

At a 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 30, 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-

Huascar Rodriguez,
Defendant-Appellant.

M-2603
Ind. Nos. 4236/13
1088/14

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about June 4, 2014,

Now, upon reading and filing the stipulation of the parties hereto, dated March 27, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 30, 2015.

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

-----X
Michael Harris, Tanasha Devall and
Ras Francis,
Plaintiffs,

-against-

John Doe "A.", et al.,
Defendants.

M-2793X
Index No. 301903/11

-----X

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

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 12, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 30, 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-2795
Ind. No. 4438/13

Roger Jenkins,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about September 4, 2014,

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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 30, 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-2816
Ind. No. 1174N/13

Reality Martin, also known as Bey Realty,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about June 20, 2014,

Now, upon reading and filing the stipulation of the parties hereto, dated June 12, 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 30, 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-2818
Ind. No. 456/14

Anthony Powell,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, rendered on or about September 2, 2014,

Now, upon reading and filing the stipulation of the parties hereto, dated June 7, 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 30, 2015.

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

-----X
Robin S. Garson and Gerald P. Garson,
Plaintiffs-Appellants,

-against-

M-2821X
Index No. 151456/14

Nowstar Transportation, Inc., et al.,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about January 15, 2015,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 11, 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 30, 2015.

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

-----X
Danielle Lamar,
Plaintiff-Appellant,

-against-

M-2824X
Index No. 157299/13

Yanilath Pernet and Leon Daboiko,
Defendants-Respondents.

-----X

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

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 11, 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 30, 2015.

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

-----X
Michael Reynolds,
Plaintiff-Appellant,

-against-

M-2826X
Index No. 157288/12

Bovis Lend Leasing Holdings, Inc.,
et al.,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about November 3, 2014 (mot. seq. no. 003),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 15, 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 30, 2015.

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

-----X
High Definition MRI, P.C.,
Plaintiff,

-against-

M-2852X
Index No. 650883/13

Interboro Management, Inc., et al.,
Defendants.

-----X

Appeals having been taken from orders of the Supreme Court, Bronx County, entered on or about June 19, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 11, 2015, and due deliberation having been had thereon,

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

ENTER:


CLERK

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

Martin Bostic,
Defendant-Appellant.

M-2001
Ind. Nos. 1309N/14
3288N/14

-----X

Defendant having, pro se, 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 January 20, 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, setting forth the amount and sources of monies to post the \$7,500 bail in the Supreme Court, the disposition thereof, and an explanation as to why similar funds are not available to prosecute this appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 30, 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-2282
Ind. No. 5411/13

Latanya Jones,
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 December 18, 2014,

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

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 30, 2015.

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

-----X
Edward Zhu and Warren Donner,
Plaintiffs-Appellants,

-against-

Banker Life Insurance Company of
New York, et al.,
Defendants-Respondents.
-----X

M-2598
Index No. 160833/13

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from the orders of the Supreme Court, New York County, both entered on or about August 15, 2014 (mot. seq. nos. 001-002),

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

It is ordered that the motion is granted to the extent of enlarging the time 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 30, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzarelli
Dianne T. Renwick
Judith J. Gische, Justices.

-----X
Evgeny F.,
Petitioner-Appellant,

-against-

Inessa B.,
Respondent-Respondent.

M-2525
Docket Nos. V-27136/09
V-50162/09

-----X

Petitioner-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on April 28, 2015 (Appeal Nos. 14931-14932),

Now, 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 30, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
David Friedman
Richard T. Andrias
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X

Daniel Jollon,
Plaintiff-Appellant,

-against-

The City of New York,
Defendant-Respondent.

-----X

M-628
Index No. 106692/09

Plaintiff-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on January 29, 2015 (Appeal Nos. 14080-14081),

Now, 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 30, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzairelli
Rolando T. Acosta
Karla Moskowitz
Leland G. DeGrasse, Justices.

