

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 26, 2016.

Present: Hon. Peter Tom, Justice Presiding,  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr.  
Rolando T. Acosta, Justices.

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

- - - - -  
Oscar S.,  
Petitioner-Respondent,

-against-

Joyesha J.,  
Respondent-Appellant.

- - - - -  
Leslie S. Lowenstein, Esq.,  
Attorney for the Children  
Jaada S., X'Zavier S., Kamryn S.  
and Avannah S.

M-1628  
Docket Nos. V-28163/12  
V-28161/12  
V-28162/12  
V-28160/12  
V-34974/12  
V-34975/12  
V-34972/12  
V-34973/12

-----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 August 10, 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, Susan Barrie, Esq., 401 Broadway, Suite 1902, New York, NY 10606, Telephone No. 917-612-5999, 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.

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 April 26, 2016.

Present: Hon. Peter Tom, Justice Presiding,  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr.  
Rolando T. Acosta, Justices.

-----X

In the Matter of

Django K.,

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

**M-1812**

Docket Nos. NA-31422/13  
V-20404/13

- - - - -  
Django K.,  
Subject Child-Appellant,

Carl K.,  
Respondent-Respondent.

- - - - -  
Andrew J. Baer, Esq.,  
Attorney for the Child.

-----X

Garline Octobre, Esq., Family Court attorney for subject child-appellant, having moved on said child's behalf 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 7, 2016, 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 J. Baer, Esq., 299 Broadway, Suite #1415, New York, NY 10007, Telephone No. (212) 233-0318, as counsel for purposes of prosecuting the appeal on

said child's behalf; (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 State of New York from funds available therefor;<sup>1</sup> **within 30 days (FCS 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



CLERK

---

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 26, 2016.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr.  
Rolando T. Acosta, Justices.

-----X  
Jildy Gross,  
Plaintiff-Respondent,

-against-

M-1676X  
Index No. 156639/12

Jean Henrick Pierre and Guy Hilaron,  
Defendants-Appellants.  
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 27, 2015,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" March 30, 2016, 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 April 26, 2016.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr.  
Rolando T. Acosta, Justices.

-----X  
85 Kenmare Realty Corp., et al.,  
Plaintiffs-Respondents,

-against-

M-1679X  
Index No. 158587/12

Sheryl Lee, Inc., doing business as  
BAG,  
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about October 9, 2015,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" March 31, 2016, 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 April 26, 2016.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr.  
Rolando T. Acosta, Justices.

-----X  
Natasha Ventura,  
Plaintiff-Respondent,

-against-

M-1681X  
Index No. 303378/13

Sherman Avenue Eight Inc. and  
Ricardo Gomez,  
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about March 17, 2015,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" March 31, 2016, 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 April 26, 2016.

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

-----x  
Mujinga T. Martineau,  
Plaintiff-Respondent,

-against-

Felly L. Katalay,  
Defendant-Appellant.  
-----x

**CONFIDENTIAL**

M-993

Index No. 3022/11

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about November 25, 2014,

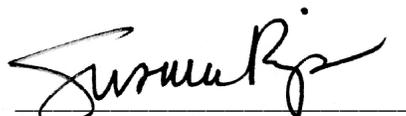
And an order of this Court entered on February 2, 2016 (M-6063) having denied defendant's motion for an enlargement of time to perfect the aforesaid appeal, and, sua sponte, dismissing the appeal,

And defendant-appellant having moved for reargument of the aforesaid order of this Court entered on February 2, 2016 (M-6063), 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 in its entirety.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 26, 2016.

Present - Hon. Peter Tom, Justice Presiding,  
David Friedman  
John W. Sweeny, Jr.  
David B. Saxe, Justices.

-----X  
In the Matter of the Application of  
Vernon Sharp III,  
Petitioner-Appellant,

For a Judgment Pursuant to Article 78  
of the CPLR,

-against-

M-974  
Index No. 400944/14

Richard Mantellino, etc., et al.,  
Respondents-Respondents.

-----X

Petitioner-appellant having renewed the motion for leave to prosecute, as a poor person, the appeal from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about January 28, 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 granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serve one copy of such brief upon the attorney for respondent and file 8 copies of such brief, together with the original record, with this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record.

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 April 26, 2016.

PRESENT: Hon. Peter Tom. Justice Presiding,  
David Friedman  
Rosalyn H. Richter  
Judith J. Gische  
Ellen Gesmer, Justices.

