Supply Corp.
and a member of 6015 16th Avenue Realty
LLC and in the right of and on behalf
of Bruce Supply Corp. and 6015 16th
Avenue Realty LLC,
Plaintiff-Respondent,

M-3093

Index Nos. 603288/07
652843/11

-against-

Joseph Weksler, et al.,
Defendants-Appellants.

-----X
(And another action)

Defendants-appellants having moved for an enlargement of time to perfect the appeals from orders of the Supreme Court, New York County, entered on or about March 30, 2012 and July 31, 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:


DEPUTY CLERK

At a 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 18, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
John W. Sweeny, Jr.
Diane T. Renwick
David B. Saxe
Paul G. Feinman, Justices.

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

Respondent,

-against-

SEALED
M-2403

Ind. No. 1850/09

Lawrence Perez,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about April 8, 2011, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, for the assignment of counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, 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.

Steven A. Feldman, Esq., 626 RXR Plaza, West Tower - 6th Floor, Uniondale, New York 11556, Telephone No. (516) 522-2828, is assigned as counsel for defendant-appellant for purposes of prosecuting 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.

The People are directed to notify assigned counsel of the complete terms of the January 7, 2011 Protective Order by providing assigned counsel, under "**SEAL**", with a copy of said Protective Order, and written notice of said Protective Order. Assigned counsel is directed to ensure that transcripts and any other trial materials are maintained in the exclusive possession of assigned counsel and that dissemination of the briefs, transcripts, or any other papers in the record on appeal to any members of the public, the defendant, his family or associates is hereby prohibited. Materials obtained by counsel are provided for the exclusive purpose of preparing defendant's appeal.

ENTER:


DEPUTY CLERK

At a 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 18, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
John W. Sweeny, Jr.
Diane T. Renwick
David B. Saxe
Paul G. Feinman, Justices.

-----X

In the Matter of

Diane M.,

CONFIDENTIAL

An Abuse and/or Neglect Proceeding
Under Article 10 of the Family Court
Act.

M-2494

- - - - -

Diane M.,
Subject Movant.

-----X

An appeal having been taken from an order of the Family Court, Bronx County, entered on or about April 6, 1971,

And subject movant having moved for leave to amend the case caption to substitute "Anonymous" in place of movant's true name, and direct the Chief Court Reporter of Supreme Court, Bronx County, to change the caption in the of the opinion and dissent of our order 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 directing that the instant order and any future orders in this matter be issued on a **CONFIDENTIAL** caption, and otherwise denied.

ENTER:



DEPUTY CLERK

At a 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 18, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
John W. Sweeny, Jr.
David B. Saxe
Paul G. Feinman, Justices.

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

-against-

M-2325
Ind. No. 44560C/05

Lawrence Perez,
Defendant-Appellant.

-----X

An order of this Court having been entered on January 15, 2009 (M-5726), granting defendant leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about August 5, 2008, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

And defendant having moved for the continuation of the poor person relief granted by the aforesaid order of this Court entered on January 15, 2009 (M-5726), and for the assignment of counsel for purposes of prosecuting 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 to the extent of continuing the poor person relief granted by the order of this Court entered on January 15, 2009 (M-5726).

Steven A. Feldman, Esq., 626 RXR Plaza, West Tower - 6th Floor, Uniondale, New York, 11556, Telephone No. (516) 522-2828, 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:


DEPUTY CLERK

At a 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 18, 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-2459
Ind. No. 3271/12

Harold Grant,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about April 27, 2015, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:



DEPUTY CLERK

At a 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 18, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Richard T. Andrias, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-2572
Ind. No. 31/10

Julius Barnes,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about January 2, 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 November 2015 Term.

ENTER:



DEPUTY CLERK

At a 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 18, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick
Richard T. Andrias, Justices.

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

-against-

M-2488
Ind. No. 6775/00

Alexander Castillo,
Defendant-Appellant.

-----X

Defendant-appellant having moved for dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about January 29, 2010, 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 deeming the appeal withdrawn.

ENTER:


DEPUTY CLERK

At a 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 18, 2015.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick
Richard T. Andrias, Justices.

-----X
In the Matter of

Doris Aspiazu,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78 of the CPLR, and Claims under the Executive Law and the Administrative Code of the City of New York,

-against-

M-2932
Index No. 101072/13

The Department of Education of the City of New York, et al.,
Respondents-Respondents.

