

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 25, 2015.

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

-----X
Jodi Schaiman Shahmanesh,
Plaintiff-Appellant,

-against-

M-2653X
Index No. 350555/00

Scott D. Shahmanesh,
Defendant-Respondent.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about September 17, 2014 (mot. seq. no. 002),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 3, 2015, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 25, 2015.

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

-----X

Ron Miller,
Plaintiff-Appellant,

-against-

101 Perry Street, LLC,
Defendant-Respondent.

M-2683X
Index No. 160570/14

-----X

An appeal having been taken from the 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" June 4, 2015, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 25, 2015.

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

-----X
Aristone Realty Capital, LLC,
Plaintiff-Appellant,

-against-

M-2684X
Index No. 651202/14

Peter Scialla, et al.,
Defendants-Respondents.

(And another action)
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about January 8, 2015 (mot. seq. no. 002),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 4, 2015, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 25, 2015.

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

-----X
Field Logic, Inc., et al.,
Plaintiffs-Defendants-Respondents,

-against-

M-2591
Index No. 651671/14

Out Rage, LLC,
Defendant-Plaintiff-Appellant.

-----X
(And a third-party action)
-----X

An appeal having been taken from orders of the Supreme Court, New York County, entered on or about January 23, 2015 and February 17, 2015, respectively

Now, upon reading and filing the stipulation of the parties hereto, dated May 28, 2015, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the September 2015 Term, is withdrawn in accordance with the aforesaid stipulation.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 25, 2015.

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

-----X

Marsh USA, Inc.,
Plaintiff-Respondent,

-against-

M-2745
Index No. 653747/14

Susan Ott, 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 30, 2015,

Now, upon reading and filing the stipulation of the parties hereto, dated June 8, 2015, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the September 2015 Term, is withdrawn in accordance with the aforesaid stipulation.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 25, 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-2287
Ind. No. 3808/06

Glenmore Foster,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, rendered on or about February 19, 2010,

Now, upon reading and filing the motion by attorney for defendant-appellant, Seymour W. James, Jr., dated May 12, 2015, and due deliberation having been had thereon,

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 25, 2015.

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

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

-against-

M-1731
Ind. No. 5873/13

Adam Tang,
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 December 8, 2014, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

And respondent having moved to dismiss the aforesaid appeal,

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

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

The motion to the extent it seeks dismissal of the appeal is denied, without prejudice.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 25, 2015.

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

-----X
Charles B. Udoh,
Plaintiff-Appellant,

-against-

M-1915
Index No. 403288/09

Charlene A. Udoh,
Defendant-Respondent.

-----X

Plaintiff-appellant, pro se, having renewed his motion for an enlargement of time to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about September 21, 2012 (mot. seq. no. 003),

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the October 2015 Term.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 25, 2015.

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

-----X
In the Matter of the Applicatio of
Tawau, LLC,
Petitioner-Respondent,

For a Judgment Pursuant to Article 78 M-2142
of the Civil Practice Law and Rules Index No. 101571/13

-against-

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

Respondents-appellants having moved for an enlargement of time to perfect the appeal taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about August 13, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the October 2015 Term.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 25, 2015.

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

-----X

Sean Mark Corrigan, et al.,
Plaintiffs-Appellants,

-against-

M-2114
Index No. 106473/11

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

-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about August 15, 2014 (mot. seq. no. 002),

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 25, 2015.

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

-----X
31 Cornelia Properties Corp.,
Plaintiff-Appellant,

-against-

M-2293
Index No. 152808/13

Joseph Lemma, et al.,
Defendants-Respondents.

-----X

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

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

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 25, 2015.

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

-----X

Manuel John Mehos,
Petitioner-Respondent,

-against-

M-2320
Index No. 350044/12

Lisa Rossi Mehos,
Respondent-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 12, 2015,

And respondent-appellant having moved for a stay of all proceedings pending hearing and determination of the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motion, including the letter from attorney for appellant-respondent, Thomas D. Shanahan, Esq. dated June 1, 2015, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 25, 2015.

PRESENT - Hon. Peter Tom, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

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

-against-

M-97
Ind. No. 2632/93

Natch Black,
Defendant-Respondent.