-----X  
In the Matter of the Application of  
Anthony Manns,  
Petitioner-Appellant,

For a Judgment Pursuant to Article 78 M-639  
of the Civil Practice Law and Rules, Index No. 400736/14

-against-

New York City Housing Authority,  
Respondent-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 March 31, 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 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 April 26, 2016.

Present - Hon. Peter Tom, Justice Presiding,  
John W. Sweeny, Jr.  
Sallie Manzanet-Daniels  
Judith J. Gische  
Ellen Gesmer, Justices.

-----x

Yovanka Bylander, as Administratrix of the Estate of Christophe Arroyo, and Yovanka Bylander, Individually,

Plaintiff-Appellant,

-against-

M-915  
Index No. 800031/12

Anthony Jahn, M.D., and Head & Neck Surgical Group, LLC,

Defendants-Respondents.

-----x

Appeals having been taken to this Court by plaintiff from orders of the Supreme Court, New York County, entered on or about May 18, 2015 and October 16, 2015, respectively,

And plaintiff-appellant having moved for consolidation of the aforesaid appeals,

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

It is ordered that the motion is granted to the extent of permitting appellant to prosecute the consolidated appeals upon 9 copies of one record and one set of appellant's points covering the consolidated appeals. The attention of the parties is directed to 22 NYCRR § 600.11. The time to perfect the consolidated appeals is enlarged to the October 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 April 26, 2016.

Present - Hon. Peter Tom, Justice Presiding,  
John W. Sweeny, Jr.  
Sallie Manzanet-Daniels  
Judith J. Gische  
Ellen Gesmer, Justices.

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

-against-

M-975  
Ind. No. 2090/12

Pedro Gomez,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about February 17, 2015, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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 April 26, 2016.

Present - Hon. Peter Tom, Justice Presiding,  
John W. Sweeny, Jr.  
Sallie Manzanet-Daniels  
Judith J. Gische  
Ellen Gesmer, Justices.

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

-against-

M-1002  
Ind. No. 3721/14

Tyshawn Riley,  
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 September 3, 2015, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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 April 26, 2016.

Present - Hon. Peter Tom, Justice Presiding,  
John W. Sweeny, Jr.  
Sallie Manzanet-Daniels  
Judith J. Gische  
Ellen Gesmer, Justices.

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

Respondent,

-against-

M-1061

Ind. No. 5509/80

Victor Gonzalez,

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 May 1, 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 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

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

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 26, 2016.

Present - Hon. Peter Tom, Justice Presiding,  
John W. Sweeny, Jr.  
Sallie Manzanet-Daniels  
Judith J. Gische  
Ellen Gesmer, Justices.

-----x  
In the Matter of

Baby Girl A.,  
Ahriel U.,  
Isis A.,  
Ariayah U.,  
Maiyah U.,  
Angelicah U., and  
Ahzahriah U.,

Children Under 18 Years of Age Alleged M-1225  
to be Abused and/or Neglected Under M-1250  
Article 10 of the Family Court Act. Docket Nos. NN-41365/14  
- - - - - NN-50172/13  
Administration for Children's Services, NN-50173/13  
Petitioner-Respondent,

Reggie U.,  
Respondent-Appellant,

Ayesha A., also known as Ayesha U.,  
Respondent-Respondent.

- - - - -  
Liza Camellerie, Esq.,  
Attorney for the Children.

-----x  
An appeal having been taken to this Court from the order of the Family Court, New York County, entered on or about December 18, 2015,

And respondent-appellant having moved for a stay of the aforesaid order which suspended his right to make certain decisions, pending hearing and determination of the aforesaid appeal (M-1225),

And respondent-appellant having moved, by separate motion, for leave to prosecute the appeal as a poor person, and for assignment of counsel, a free copy of the transcript, and for related relief (M-1250),

Now, upon reading and filing the papers with respect to the motions, including the order of the Family Court, New York County, entered January 21, 2016, and due deliberation having been had thereon,

It is ordered that the motions are denied, as moot.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 26, 2016.

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

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

-against-

M-5994  
Ind. No. 3074/07

Taurice Moore,  
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on June 7, 2011 (Appeal No. 5269), unanimously affirming a judgment of the Supreme Court, Bronx County (Martin Marcus, J.), rendered on November 10, 2009,

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 April 26, 2016.

Present - Hon. Peter Tom, Justice Presiding,  
John W. Sweeny, Jr.  
Sallie Manzanet-Daniels  
Judith J. Gische  
Ellen Gesmer, Justices.

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

Plaintiff-Appellant,

-against-

M-1100  
Index No. 350094/00

Rachel Djeddah,

Defendant-Respondent.  
-----x

Plaintiff-appellant, as Conservator/Guardian for the Estate of Richard Djeddah, 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 June 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 enlarging the time to perfect the appeal to the September 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 April 26, 2016.