-----X

Retained counsel having moved to be relieved as appellate counsel, and for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about September 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 relieving counsel, and enlarging the time to perfect the appeal to the February 2016 Term.

ENTER:


DEPUTY CLERK

At a 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 18, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Richard T. Andrias, Justices.

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

-against-

M-2487
Ind. No. 3295/01

Isaias Flores,
Defendant-Appellant.

-----X

Defendant-appellant having moved for dismissal of the appeal taken from an order of the Supreme Court, Bronx County, entered on or about January 19, 2010,

Now, upon 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 appeal withdrawn.

ENTER:


DEPUTY CLERK

At a 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 18, 2015.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
David B. Saxe
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

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

-against-

M-2890
Ind. No. 2028/14

Jeffrey Smith,
Defendant-Appellant.
-----X

Defendant having moved for an enlargement of time to perfect the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about March 9, 2015, and to continue and extend bail granted by order of a Justice of this Court entered March 11, 2015 (M-1037), 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 in accordance with the Stipulation of the parties dated June 17, 2015, to the extent of continuing and extending the bail granted by an order of a Justice of this Court entered March 11, 2015 (M-1037) pending hearing and determination of the appeal, on the same terms and conditions, and on condition the appeal is perfected for the October 2015 Term.

ENTER:


DEPUTY CLERK

At a 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 18, 2015.

PRESENT - Hon: Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
David B. Saxe
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

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

-against-

M-2688
Ind. No. 4598/12

John Blanding, also known as Johnny
Blanding,
Defendant-Appellant.

-----X

An order of this Court having been entered on September 26, 2013 (M-3643) assigning Robert S. Dean, Esq., as counsel to prosecute defendant's appeal from the judgment of the Supreme Court, New York County, rendered on or about June 21, 2013, and said appeal having been perfected,

And defendant-appellant pro se having moved for an order relieving assigned counsel and substituting other counsel to prosecute 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, with leave to renew upon defendant's submission of a notarized affidavit setting forth, in detail, the reason(s) for his dissatisfaction with present counsel.

ENTER:


DEPUTY CLERK

At a 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 18, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Judith J. Gische
Darcel D. Clark, Justices.

-----X
Michael Kunz, etc.,

-against-

Sanders Lamar A., etc.,
Respondent.

M-2366
M-2515
Ind. No. 530095/14

-----X

A purported appeal having been taken from orders of the Supreme Court, New York County, entered on or about February 25, 2015, November 19, 2014 and January 6, 2015, respectively,

And respondent having moved by separate motions for an extension of time to file a notice of appeal from the aforesaid orders, for leave to prosecute the purported appeal as a poor person, upon the original record and upon a reproduced appellant's brief, for assignment of counsel, and for other relief

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

It is ordered that the motions are denied (M-2366/M-2515).

ENTER:



DEPUTY CLERK

At a 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 18, 2015.

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

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

-against-

M-3109
Ind. No. 3465/13

Tyler Simmerman,
Defendant-Appellant.
-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, Bronx County, rendered on or about May 14, 2015, and for leave to prosecute the appeal as a poor person on the original record and upon a reproduced appellant's brief, and for assignment of counsel,

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

It is ordered that the motion is granted to the extent of deeming the 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 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:


DEPUTY CLERK

At a 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 18, 2015.

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

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

-against-

M-3089
Ind. No. 2663/13

Jaysen Dorsey,
Defendant-Appellant.
-----X

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

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

It is ordered that the motion is 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 reproduced copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

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

ENTER:



DEPUTY CLERK

At a 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 18, 2015.

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

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

Wilda C.,
Petitioner-Appellant,

M-2945
Docket No. V-35591/15

-against-

Miguel R.,
Respondent-Respondent.

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

-----X
Petitioner-appellant mother having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about May 20, 2015, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Kenneth M. Tuccillo, Esq., 591 Warburton Avenue #576, Hastings on Hudson, New York, NY 10706, Telephone No. (914) 439-4843, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family

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

ENTER:



DEPUTY CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 18, 2015.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-2916
Ind. No. 4679/13

Ted Costa,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about February 4, 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 granted to the extent of deeming the notice of appeal timely filed.

ENTER:


DEPUTY CLERK

At a 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 18, 2015.