-----X

A decision and order of this Court having been entered on September 18, 1997 (Appeal No. 61410), unanimously modifying a judgment of the Supreme Court, Bronx County (Gerald Sheindlin, J.), rendered on March 30, 1995,

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

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

It is ordered that said application is denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 25, 2015.

PRESENT - Hon. Peter Tom, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
David B. Saxe
Darcel D. Clark, Justices.

-----X
Carlayne Sims,

Plaintiff-Appellant,

-against-

City of New York,

M-1677
Index. No. 101164/14

Defendant-Respondent.
-----X

Plaintiff-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, entered on or about March 16, 2015, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 25, 2015.

PRESENT - Hon. Peter Tom, Justice Presiding,
David Friedman
Rolando T. Acosta
Judith J. Gische, Justices.

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

-against-

M-1444
Ind. No. 1706/10

Teofilo Reyes,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on December 10, 2013 (Appeal No. 11294), unanimously affirming a judgment of the Supreme Court, New York County (Roger Hayes, J.), rendered on January 5, 2012, as amended January 18, 2012,

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

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

It is ordered that said application is denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 25, 2015.

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

-----X
In re Citigroup Global Markets, Inc.,
et al.,
Petitioners-Respondents,

-against-

M-2048
Index No. 653017/13

John Leopoldo Fiorilla, etc.,
Respondent-Appellant.

-----X

Respondent-appellant having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on April 9, 2015 (Appeal No. 14747),

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

It is ordered that the motion is denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 25, 2015.

PRESENT - Hon. Peter Tom, Justice Presiding,
Dianne T. Renwick
Richard T. Andrias
Rosalyn H. Richter
Judith J. Gische, Justices.

-----X
Hi-Tech Construction & Management
Services Inc.,
Plaintiff-Appellant,

-against-

M-1247
Index Nos. 602377/05
603609/05

The Housing Authority of the City of
New York,
Defendant-Respondent.

-----X
Hi-Tech Construction & Management
Services Inc.,
Plaintiff-Appellant,

-against-

The Housing Authority of the City of
New York,
Defendant-Respondent.

-----X

Plaintiff-appellant having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on February 24, 2015 (Appeal No. 14305),

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

It is ordered that the motion is denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 25, 2015.

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

-----X
Mark Robert Gordon,
Plaintiff-Appellant,

-against-

M-2230
Index No. 157456/13

Rol Realty Company, et al.,
Defendants-Respondents.
-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about 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 appeal to the December 2015 Term.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 25, 2015.

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

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

Herbert Aponte,
Petitioner-Appellant,

For an Order Pursuant to Article 78
of the CPLR,

-against-

M-2421
Index No. 400680/13

The Board of Education, et al.,
Respondents-Respondents.
-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, entered on or about April 23, 2014, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the attorney for respondent and file 8 copies of such brief, together with the original record, with this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record. The Clerk of the Supreme Court, New York County, is directed to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, with a copy to appellant or appellant's counsel if any, the cost thereof to be charged against the City of New York from funds available therefor.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 25, 2015.

PRESENT - Hon. Peter Tom, Justice Presiding,
David B. Saxe
Judith J. Gische
Darcel D. Clark, Justices.

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

-against-

M-740
Ind. No. 698/08

Charles Santana,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on January 21, 2014 (Appeal No. 11523), unanimously affirming a judgment of the Supreme Court, Bronx County (Ann Donnelly, J.), rendered on June 25, 2010,

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

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

It is ordered that said application is denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 25, 2015.

PRESENT: Hon. Peter Tom, Justice Presiding,
Karla Moskowitz
Leland G. DeGrasse
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X

Patricia Finn,
Plaintiff-Appellant,

M-2109
Index No. 687/13

-against-

Frederick Piesco, Jr.,
Defendant-Respondent.

-----X

Plaintiff-appellant, pro se, having moved for an enlargement of time to perfect the appeal taken from the an order of the Supreme Court, Rockland County, entered on or about August 4, 2014,

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

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 25, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
Rosalyn H. Richter
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----x

SNI/SI Networks L.L.C.,
Plaintiff-Appellant,

-against-

M-2582
Index No. 652471/14

DIRECTV, LLC,
Defendant-Respondent.