PRESENT - Hon. Peter Tom, Justice Presiding,  
John W. Sweeny, Jr.  
Judith J. Gische  
Barbara R. Kapnick, Justices.

-----X  
Madison Realty Capital, L.P., et al.,  
Plaintiffs-Respondents,

-against-

M-978  
Index No. 602415/09

Scarborough-St. James Corporation,  
et al.,  
Defendants-Appellants,

Thomas L. Armano, Jr.,  
Nonparty Appellant.

-----X

Scarborough-St. James Corporation 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 January 28, 2016 (Appeal No. 54),

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 April 26, 2016.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Rolando T. Acosta  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Ellen Gesmer, Justices.

-----X

Sarah Weinberg,  
Plaintiff-Respondent,

-against-

Leslie Sultan, et al.,  
Defendants,

Kenneth J. Glassman, Esq.,  
Non-Party Appellant.

-----X

M-1508  
M-1686  
Index No. 652273/13

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about February 17, 2016, and said appeal having been perfected,

And non-party/appellant having moved to stay enforcement of the aforesaid order, pending hearing and determination of the appeal taken therefrom (M-1508),

And non-party/appellant having cross moved to impose certain sanctions (M-1686),

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 (M-1508/M-1686).

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 April 26, 2016.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Dianne T. Renwick  
Rosalyn H. Richter  
Barbara R. Kapnick  
Troy K. Webber, Justices.

-----x

Swift Funding, LLC,  
Plaintiff-Respondent,

-against-

Yousef Isaac, also known as Yousef  
Isaac, Sims & Park, LLP; Andrew W.  
Park, Esq., Individually,  
Defendants,

M-1705  
Index No. 155770/12

-and-

Peter Sim, Esquire, also known as  
Sang J. Sim, Esquire, Individually,  
Defendant-Appellant.

-----x

Sim & Park, LLP,  
Third-Party Plaintiff,

-against-

LA Rock & Perez, LLP, formerly known as  
Zohar, LA Rock & Perez,  
Third-Party Defendant.

-----x

An appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about June 11, 2015, and said appeal having been perfected,

And plaintiff-respondent having moved for leave to file a supplemental record attached as Exhibit F to the Sloezen affirmation,

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

It is ordered that the motion is granted to the extent of permitting plaintiff-respondent leave to file nine copies of a supplemental record on appeal containing copies of the document attached to the moving paper labeled as Exhibit F to the Sloezen affirmation, for the September 2016 Term. Sua sponte, the appeal is adjourned to said September 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 April 26, 2016.

Present - Hon: Angela M. Mazzarelli, Presiding Justice,  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Richard T. Andrias, Justices.

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

-against-

M-889  
Ind. No. 12241/92

Diane Word,  
Defendant-Appellant.  
-----X

A decision and order of this Court having been entered on September 27, 2007, unanimously affirming the judgment of the Supreme Court, New York County (Harold Beeler, J.), rendered on or about November 9, 1999,

And an order of this Court having been entered on April 24, 2014 (M-135), denying defendant's application for a writ of error coram nobis,

And an order of this Court having been entered on July 2, 2015 (M-1475/M-1558/M-1702), inter alia, denying defendant-appellant leave to reopen the aforesaid appeal, and to relieve assigned counsel,

And an order of this Court having been entered on December 29, 2015 (M-5296), inter alia, denying defendant-appellant's renewed motion to relieve assigned counsel and to substitute other counsel on the aforesaid appeal, and for leave to reopen the aforesaid appeal,

And defendant-appellant having moved for reargument of the orders entered July 2, 2015 (M-1475/M-1558/M-1702) and December 29, 2015 (M-5296),

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 April 26, 2016.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
Karla Moskowitz  
Judith J. Gische  
Troy K. Webber, Justices.

-----X  
In the Matter of the Application of  
New York Independent Contractors  
Alliance, on behalf of its Employer Members,  
and Local 175, Uonited Plant and Production  
Workers, IUJAT,  
Petitioners-Respondents,

For a Judgment Pursuant to Article 78 M-1248  
of the Civil Practice Law and Rules, Index Nos. 110714/10  
111918/11  
101450/13  
-against-

John C. Liu, Jr., as Comptroller of  
the City of New York,  
Respondent-Appellant,

Highway and Street Laborers Local  
Union 1010, et al.,  
Respondents.