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

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

-against-

M-2909
Ind. No. 6498/07

Messai Badreddine,
Defendant.

-----X

Defendant having moved for an enlargement of time to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about April 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 denied, with leave to renew upon service of the motion or a demonstration of service upon the People.

ENTER:


DEPUTY CLERK

At a 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 18, 2015.

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

-----X

The People of the State of New York,
Respondent,

M-2873

-against-

Ind. No. 1209/14

Jeremiah Spruill,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about March 2, 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, with leave to renew upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), including a statement detailing the amount and sources of his income and listing his property with its value.

ENTER:


DEPUTY CLERK

At a 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 18, 2015.

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

-----X

Laura Bandak,
Plaintiff-Respondent,

-against-

M-3419
Index No. 309673/14

Mark Bandak,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about July 14, 2015,

And defendant-appellant having moved to stay 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:


DEPUTY CLERK

At a 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 18, 2015.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-3220
Ind. No. 3907/12

Curtis Forteau,
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to file a pro se supplemental brief in connection with the appeal from a judgment of the Supreme Court, New York County, rendered on or about July 15, 2014, and for related relief,

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

It is ordered that the motion is denied.

ENTER:


DEPUTY CLERK

At a 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 18, 2015.

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

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

Raphael Fernandez,
Petitioner,

For a Judgment Pursuant to Article 78
of the CPLR,

M-2904
M-3188
Index No. 400873/14

-against-

New York City Housing Authority,
Respondent.

-----X

An Article 78 proceeding having been transferred to this Court by order of the Supreme Court, New York County, entered on or about September 9, 2014,

And respondent having moved to dismiss the aforesaid proceeding (M-2904),

And petitioner having for an enlargement of time to perfect the proceeding (M-3188), and for poor person relief,

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 to dismiss the proceeding is denied (M-2904). The motion by petitioner is granted to the extent of enlarging the time to perfect the proceeding to the December 2015 Term, with no further enlargements to be granted. The motion is otherwise denied (M-3188).

ENTER:


DEPUTY CLERK

At a 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 18, 2015.

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

-----X

The People of the State of New York,

Respondent,

-against-

Shanequa Mascall,

Defendant-Appellant.

M-3014
Ind. Nos. 1585/12
1831/10
87/11

-----X

Defendant having moved for an enlargement of time in which to perfect the consolidated appeals from the judgment of the Supreme Court, New York County, rendered on or about March 4, 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 consolidated appeals to the January 2016 Term.

ENTER:


DEPUTY CLERK

At a 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 18, 2015.

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

-----X

The People of the State of New York,

Respondent,

-against-

M-3010
Ind. No. 1979/09

Marcus King,

Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about January 11, 2012,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the January 2016 Term.

ENTER:


DEPUTY CLERK

At a 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 18, 2015.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-2948
Ind. No. 60/14

Richard Haney,
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about July 17, 2014 (Ind. No. 60/14),

And an order of this Court having been entered on January 22, 2015 (M-4915) granting defendant-appellant leave to prosecute a appeal from judgments of the aforesaid Court rendered on or about July 17, 2014 (Ind. Nos. 263/14, 3107/13) as a poor person, and assigning Robert S. Dean, Esq., as counsel for defendant-appellant for purposes 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 to the extent of deeming the moving papers a timely filed notice of appeal. The poor person relief previously granted by the order of this Court on January 22, 2015 (M-4915) is extended to cover the appeal under the Ind. No. 60/14.

ENTER:


DEPUTY CLERK

At a 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 18, 2015.

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

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

-against-

M-2906
Ind. No. 831/83

Melvin Williams,
Defendant-Appellant.

-----X

Respondent People having moved to dismiss the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about March 26, 1984,

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

It is ordered that the motion is denied, without prejudice to respondent People raising the issue in their brief on the appeal.

ENTER:


DEPUTY CLERK

At a 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 18, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
Richard T. Andrias
David B. Saxe
Rosalyn H. Richter
Judith J. Gische, Justices.

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

-against-

M-2508
Ind. No. 3226N/13

Paul Durham,
Defendant-Appellant.

-----X

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

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

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


DEPUTY CLERK

At a 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 18, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
Richard T. Andrias
David B. Saxe
Rosalyn H. Richter
Judith J. Gische, Justices.