-----X
David Pullman,
Plaintiff-Appellant,

-against-

M-1372
Index No. 111065/08

David A. Silverman, MD, et al.,
Defendants-Respondents.
-----X

Plaintiff-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on February 26, 2015 (Appeal Nos. 14339, 14340 and 14341),

Now, 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 reargument, is denied. The motion, to the extent it seeks leave to appeal to the Court of Appeals, is granted and this Court, pursuant to CPLR 5713, certifies that the following question of law, decisive of the correctness of its determination, has arisen, which in its opinion ought to be reviewed by the Court of Appeals:

"Was the order of this Court, which, inter alia, affirmed the judgment of the Supreme Court, properly made?"

This Court further certifies that its determination was made as a matter of law and not in the exercise of discretion.

ENTER:



CLERK

At a 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 30, 2015.

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

-----X
In the Matter of the Application of
Maria Machuca,
Petitioner,

For a Judgment Pursuant to Article 78 M-2012
of the Civil Practice Law and Rules, Index No. 400929/14

-against-

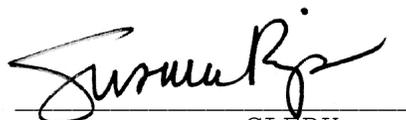
New York City Housing Authority,
Respondent.
-----X

Respondent having moved for dismissal of the appeal taken from a judgment of the Supreme Court, New York County, entered on or about February 25, 2015, as untimely taken,

Now, 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 30, 2015.

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

-----X
In the Matter of the Application of
Hipatia Moncayo,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78 M-2446
of the Civil Practice Law and Rules, Index. No. 400240/14

-against-

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

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

And respondent-respondent having moved to dismiss the appeal for failure to timely perfect,

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 30, 2015.

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

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

-against-

M-1966
Ind. No. 4310/06

Kemar K. Black,
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about February 9, 2010,

And attorney for defendant-appellant having moved to dismiss the aforesaid appeal by reason of appellant's abandonment of said appeal, and for other relief,

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

It is ordered that the motion is granted to the extent of deeming the appeal withdrawn, and otherwise denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 30, 2015.

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

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

-against-

M-1963
Ind. No. 4188/13

Carlos Lorenzo,
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 June 10, 2014, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) 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 30, 2015.

PRESENT: Hon. Peter Tom, Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
Karla Moskowitz
Darcel D. Clark, Justices.

-----X
Billy Reid, Inc.,
Plaintiff-Respondent,

-against-

YHD Bowery Commercial Unit LLC,
Defendant-Appellant.

M-2583
Index No. 652220/13

-----X

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

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 30, 2015.

Present: Hon. Peter Tom, Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
Karla Moskowitz
Darcel D. Clark, Justices.

-----X
Platinum Equity Advisors, LLC,
Plaintiff-Appellant,

-against-

M-2506
Index No. 653709/13

SDI, Inc.,
Defendant-Respondent,

-and-

TD Bank N.A.,
Defendant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about July 28, 2014,

And plaintiff-appellant having moved for a discretionary preference that maintains the aforesaid appeal on this Court's calendar for the September 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.

ENTER:


CLERK

At a 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 30, 2015.

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

-----X

Ari Mintz,
Plaintiff-Appellant-Respondent,

-against-

M-2497
Index No. 301549/10

Susan Illman,
Defendant-Respondent-Appellant.

-----X

An appeal and cross appeal having been taken from the judgment of divorce of the Supreme Court, New York County, entered on or about November 14, 2014 and from the order of said Court, entered on or about July 2, 2014 (mot. seq. no. 009),

And defendant-respondent-appellant having moved for an order staying the appeal and cross appeal until after the Family Court rules on an application before it,

Now, 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 30, 2015.

Present: Hon. Peter Tom, Justice Presiding,
Diane T. Renwick
Karla Moskowitz
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

-----X
B.D. Estate Planning Corp.,
Plaintiff-Respondent,

-against-

M-1906
Index No. 651006/11

Marcy Trachtenberg, as Trustee of the
Ellis Limquee Family Insurance Trust,
Defendant,

-and-

Carolyn Limquee,
Defendant-Appellant.

-----X

Defendant-Appellant having moved for an order staying the trial in the above-entitled action pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about March 16, 2015,

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

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 30, 2015.