-----X  
Respondent-appellant having moved for an enlargement of time to perfect the appeal taken from a judgment of the Supreme Court, New York County, entered on or about January 6, 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 enlarging the time to perfect the appeal to the September 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 April 26, 2016.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
Karla Moskowitz  
Judith J. Gische  
Troy K. Webber, Justices.

-----X  
Nayereh Afsari,  
Plaintiff-Appellant,

-against-

M-1279  
Index No. 101390/12

JP Morgan Chase Bank, N.A.,  
successor by merger to Chase Home  
Finance, LLC,  
Defendant-Respondent.

-----X

Defendant-respondent having moved to dismiss the appeal from the order of the Supreme Court, New York County, entered on or about March 24, 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 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 April 26, 2016.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
Karla Moskowitz  
Judith J. Gische  
Troy K. Webber, Justices.

-----x  
Matthew R. Mayers,  
Plaintiff,

-against-

Index No. 650410/13

Stone Castle Partners, LLC, et al.,  
Defendants.

M-1337

- - - - -

M-1338

Stone Castle Partners, LLC,  
Plaintiff-Appellant-Respondent.

-against-

Index No. 654075/13

Matthew R. Mayers and RRWT, LLC,  
Defendants-Respondents-Appellants.

-----x

An appeal and cross appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about April 30, 2015, and the direct appeal having been perfected,

And defendants-respondents-appellants having moved for an enlargement of time to perfect the appeal and cross appeal (M-1337),

And plaintiff-appellant-respondent having cross-moved for an enlargement of time to perfect the direct appeal (M-1338),

Now, upon reading and filing the papers with respect to the motion and cross motion, and the correspondence from Morris Cohen LLP (Mark S. Jarashow, of counsel), counsel for plaintiff-appellant-respondent dated March 28, 2016 and due deliberation having been had thereon,

It is ordered that the motion (M-1337) is granted to the extent of adjourning the perfected appeal (Cal. No 771) to the September 2016 Term and enlarging the time to perfect the cross appeal to the September 2016 Term. The cross motion (M-1338) is deemed withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 26, 2016.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
Karla Moskowitz  
Judith J. Gische  
Troy K. Webber, Justices.

-----X  
Madison Avenue Diamonds LLC and  
Shandy Lax,  
Plaintiffs/Counterclaim  
Defendants-Appellants,

-against-

M-4795  
Index Nos. 654470/12  
159045/12

KGK Jewelry LLC,  
Defendant/Counterclaim  
Plaintiff-Respondent.  
-----X

An appeal and cross appeal having been taken from an order of the Supreme Court, New York County, entered on or about August 21, 2015, and said appeal having been perfected,

And plaintiffs/counterclaim defendants-appellants having moved for dismissal of the aforesaid cross 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 the cross appeal is dismissed. Sua sponte the perfected appeal is adjourned to the June 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 April 26, 2016.

PRESENT - Hon. Angela M. Mazzairelli, Justice Presiding,  
Dianne T. Renwick  
Sallie Manzanet-Daniels  
Barbara R. Kapnick, Justices.

-----X

Bardyl R. Tirana,  
Plaintiff-Appellant,

-against-

M-1109  
Index No. 153109/12

AXA Equitable Life Insurance Company,  
Defendant-Respondent.

-----X

Defendant-respondent having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court entered on February 2, 2016 (Appeal No. 78),

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 April 26, 2016.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
David B. Saxe  
Sallie Manzanet-Daniels  
Marcy L. Kahn, Justices.

-----X  
Nationstar Mortgage LLC,  
Plaintiff-Respondent,

-against-

M-956  
Index No. 381309/08

Clinvern Murray,  
Defendant-Appellant,

New York City Environmental Control Board,  
New York City Transit Adjudication Bureau,  
Carla White, Earl White, Faridah White,  
Keyana Wilder, Paula White, Tamara Wilder,  
and Willie Wilder,  
Defendants.

-----X

Plaintiff-respondent having moved for dismissal of the appeal taken from an order of the Supreme Court, Bronx County, entered on or about August 26, 2015, 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.

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 April 26, 2016.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Sallie Manzanet-Daniels  
Barbara R. Kapnick  
Troy K. Webber, Justices.

-----X  
In the Matter of the Application of  
Van Wagner Communications, LLC,  
Petitioner-Respondent,

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

M-1208  
Index No. 100085/14

-against-

Board of Standards and Appeals of  
the City of New York,  
Respondent-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about July 25, 2014, and said appeal having been decided by this Court on March 24, 2016 (Appeal No. 610),

And respondent-appellant having moved to dismiss the aforesaid appeal as moot and to vacate the aforesaid order of the Supreme Court, New York County, entered on July 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 denied in its entirety.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 26, 2016.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Sallie Manzanet-Daniels  
Barbara R. Kapnick  
Troy K. Webber, Justices.