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

-against-

M-2509
Ind. No. 1021/13

Jonathan Moorer,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about June 7, 2013, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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


DEPUTY CLERK

At a 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 18, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
Richard T. Andrias
David B. Saxe
Rosalyn H. Richter
Judith J. Gische, Justices.

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

-against-

M-2510
Ind. No. 1762/12

Kierra Hanley,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about June 7, 2013, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:


DEPUTY CLERK

At a 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 18, 2015.

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

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

-against-

M-2606A
Ind. No. 5816/12

Carlos Garcia,
Defendant-Appellant.

-----X

An order by a Justice of this Court dated July 14, 2015 having been entered August 18, 2015 (M-2606), granting defendant leave to appeal to this Court from the order of the Supreme Court, New York County, entered on or about April 20, 2015, denying defendant CPL § 440.10 relief,

And defendant having moved for leave to prosecute the aforesaid appeal as a poor person, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 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, 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. (See M-2606, decided simultaneously herewith).

ENTER:


DEPUTY CLERK

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

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

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

M-2606
Ind. No. 5816/12

-against-

CERTIFICATE
GRANTING LEAVE

Carlos Garcia,
Defendant-Appellant.

-----X

I, Barbara R. Kapnick, a Justice of the Appellate Division, First Judicial Department, do hereby certify that in the proceedings herein questions of law or fact are involved which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is hereby granted to the above-named defendant to appeal to the Appellate Division, First Judicial Department, from the order of the Supreme Court, New York County, entered on or about April 20, 2015.¹

Dated: July 14, 2015
New York, New York



Hon. Barbara R. Kapnick
Associate Justice

ENTERED

AUG 18 2015

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

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

At a 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 18, 2015.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman
Darcel D. Clark, Justices.

-----X
Press Access LLC,
Plaintiff-Appellant,

-against-

M-3477
Index No. 653822/13

1 800 Postcards, Inc., doing business
as 1-800 Postcards, Inc.,
Defendant-Respondent.

-----X

Defendant-respondent having moved for dismissal of the appeal taken from the order of the Supreme Court, New York County, entered on or about October 9, 2014, or in the alternative, for an enlargement of time to submit its brief and an adjournment to the October 2015 Term,

Now, upon 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 defendant's brief timely filed and adjourning the appeal to the October 2015 Term. The motion is otherwise denied.

ENTER:


DEPUTY CLERK

At a 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 18, 2015.

Present: Hon. Karla Moskowitz, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman
Darcel D. Clark, Justices.

-----X

Dexia SA/NV, Dexia Holdings, Inc.,
FSA Management LLC and Dexia Credit
Local SA,

Plaintiffs-Appellants,

M-3247
M-3363
Index No. 650231/12

-against-

Morgan Stanley, et al.,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about October 18, 2013, and said appeal having been perfected,

And plaintiffs-appellants having moved for leave to submit a letter addressing, *Commonwealth of Pennsylvania Pub. Sch. Employees' Retirement Sys. v Morgan Stanley & Co., Inc.* (M-3247),

And defendants-respondents having cross-moved for leave to submit a letter also addressing, *Commonwealth of Pennsylvania Pub. Sch. Employees' Retirement Sys. v Morgan Stanley & Co., Inc.* (M-3363),

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 deemed as requests to submit supplemental briefs and, as such, are granted. The respective parties are directed to serve and file 9 copies of said supplemental briefs for the December 2015 Term, to which Term the appeal is adjourned.

ENTER:


DEPUTY CLERK

At a 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 18, 2015.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman
Darcel D. Clark, Justices.

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

-against-

M-3472
Ind. No. 720/02

Jian Ming Huang,
Defendant-Appellant.

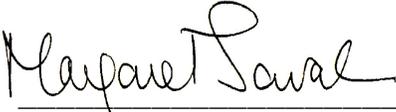
-----X

Defendant-appellant having moved for leave to file a pro se supplemental brief in connection with the appeal from a judgment of the Supreme Court, New York County, rendered on or about August 21, 2013, 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:


DEPUTY CLERK

At a 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 18, 2015.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman
Darcel D. Clark, Justices.

-----X
Talib W. Abdur-Rashid,
Petitioner-Appellant,

-against-

M-3604
Index No. 101559/13

New York City Police Department
and Raymond Kelly, in his Official
Capacity as Commission of the New
York City Police Department,
Respondents-Respondents,

Reporters Committee For Freedom
of the Press and 20 Media Organizations,
Proposed Amici Curiae.