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

-----X
José Borges,
Plaintiff-Respondent,

-against-

M-284
Index No. 570722/06

Alfred Placeres,
Defendant-Appellant.
-----X

Defendant-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on December 23, 2014 (Appeal No. 13817), and for other relief,

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

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 30, 2015.

PRESENT: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
David B. Saxe
Leland G. DeGrasse
Barbara R. Kapnick, Justices.

-----X

206 West 104th Street LLC,
Petitioner-Landlord-Appellant,

-against-

M-1314
Index No. 570039/12

Miguel Zapata and Edward Caceras,
Respondents-Tenants-Respondents,

-and-

Jeff Zapata,
Respondent-Undertenant.

-----X

Respondent-undertenant having moved for leave to appeal to this Court from the order of the Appellate Term entered in the office of the Clerk of the Supreme Court, New York County, on or about December 30, 2014, and for other relief,

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

It is ordered that the motion is denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 30, 2015.

Present: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Paul G. Feinman
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
James L. Melcher,
Plaintiff-Respondent,

-against-

Greenberg Traurig LLP and Leslie D.
Corwin,
Defendants-Appellants.

M-2695
Index No. 650188/07

-----X

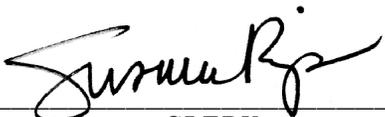
An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 19, 2015,

And plaintiff-respondent having moved for a calendar preference on the aforesaid appeal,

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

Ordered that the motion is granted to the extent of directing that, in the event that the aforesaid appeal is perfected on or before July 13, 2015 for the September 2015 Term, the Clerk shall calendar said appeal for the first week of said September 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 30, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Darcel D. Clark
Barbara R. Kapnick, Justices.

-----X
Susan and Steven Lax,
Plaintiffs-Respondents-Appellants,

-against-

M-2349
M-2521
Index No. 105299/11

Design Quest N.Y. Ltd., Richard Rubens
and Barbara Rubens,
Defendants-Appellants-Respondents.

-----X

An appeal and cross appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 13, 2014,

And plaintiffs-respondents-appellants having moved for dismissal of the aforesaid appeal, as untimely taken (M-2349),

And defendants-appellants-respondents having cross moved for dismissal of the aforesaid cross appeal, as untimely taken (M-2521),

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 granted and the appeal and cross appeal are 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 30, 2015.

PRESENT: Hon. Angela M. Mazzarelli, 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-2056
Ind. No. 2358/14

Miguel Moza, also known as Miguel
Nozo Tepo,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about December 19, 2014, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 30, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Darcel D. Clark
Barbara R. Kapnick, Justices.

-----X
Stanley Moreta Diaz,
Plaintiff,

-against-

M-2300
Index No. 308547/11

313-315 West 125th Street LLC, et al.,
Defendants,

Katselnik & Katselnik Group, Inc.,
Defendant-Appellant.

-----X
Katselnik & Katselnik Group, Inc.,
Third-Party Plaintiff-Appellant,

-against-

Third-Party
Index No. 83900/13

CS Bridge Corp.,
Third-Party Defendant-Respondent.

-----X

Defendant-third-party plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about July 7, 2014,

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 30, 2015.

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

-----X

S.A. de Obras y Servicios, Copasa,
Plaintiff-Appellant-Respondent,

-against-

The Bank of Nova Scotia, et al.,
Defendants-Respondents-Appellants.

M-1711
Index Nos. 651555/12
651649/13

- - - -
Cointer Chile, S.A., et al.,
Plaintiffs-Appellants-Respondents,

-against-

The Bank of Nova Scotia, et al.,
Defendants-Respondents-Appellants.

-----X

Defendants-respondents-appellants having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on March 19, 2015 (Appeal No. 14577),

Now, 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 30, 2015.

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

-----X
Fleming and Associates, CPA, PC,
Joann Fleming and Natasha Miller
Plaintiff-Respondent,

-against-

M-2179
Index No. 651813/11

Murray & Josephson, CPAs, LLC, Martin
P. Murray and Mark A. Josephson,
Defendants-Appellants.