-----X  
Wells Fargo Bank, N.A.,  
Plaintiff-Respondent,

-against-

Zoila Merino,  
Defendant-Appellant,

M-727  
Index No. 381165/11

Antioco Vazquez, also known  
as Antioco Vasquez, City Register of the  
City of New York, Bronx County, Mortgage  
Electronic Registration Systems, Inc.,  
New York City Environmental Control Board,  
New York City Parking Violations Bureau,  
New York City Transit Adjudication Bureau,  
Defendants.

-----X

Plaintiff-respondent having moved for dismissal of the appeal taken from an order of the Supreme Court, Bronx County, entered on or about August 5, 2014, 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 unless the appeal is perfected for the September 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 April 26, 2016.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,  
Karla Moskowitz  
Rosalyn H. Richter  
Judith J. Gische, Justices.

-----X  
Mohammad Saidin,  
Plaintiff-Appellant,

-against-

Sam Negron, et al.,  
Defendants-Respondents.

M-1207  
Index No. 20497/09

-----X

Plaintiff-appellant having moved for reargument of, or renewal of the decision and order of this Court entered on February 9, 2016 (Appeal No. 156),

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 April 26, 2016.

PRESENT: Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
David B. Saxe  
Karla Moskowitz  
Judith J. Gische, Justices.

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

George W. Nash,  
Petitioner-Appellant,

For a Judgment Pursuant to Article 78 M-1175  
of the Civil Practice Law and Rules Index. No. 400783/14

-against-

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

-----X

Petitioner-appellant having renewed his motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, entered on or about December 11, 2014, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, for an enlargement of time to perfect the appeal, and for related relief,

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

It is ordered that the motion is denied. Sua sponte, 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 April 26, 2016.

PRESENT - Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
David B. Saxe  
Rosalyn H. Richter  
Marcy L. Kahn, Justices.

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

-against-

Cynthia Garrett,  
Defendant-Appellant.

M-1084  
Ind. No. 483/13

-----X

Respondent People having moved to dismiss the appeal from the judgment of the Supreme Court, New York County, rendered on or about November 7, 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 April 26, 2016.

PRESENT - Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
David B. Saxe  
Rosalyn H. Richter  
Marcy L. Kahn, Justices.

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

-against-

M-1142  
Ind. No. 1661/14

Gaspar Vasquez,  
Defendant-Appellant.

-----X

Respondent People having moved to dismiss the appeal from the judgment of the Supreme Court, New York County, rendered on or about October 30, 2014,

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

It is ordered that the motion is 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 April 26, 2016.

PRESENT - Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Richard T. Andrias  
David B. Saxe  
Paul G. Feinman, Justices.

-----X  
Rakuten Bank, Ltd., formerly known as  
Ebank Corporation,  
Plaintiff-Appellant,

-against-

M-1293  
Index No. 652057/13

Royal Bank of Canada, 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 9, 2016 (Appeal No. 182),

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 April 26, 2016.

PRESENT - Hon. David Friedman, Justice Presiding,  
Dianne T. Renwick  
David B. Saxe  
Karla Moskowitz, Justices.

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

-against-

M-932  
Index No. 654378/13

Martin Brody, etc.,  
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 January 26, 2016 (Appeal No. 16/17/18),

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 April 26, 2016.

Present - Hon. David Friedman, Justice Presiding,  
Richard T. Andrias  
David B. Saxe  
Rosalyn H. Richter, Justices.

-----x  
The People of the State of New York  
ex rel. Corey Forman, on behalf of  
Servicio Simmons,  
Petitioner-Appellant,

-against-

M-267  
Index No. 100025/16

Joseph Ponte, Commissioner of the  
New York City Department of Corrections,  
Respondent-Respondent.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about January 11, 2016, which dismissed a habeas corpus proceeding,

And petitioner-appellant having moved to be released on his own recognizance pending hearing and determination of the aforesaid 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 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 April 26, 2016.

Present - Hon. David Friedman, Justice Presiding,  
Richard T. Andrias  
David B. Saxe  
Rosalyn H. Richter, Justices.

-----X  
Michael Robinson,

Claimant-Appellant,

-against-

The State of New York,

Respondent-Respondent.  
-----X

M-886  
Claim No. 120827

Claimant-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Court of Claims of the State of New York, entered on or about January 7, 2016, 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, with leave to renew upon submission of an affidavit addressing the merits of the appeal.