-----X

An appeal having been taken to this Court by the above-named petitioner from an order of the Supreme Court, New York County, entered on or about September 11, 2014, and said appeal having been perfected,

And Reporters Committee for Freedom of the Press and 20 Media Organizations having moved for leave to file a brief amici curiae in connection with the aforesaid appeal,

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

It is ordered that the motion is granted and movant is directed to forthwith file an additional nine copies of said brief with the Clerk of this Court.

ENTER:


DEPUTY CLERK

At a 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 18, 2015.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman
Darcel D. Clark, Justices.

-----X
Stephen Brookstone and Carol Brookstone,
Plaintiffs-Respondents,

-against-

M-3693
Index No. 153315/12

City of New York, et al.,
Defendants,

-and-

Jeison Realty Corporation,
Defendant-Appellant.

-----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 October 14, 2014,

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

It is ordered that the motion is denied.

ENTER:



DEPUTY CLERK

At a 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 18, 2015.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman
Darcel D. Clark, Justices.

-----X
Rebecca Broadway Limited,
Partnership and Sprecher/Forlenza
Productions Inc.,
Plaintiffs-Respondents,

-against-

M-3484
Index No. 653659/12

Mark Christopher Hotton, et al.,
Defendants,

Marc Thibodeau,
Defendant-Appellant.

-----X

Defendant-appellant having moved for a stay of proceedings including trial pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about May 21, 2015, and said appeal having been perfected,

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

It is ordered that the motion is granted.

ENTER:



DEPUTY CLERK

At a 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 18, 2015.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman
Darcel D. Clark, Justices.

-----X
TYT East Corp., et al.,
Plaintiffs,

-and-

Hui Sheng Lin,
Plaintiff-Appellant,

M-3176

M-3407

-against-

Index No. 601029/10

Michael Lam, etc.,
Defendant,

-and-

David Gao, et al.,
Defendants-Respondents.

-----X
David Gao, et al.,
Third-Party Plaintiffs-Respondents,

-against-

Third-Party

Ji Xiong Ni, etc.,

Index No. 590415/12

Third-Party Defendant,

-and-

Yan Zhuang, et al.,
Third-Party Defendants-Appellants.

-----X

Third-party plaintiffs-respondents David Gao and Chen Hua, also known as Hua Chen having moved for dismissal of an appeal taken from an order and judgment of the Supreme Court, New York County, entered on August 7, 2014 and September 22, 2014 (M-3176), and said appeal having been perfected,

And third-party plaintiff-respondent David Gao having moved for dismissal of another appeal from the judgment of the Supreme Court, New York County, entered on or about September 22, 2014 (M-3407), and said appeal having been perfected,

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-3176/M-3407).

ENTER:



DEPUTY CLERK

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

BEFORE: Hon. Peter Tom
Justice of the Appellate Division

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

M-499
Ind. No. 6883/95

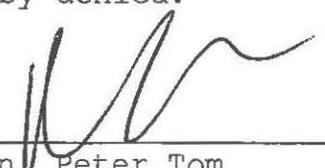
-against-

Stanley Jackson,

CERTIFICATE
DENYING LEAVE

Defendant.
-----X

I, Peter Tom, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County, entered on or about November 18, 2014 is hereby denied.



Hon. Peter Tom
Associate Justice

Dated: July 29, 2015
New York, New York

ENTERED

JUL 29 2015

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

BEFORE: Hon. Peter Tom
Justice of the Appellate Division

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

M-1468
Ind. No. 3438/01

-against-

Kevin Washington,

CERTIFICATE
DENYING LEAVE

Defendant.
-----X

I, Peter Tom, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County, entered on or about September 16, 2014 is hereby denied.



Hon. Peter Tom
Associate Justice

Dated: July 29, 2015
New York, New York

ENTERED

AUG 18 2015

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

BEFORE: Hon. Peter Tom
Justice of the Appellate Division

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

-against-

Jose Roman,

Defendant.
-----X

M-2058
Ind. No. 4258/07
4308/07
6363/07

CERTIFICATE
DENYING LEAVE

I, Peter Tom, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about April 1, 2015 is hereby denied.