-----x

An appeal having been taken to this Court from orders of the Supreme Court, New York County, entered on or about April 29, 2015 and May 26, 2015, respectively,

And plaintiff-appellant having moved for a stay of the aforesaid orders pending hearing and determination of the aforesaid appeal, for expedited hearing of the appeal, and to place a particular affirmation in support of this motion under seal, 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, to the extent it seeks a stay, is granted on condition the appeal is perfected for the October 2015 Term. The Clerk is directed to calendar the appeal for the first date in the fall convenient to the Court, and to permit filing documents containing confidential information under seal per the stipulation of the parties dated June 10, 2015. The request for oral argument is denied, without prejudice to letter application by the parties to the Justice presiding on the date of oral argument.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 25, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
Rosalyn H. Richter
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----X
In the Matter of the Application of
Lizzette Morales,
Petitioner,

For a Judgment Pursuant to Article 78 M-2608
of the Civil Practice Law and Rules, Index No. 400004/14

-against-

New York City Housing Authority,
Respondent.
-----X

An Article 78 proceeding to review a determination of respondent having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about May 6, 2014,

And petitioner having moved to stay a Civil Court eviction pending hearing and determination of the aforesaid proceeding,

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

It is ordered that the motion is granted on condition petitioner perfects the aforesaid proceeding for the September 2015 Term and on condition she continue to pay use and occupancy.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 25, 2015.

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

-----X

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

-against-

M-1632
Index No. 451612/12

Port Authority Police Sergeants
Benevolent Association,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on January 15, 2015 (Appeal No. 13970N),

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

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 25, 2015.

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

-----X

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

-against-

M-1633
Index No. 450825/13

Port Authority Police Sergeants
Benevolent Association,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on January 15, 2015 (Appeal No. 13971N),

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

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 25, 2015.

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

-----X
In the Matter of the Application of
Police Officer Manuel Gomez,
Petitioner,

-against-

M-1917
Index No. 113832/11

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

-----X

An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about May 1, 2012, to review a determination of respondent,

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

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the proceeding to the November 2015 Term.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 25, 2015.

PRESENT - Hon. Angela M. Mazzairelli, Justice Presiding,
John W. Sweeny, Jr.
Richard T. Andrias
David B. Saxe
Rosalyn H. Richter, Justices.

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

-against-

M-2231
Ind. No. 1249/13

Linda Pernier,
Defendant-Appellant.

-----X

Assigned counsel having moved to dismiss the appeal from the judgment of the Supreme Court, New York County, rendered on or about June 18, 2013,

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 25, 2015.

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

-----X

APF 286 Mad LLC, et al.,
Plaintiffs-Respondents,

-against-

M-2249
Index No. 156980/12

Chittur & Associates, P.C. and
Krishnan Chittur, also known as
Krishnan S. Chittur,
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 7, 2015,

And defendants-appellants 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 granted on condition the appeal is perfected for the October 2015 Term.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 25, 2015.

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

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

-against-

M-2124
Ind. No. 2885/13

Vincent Ziegler,
Defendant-Appellant.

-----X

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

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

It is ordered that the motion is granted to the extent of deeming the notice of appeal as timely filed and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record with this Court, pursuant to Rule 600.11(b)(2) of the Rules of this Court.

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

Seymour W. James, Jr., Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 25, 2015.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
Leland G. DeGrasse
Rosalyn H. Richter
Paul G. Feinman, Justices.

-----X

In re Andre Lissone,
Petitioner-Appellant,

-against-

M-1846
Index No. 101433/12

Dennis Walcott, etc., et al.,
Respondents-Respondents.

-----X

Petitioner-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on March 19, 2015 (Appeal No. 14576),

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

It is ordered that the motion is denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 25, 2015.

PRESENT - Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
Karla Moskowitz
Rosalyn H. Richter
Paul G. Feinman, Justices.

-----X
The People of the State of New York
ex rel. Calvin Brooks,
Petitioner-Appellant,

-against-
Warden, etc., et al.,
Respondent.

M-1950
Index No. 100459/15
Ind. No. 1184/14

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, entered on or about April 13, 2015, which dismissed a habeas corpus proceeding, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the Attorney General of the State of New York and files 8 reproduced copies of such brief, together with the original record, with this Court. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 25, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
Karla Moskowitz
Rosalyn H. Richter
Paul G. Feinman, Justices.