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 26, 2016.

Present - Hon. David Friedman, Justice Presiding,  
Richard T. Andrias  
Karla Moskowitz  
Barbara R. Kapnick  
Troy K. Webber, Justices.

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

-against-

M-1331  
Ind. No. 345N/15

Sandy Sanchez,  
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 April 1, 2015, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 26, 2016.

PRESENT: Hon. David Friedman, Justice Presiding,  
Richard T. Andrias  
Karla Moskowitz  
Barbara R. Kapnick  
Troy K. Webber, Justices.

-----X  
Salvatore Oliveri and Josephine  
Oliveri,  
Plaintiffs-Respondents,

-against-

M-1377  
Index No. 109331/09

The City of New York, et al.,  
Defendants,

Environmental Laboratories, Inc.,  
Defendant-Appellant.

-----X  
The City of New York, et al.,  
Third-Party Plaintiffs,

Third Party  
Index No. 590039/11

-against-

Environmental Laboratories, Inc.,  
Third-Party Defendant-Appellant.

-----X

Defendant/third-party defendant-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about March 25, 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 enlarging the time to perfect the appeal to the September 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 April 26, 2016.

PRESENT: Hon. David Friedman, Justice Presiding,  
Richard T. Andrias  
Karla Moskowitz  
Barbara R. Kapnick  
Troy K. Webber, Justices.

-----X

George Schwyzer,  
Plaintiff-Appellant,

-against-

M-1457  
Index No. 314190/14

Iraida Charova,  
Defendant-Respondent.

-----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 31, 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 enlarging the time to perfect the appeal to the September 2016 Term; the stay granted by an order of this Court entered on February 9, 2016 (M-5554) is continued.

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 April 26, 2016.

Present - Hon. David Friedman, Justice Presiding,  
Richard T. Andrias  
Karla Moskowitz  
Barbara R. Kapnick  
Troy K. Webber, Justices.

-----X  
Trevor Fagan,

Plaintiff-Appellant,

-against-

Sobro Sharp II, LLC,

Defendant-Respondent.  
-----X

M-1584  
Index No. 307690/08

Plaintiff-appellant pro se 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 September 1, 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 April 26, 2016.

PRESENT - Hon. David Friedman, Justice Presiding,  
Richard T. Andrias  
Karla Moskowitz  
Troy K. Webber, Justices.

-----X  
Donald Beldock,  
Plaintiff-Appellant,

-against-

M-1246  
Index No. 604316/05

Basin Gas Corporation, et al.,  
Defendants-Respondents.  
-----X

Defendants-respondents having moved to dismiss the appeal from order of the Supreme Court, New York County, entered on or about November 27, 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 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 April 26, 2016.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Karla Moskowitz  
Judith J. Gische, Justices.

-----x  
Liberty Mutual Insurance Company,  
et al.,  
Plaintiffs-Respondents,

-against-

M-66  
Index No. 21708/13E

K.O. Medical P.C.,  
Defendant-Appellant.  
-----x

An appeal having been taken to this Court from the order of the Supreme Court, Bronx County, entered on or about March 3, 2015,

And defendant-appellant having moved to deem a signed March 3, 2015 order granting plaintiff summary judgment to be an appealable order, for an enlargement of time to perfect the appeal, and for a stay of all arbitration or actions between the parties pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is granted to the extent of deeming the signed March 3, 2015 order as an appealable order, enlarging the time to perfect the appeal to the September 2016 Term, and staying actions, proceedings and arbitrations between the parties, pending hearing and determination of the appeal.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 26, 2016.

PRESENT - Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Sallie Manzanet-Daniels  
Judith J. Gische, Justices.

-----X  
Robert Rubin,  
Plaintiff-Respondent,

-against-

M-1174  
Index No. 101786/11

Adrian George,  
Defendant-Appellant,

Rashid Niang, also known as Jacob Niang,  
Defendant.

-----X

Defendant-appellant having moved for reargument of the decision and order of this Court entered on February 4, 2016 (Appeal No. 16727/16728),

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 April 26, 2016.

PRESENT - Hon: John W. Sweeny, Jr., Justice Presiding,  
David B. Saxe  
Karla Moskowitz  
Judith J. Gische  
Troy K. Webber, Justices.

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

-----  
Melissa G., M-1408  
Petitioner-Appellant, Docket No. V-5924-06/10-L

-against-

John W.,  
Respondent-Respondent.

-----  
Carol L. Kahn, Esq.,  
Attorney for the Child.