-----X

Defendants-appellants having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on April 7, 2015 (Appeal Nos. 14565 and 14566),

Now, upon reading and filing the papers with respect to the motion, and the correspondence dated June 16, 2015 from Doron Zanani, Esq., counsel for defendants-appellants, and due deliberation having been had thereon,

It is ordered that the motion is deemed 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 30, 2015.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

-----X
Barrett Japanning Inc.,
Petitioner-Landlord-Appellant,

M-1686

NY County Clerk #570889/14
NY Civil Court #080447/13

-against-

Anna Bialpbroda, and "John Doe" and
"Jane Doe",
Respondent-Tenant-Respondent.

-----X

Petitioner-landlord having moved for leave to appeal to this Court from an order of the Appellate Term entered in the office of the Clerk of the Supreme Court, New York County, on or about October 21, 2014,

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

It is ordered that the motion is 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 30, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
David B. Saxe
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justice.

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

-against-

Juan L. Acantara Peralta, also known
as Juan Alcantara-Perolta, also known
as Juan Alcantra-Peralta,
Defendant-Appellant.

M-1749
Ind. Nos. 3311N/12
1160N/12

-----X

Attorney for defendant-appellant having moved to dismiss the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about February 20, 2013, by reason of appellant's abandonment of said appeal,

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

It is ordered that the motion is granted to the extent of deeming the appeal 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 30, 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,

Respondent,

-against-

Brian Tuitt,

Defendant-Appellant.

M-1945
Case No. 6194C/05
Ind. No. 555/06

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County, entered on or about February 11, 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, in compliance with CPLR 1101(a), setting forth the terms of defendant's retainer agreement with trial counsel, Kenneth D. Murphy, 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.)

ENTER:


CLERK

At a 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 30, 2015.

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

-----X
Mario Martinez, as Administrator of
the Estate of Margarata Martinez,
Deceased, and Mario Martinez,
Individually,
Plaintiffs-Appellants,

-against-

M-2336
Index No. 304226/12

Premium Laundry Corporation,
Defendant-Respondent.
-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about August 15, 2014,

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

It is ordered that the motion is granted to the extent of 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 30, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Leland G. DeGrasse
Rosalyn H. Richter, Justices.

-----X

In re John Murano,
Petitioner-Appellant,

-against-

M-2420
Index No. 100212/12

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

-----X

Petitioner-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on February 19, 2015 (Appeal No. 14283),

Now, 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 30, 2015.

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

-----X
Marilyn Hopeman,
Plaintiff-Appellant,

-against-

M-2145
Index No. 570098/14

Eric A. Seiff,
Defendant-Respondent.
-----X

Plaintiff-appellant, pro se, having moved for leave to appeal to this Court from the order of the Appellate Term entered in the office of the Clerk of the Supreme Court, New York County, on or about December 17, 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 30, 2015.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,
Diane T. Renwick
David B. Saxe
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----X
Board of Managers of the 25th Charles Street
Condominiums, et al.,
Plaintiffs-Respondents,

-against-

Celia Seligson,
Defendant-Appellant.

M-1666
M-1911
Index No. 111102/07

-----X

Plaintiffs-respondents having moved for reargument of the decision and order of this Court entered on March 17, 2015 (Appeal Nos. 14535N and 14535NA), which unanimously modified the judgment of the Supreme Court, New York County, entered on or about September 13, 2013,

And defendant-appellant having cross-moved for the same relief,

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

It is ordered that the motion and cross motion are denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 30, 2015.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Richard T. Andrias
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

-----X

Rasheed Al Rushaid, et al.,
Plaintiffs-Appellants,

-against-

M-2514
Index No. 652375/11

Pictet & Cie, et al.,
Defendants-Respondents.

-----X

Plaintiffs-appellants having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on April 23, 2015 (Appeal No. 14921),

Now, 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 30, 2015.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-2436
Ind. No. 5258/08

Raynell Burgess,
Defendant-Appellant.

-----X

Defendant-appellant having moved for reargument and/or reconsideration of the decision and order of this Court entered on May 19, 2015 (Appeal Nos. 15145 & 15146),

Now, 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 30, 2015.