-----X
Pattie Latif,
Plaintiff-Appellant,

-against-

M-2054
Index No. 308502/12

Eugene Smilovic, et al.,
Defendant-Respondent.
-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about July 10, 2014,

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

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 25, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
Karla Moskowitz
Rosalyn H. Richter
Paul G. Feinman, Justices.

-----X
In the Matter of the Application of
Sammie Adamson,
Petitioner-Appellant,

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

M-2123
Index No. 101339/14

-against-

New York City Department of Housing,
Respondent-Respondent.

-----X

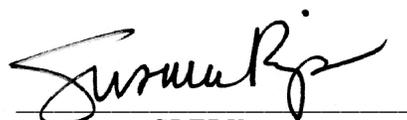
An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about April 13, 2015, to review a determination of respondent,

And petitioner-appellant having moved for leave to prosecute the proceeding as a poor person, upon the original record and reproduced petitioner'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 proceeding to be heard on the original record and upon a reproduced petitioner's brief, on condition that petitioner serve one copy of such brief upon the attorney for the respondent and file 8 copies of such brief, together with the original record, with this Court. Petitioner is permitted to dispense with payment of the required fee for the subpoena and filing of the record. The motion is other denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 25, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
Karla Moskowitz
Rosalyn H. Richter
Paul G. Feinman, Justices.

-----X
In the Matter of the Application of
Clarissa Goldsmith, Administrator of
the Estate of Grace R. Goldsmith,
Deceased, M-2143
Petitioner-Appellant, Index No. 2697/13

-against-

The State of Unclaimed Funds, Attorney
General's Office,
Respondent-Respondent.

-----X
Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Surrogate's Court, New York County, entered on or about April 6, 2015, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that said motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 25, 2015.

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

-----X
Roseann Cilente, as Trustee of the
Alfonso N. Figliolia Family Trust
and Alfonso N. Figliolia,
Plaintiffs-Appellants-Respondents,

-against-

M-2548
Index No. 600313/08

Phoenix Life Insurance Company,
Winston Nesfield, Nesfield & Associates,
Defendants-Respondents-Appellants,

-and-

A.I. Credit Corp.,
Defendant.

-----X

All parties jointly having moved for a stay of all 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 January 7, 2014, and said appeal having been perfected,

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

It is ordered that the motion is granted.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 25, 2015.

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

-----X
J.P. Morgan Securities Inc.,
Plaintiff-Respondent,

-against-

M-2337
Index No. 650005/09

Jason Ader, et al.,
Defendants-Appellants.

-----X

Plaintiff-respondent having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on April 14, 2015 (Appeal No. 13915-16),

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

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 25, 2015.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Dianne T. Renwick
Karla Moskowitz
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

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

-against-

M-1469
Ind. No. 5136/11

George Ramirez,
Defendant-Appellant.

-----X

An order of this Court having been entered on November 19, 2013 (M-4531), granting defendant leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about May 6, 2013, and assigning Leonard J. Levinson, Esq., as counsel to prosecute the appeal; and defendant-appellant, pro se, having moved to relieve such counsel, and for related relief,

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

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 25, 2015.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Karla Moskowitz
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

-----X
The People of the State of New York
ex rel. Corey Reid,
Petitioner,

-against-

M-2313
Ind. No. 3709/13

Warden, M. Windley, New York City
Department of Corrections.
Respondent(s).

-----X

The above-named petitioner having moved for, inter alia, a writ of habeas corpus to be issued from this Court, 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 application for the writ is hereby granted, and

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

The motion is otherwise denied, without prejudice to further proceedings in the Supreme Court.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 25, 2015.

Present - Hon. Dianne T. Renwick, Justice Presiding,
David B. Saxe
Karla Moskowitz
Leland G. DeGrasse
Rosalyn H. Richter, Justices.

-----x
In re The State of New York,

Petitioner-Respondent,

-against-

M-1299
Index No. 30096/10

Frank P.,

Respondent-Appellant.
-----x

Respondent-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on February 4, 2013,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, and the stipulation of the parties dated May 18, 2015,

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

ENTER:


CLERK