-----X

An appeal having been taken from the order of the Family Court, New York County, entered on or about December 2, 2014,

And the attorney for the subject child having moved for inter alia, an order directing the Court under CPLR 4511 to take judicial notice of a prior appeal decision in the instant case, and the briefs on that appeal, and other relief,

Now, upon reading and filing the papers with respect to the motion, including the stipulation for an adjournment, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of taking judicial notice of the order entered and the briefs filed in the prior appeal (Matter of John W. v Melissa G., 129 AD3d 468 [1<sup>st</sup> Dept. 2015]) (Appeal No. 15345). The motion for an enlargement of time to perfect the appeal is denied, as academic, in light of the stipulated adjournment, and 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 April 26, 2016.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,  
David B. Saxe  
Judith J. Gische  
Marcy L. Kahn, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

Gerald Lamptey,

Defendant-Appellant.

-----X

M-1360

Ind. Nos. 857/13

348/14

666/14

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 June 10, 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 moving papers a timely filed notice of appeal.

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 26, 2016.

Present - Hon. Rolando T. Acosta, Justice Presiding,  
Dianne T. Renwick  
Sallie Manzanet-Daniels  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

-----X  
In Re: New York City Asbestos Litigation  
-----

Mary Juni, as Administratrix for the  
Estate of Arthur H. Juni, Jr. and  
Mary Juni, Individually,  
Plaintiff-Appellant,

-against-

M-1714  
Index No. 190315/12

A.O. Smith Water Products Co., et al.,  
Defendants,

-and-

Ford Motor Company,  
Defendant-Respondent.

-----X

Appeals having been taken to this Court from the order of the Supreme Court, New York County, entered on or about April 13, 2015, and from the judgment of said Court entered on or about June 3, 2015, respectively,

And The Business Council of New York State, The Coalition for Litigation Justice, Inc., The National Association of Manufacturers, and The Chamber of Commerce of the United States of America, 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 movants are directed to file 9 copies of the amicus brief, in the form attached to the moving papers as Exhibit A., immediately.

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 April 26, 2016.

PRESENT : Hon. Rolando T. Acosta, Justice Presiding,  
Dianne T. Renwick  
Sallie Manzanet-Daniels  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

-----X  
Susan Clair, Tanta Express LLC, Easy Ed Transit Inc., Tove Cab Corp., Zip Transit Inc. and Try Transit Inc., on behalf of themselves and all others similarly situated,  
Petitioners-Appellants,

-against-

M-1625  
Index No. 102277/15

The City of New York; The New York City Taxi and Limousine Commission and Meera Joshi, in her capacity as Chair of the New York City Taxi and Limousine Commission,  
Respondents-Respondents.

-----X

Petitioners-appellants having moved for a discretionary preference maintaining the appeal from the order and judgment of the Supreme Court, New York County, entered on or about February 18, 2016, on the May 2016 Term, 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 to the extent of maintaining the appeal on this Court's calendar for the June 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 April 26, 2016.

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

-----x  
Vandashield Ltd. Orchid Assets S.A.,  
et al.,

Plaintiffs-Respondents,

-against-

M-370

M-536

Index No. 652183/14

Mark Isaacson, Strategic Development  
Partners LLC, Great Court Capital  
and Ivan Berkowitz,

Defendants-Appellants.  
-----x

Consolidated appeals having been taken to this Court from the order and conference order of the Supreme Court, New York County, entered on or about May 20, 2015 and July 17, 2015, respectively,

And an appeal having been taken to this Court from the order of said Court entered on or about September 18, 2015,

And defendants-appellants having moved for consolidation of all appeals, and for an enlargement of time to perfect same (M-370),

And plaintiffs-respondents having cross-moved for modification of the stay granted by orders of this Court entered December 10, 2015 (M-3650/M-3650A), and for related relief, (M-3650/M-3650A),

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

It is ordered that the motion is granted to the extent of consolidating the three appeals and permitting appellants to prosecute the consolidated appeals upon 9 copies of one record

and one set of appellants' points covering the consolidated appeals. The attention of the parties is directed to 22 NYCRR § 600.11. The time to perfect the consolidated appeals is enlarged to the September 2016 Term. The cross motion is denied.