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

-----x
Rosemarie A. Herman, etc., et al.,
Plaintiffs-Appellants,

-against-

M-1625
Index No. 650205/11

Julian Maurice Herman, et al.,
Defendants-Respondents.

- - - - -
[And a third-party action]

-----x
An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about June 23, 2014 (mot. seq. no. 009), and said appeal having been perfected,

And plaintiffs-appellants having moved for (1) a declaration that the notice of pendency dated January 28 has been previously extended until final determination of the presently perfected appeal; (2) for a temporary injunction enjoining defendant from selling real estate property located at 952 Fifth Avenue, New York, New York, pending the final determination of this application, 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 granting a preliminary appellate injunction enjoining defendants from entering into a contract for sale of the property located at 952 Fifth Avenue, New York, New York, pending hearing and determination of the aforesaid appeal. The motion is otherwise denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 30, 2015.

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

-----X

In re Norma Romero-Mitchell,
Petitioner-Respondent,

-against-

M-1461
Index No. 112854/11

New York City Department of Housing
Preservation and Development,
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on March 3, 2015 (Appeal Nos. 14402),

Now, 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 30, 2015.

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

-----X
UBS Securities LLC, et al., etc.,
Plaintiffs-Appellants,

-against-

Highland Credit Strategies Master
Fund, L.P., et al.,
Defendants-Respondents,

M-2895
Index Nos. 650097/09
652646/11

-and-

Highland Capital Management, L.P.,
et al.,
Defendants.

-----X

An appeal and cross appeal having been taken to this Court from the amended decision and order of the Supreme Court, New York County, entered on or about November 25, 2013 (mot. seq. nos. 023, 025), and said appeal and cross appeal having been perfected,

And the parties having moved to modify a preliminary appellate injunction in certain respects, and by stipulation dated June 17, 2015 the parties having agreed to the terms of such modification, pending hearing and determination of the aforesaid appeal and cross appeal,

Now, upon reading and filing the papers with respect to the motion including the stipulation of the parties dated June 17, 2015, and due deliberation having been had thereon,

It is ordered that the motion is granted.

ENTER:


CLERK

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

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

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

M-833
Ind. No. 42503C/07
48878C/07

-against-

CERTIFICATE
GRANTING LEAVE

Craig Heywood,
Defendant-Appellant.

-----X

I, Angela M. Mazzarelli, 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, Bronx County, entered on or about February 4, 2015.

Dated: *May 20*, 2015
New York, New York



Hon. Angela M. Mazzarelli
Associate Justice

ENTERED

JUN 30 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 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.

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

-----X
RAZA KAHN, individually, in his
official capacity as 50% owner of,
and on behalf of EDUCATION
INVESTMENT FINANCE CORPORATION,

Plaintiff-Appellant,

M-1147

-against-

VISHAL GARG and EDUCATION
INVESTMENT FINANCE CORPORATION,

New York County
Index No. 652334/13

Defendant-Respondent.

-----X
Plaintiff-appellant, having moved for leave to appeal to
this Court from the order of the Supreme Court, New York County,
entered on or about March 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 denied.



Angela M. Mazza, Associate Justice

Dated: New York, New York
June 21, 2015

ENTERED

JUN 30 2015

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

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

-----X
JERRY RAMOS,

Plaintiff-Respondent,

M-1380

NY County Index No.
21158/11

-against-

LEMED PHARMACY III, LLC, PAREKH VIPUL,

Defendants-Appellants,

and JOHN DOE,

Defendant.

-----X

Defendants-appellants, having moved for leave to appeal to this Court from the order of the Supreme Court, New York County, entered on or about March 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 denied.



Angela M. Mazzarelli, Associate Justice

Dated: New York, New York
June 21, 2015

ENTERED JUN 30 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-2360
Ind. No. 4281/07

-against-

CERTIFICATE
GRANTING LEAVE

Amir Shaaban,
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 May 1, 2015.¹

Dated: June 4, 2015
New York, New York

ENTERED

JUN 3 0 2015



Hon. Barbara R. Kapnick
Associate Justice

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.