Hon. Peter Tom
Associate Justice

Dated: July 29, 2015
New York, New York

ENTERED

AUG 13 2015

STATE OF NEW YORK
APPELLATE DIVISION: FIRST DEPARTMENT

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

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

-against-

Curtis Lawrence,
Defendant.

M-4983
Ind. No. 1470/12 & 457/14

ORDER DENYING ROR OR
BAIL AFTER APPEAL TAKEN

-----X
An appeal having been taken to this Court by the above-named defendant from judgments of the Supreme Court, New York County, rendered on May 20, 2014 and July 31, 2014, and defendant having moved, pursuant to CPL 460.50 for a stay of execution of sentences pending hearing and determination of the aforesaid appeals,

Now, upon reading and filing the notice of motion, with proof of due service thereof, and the papers filed in support of said motion, and further papers filed in relation thereto; and due deliberation having been had thereon,

It is ordered that the motion be and the same hereby is denied.

Dated: December 1, 2014
New York, New York



Hon. Rolando T. ACosta
Justice of the Appellate Division

ENTERED

AUG 18 2015

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

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

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

M-2606
Ind. No. 5816/12

-against-

CERTIFICATE
GRANTING LEAVE

Carlos Garcia,
Defendant-Appellant.

-----X

I, Barbara R. Kapnick, a Justice of the Appellate Division, First Judicial Department, do hereby certify that in the proceedings herein questions of law or fact are involved which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is hereby granted to the above-named defendant to appeal to the Appellate Division, First Judicial Department, from the order of the Supreme Court, New York County, entered on or about April 20, 2015.¹

Dated: July 14, 2015
New York, New York



Hon. Barbara R. Kapnick
Associate Justice

ENTERED

AUG 18 2015

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

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

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

BEFORE: Hon. Peter Tom
Justice of the Appellate Division

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

M-499
Ind. No. 6883/95

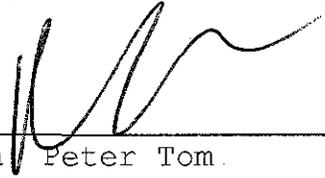
-against-

Stanley Jackson,

CERTIFICATE
DENYING LEAVE

Defendant.
-----X

I, Peter Tom, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County, entered on or about November 18, 2014 is hereby denied.



Hon. Peter Tom
Associate Justice

Dated: July 29, 2015
New York, New York

ENTERED

AUG 13 2015

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

BEFORE: Hon. Peter Tom
Justice of the Appellate Division

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

M-1468
Ind. No. 3438/01

-against-

Kevin Washington,

CERTIFICATE
DENYING LEAVE

Defendant.
-----X

I, Peter Tom, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County, entered on or about September 16, 2014 is hereby denied.



Hon. Peter Tom
Associate Justice

Dated: July 29, 2015
New York, New York

ENTERED

AUG 18 2015

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

BEFORE: Hon. Peter Tom
Justice of the Appellate Division

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

-against-

Jose Roman,

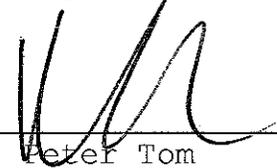
Defendant.

M-2058
Ind. No. 4258/07
4308/07
6363/07

CERTIFICATE
DENYING LEAVE

-----X

I, Peter Tom, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about April 1, 2015 is hereby denied.



Hon. Peter Tom
Associate Justice

Dated: July 29, 2015
New York, New York

ENTERED

AUG 18 2015

STATE OF NEW YORK
APPELLATE DIVISION: FIRST DEPARTMENT

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

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

-against-

Curtis Lawrence,
Defendant.

M-4983
Ind. No. 1470/12 & 457/14

ORDER DENYING ROR OR
BAIL AFTER APPEAL TAKEN

-----X

An appeal having been taken to this Court by the above-named defendant from judgments of the Supreme Court, New York County, rendered on May 20, 2014 and July 31, 2014, and defendant having moved, pursuant to CPL 460.50 for a stay of execution of sentences pending hearing and determination of the aforesaid appeals,

Now, upon reading and filing the notice of motion, with proof of due service thereof, and the papers filed in support of said motion, and further papers filed in relation thereto; and due deliberation having been had thereon,

It is ordered that the motion be and the same hereby is denied.

Dated: December 1, 2014
New York, New York



Hon. Rolando T. ACosta
Justice of the Appellate Division

ENTERED

AUG 18 2015