ENTER:

  
CLERK

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

BEFORE: Hon. Karla Moskowitz  
Justice of the Appellate Division

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

-against-

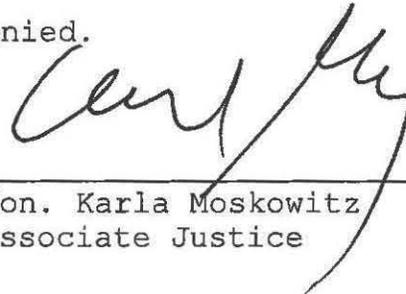
Alexander Santana,

Defendant.  
-----X

M-936  
Ind. No. 698/08

CERTIFICATE  
DENYING RENEWAL

I, Karla Moskowitz, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law section 460.15, and upon the record and proceedings herein, there is no question of law or fact presented that ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County, entered on or about December 22, 2015 is hereby denied.

  
\_\_\_\_\_  
Hon. Karla Moskowitz  
Associate Justice

Dated: *April 4*, 2016  
New York, New York

ENTERED: April 26, 2016

✓

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

BEFORE: Hon. Karla Moskowitz  
Justice of the Appellate Division

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

-against-

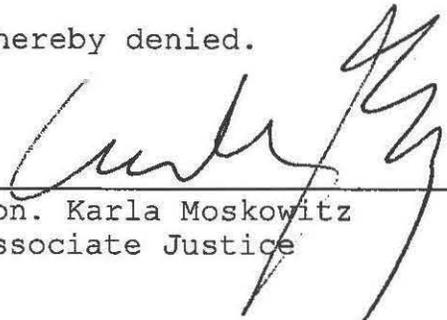
Hector Chebere,

Defendant.  
-----X

M-1085  
Ind. No. 603/96

CERTIFICATE  
DENYING RENEWAL

I, Karla Moskowitz, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law sections 460.15 and 460.30, and upon the record and proceedings herein, there is no question of law or fact presented that ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the orders of the Supreme Court, Bronx County, entered on or about May 28, 2015 is hereby denied.

  
\_\_\_\_\_  
Hon. Karla Moskowitz  
Associate Justice

Dated: *April 5th*, 2016  
New York, New York

ENTERED: April 26, 2016

P.M. ORDERS  
FOR  
APRIL 26,  
2016

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 26, 2016.

PRESENT : Hon. John W. Sweeny, Jr., Justice Presiding,  
Rolando T. Acosta  
Sallie Manzanet-Daniels  
Judith J. Gische  
Ellen Gesmer, Justices.

-----X  
21<sup>st</sup> Century Diamond, LLC,  
Plaintiff,

-against-

M-1847  
Index No. 650331/09

Allfield Trading, LLC, et al.,  
Defendants,

-and-

Allfield Trading, LLC, et al.,  
Third-Party Plaintiffs-Respondents,

-against-

Exelco North America, Inc., Exelco NV,  
doing business as Exelco North America,  
Inc., FTK Worldwide Manufacturing,  
doing business as Exelco North America,  
Inc., Exelco International, Ltd.,  
doing business as Exelco North America  
Inc., Jean Paul Tolkowsky, Fazal Chaudhri,  
Isidor, Inc., Ori Levy,  
Third-Party Defendants-Appellants,

-and-

Doe Corporations 1-100, Doe L.L.C.S  
1-100 Doe L.P.S 1-100 and Doe NVS  
1-100,  
Third-Party Defendants.

-----X

Defendants third-party plaintiffs-respondents having moved for a preference in the hearing of the appeal from the order of the Supreme Court, New York County, entered on or about November 2, 2015,

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

It is ordered that the motion is granted to the extent of maintaining the appeal on this Court's calendar for the June 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 April 26, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Diane T. Renwick  
David B. Saxe  
Judith J. Gische  
Marcy L. Kahn, Justices.

-----X

James P. McGinnis, Jr.,  
Plaintiff-Respondent,

-against-

**M-1641**

Index No. 350117/12

Jodi A. McGinnis,  
Defendant-Appellant.

-----X

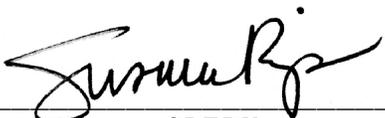
An appeal having been taken from an amended Judgment of Divorce of the Supreme Court, New York County, entered on or about March 7, 2016,

And defendant-appellant having moved to stay enforcement of the aforesaid amended judgment of divorce insofar as it incorporates and leaves in place orders dated July 15, 2015 and February 1, 2016. Defendant also moves for an order awarding temporary custody of the subject child to defendant pending further order of this Court; removing the supervision requirement for parental access and restoring the parties' access schedule to that prior to the July 15, 2015 order or, alternatively, charging the cost of supervision to plaintiff husband; directing a different, unsupervised, access schedule for defendant with supervised exchanges at plaintiff's expense in order to ensure safety; and/or restoring the parties' access schedule to that applying at the time of the original divorce judgment,

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