

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 2, 2016.

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

-----X
Benjamin Vergnion and Julien Jonchere,
Plaintiffs-Appellants,

-against-

M-96X
Index No. 652362/12

United Legwear Company LLC, et al.,
Defendants-Respondents.

-----X

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

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" January 7, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 February 2, 2016.

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

-----X
Eres Shoe Corp., also known as
Eres Shoes, Corp., doing business as
Shoe Fetish,
Plaintiff-Appellant,

-against-

M-6032X
Index No. 154125/15

Bishop C.M. Bailey,
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about August 3, 2015,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" December 1, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 February 2, 2016.

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

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

-against-

M-6172
Dkt./Ind./SCI No. 312/15

Dennis McDonald,
Defendant-Respondent.

-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, rendered on or about March 11, 2015,

Now, upon reading and filing the stipulation of the parties hereto, dated December 4, 2015, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 2, 2016.

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

-----X
Gerber Finance Inc.,
Plaintiff-Respondent,

-against-

M-6080
Index No. 155176/14

Mango Sedans LLC, Terrence Talerman
and Selwyn Glasser,
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 11, 2015,

Now, upon reading and filing the stipulation of the parties hereto, "so ordered" December 4, 2015, and due deliberation having been had thereon,

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 2, 2016.

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

-----X
Turner Construction Company,
Plaintiff-Respondent-Appellant,

-against-

M-95X
Index No. 157322/13

Navigators Insurance Company,
Defendant,

Travelers Property Casualty Company of
America,
Defendant-Appellant-Respondent.

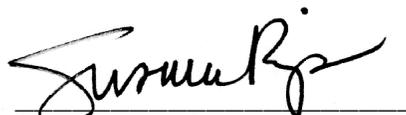
-----X

An appeal and cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about August 19, 2015 (mot. seq. no. 002),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" December 31, 2015, and due deliberation having been had thereon,

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 2, 2016.

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

-----X
Stephen Brookstone, et al.,
Plaintiffs-Respondents,

-against-

M-6411
Index No. 153315/12

City of New York, GI Mini Market, Inc.,
doing business as Polish GI Delicatessen
Defendants,

-and-

Jeison Realty Corporation,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about October 14, 2014, respectively.

Now, and upon reading and filing the stipulation of the parties hereto, dated December 18, 2015, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected, 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 February 2, 2016.

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

-----X
Dr. Steven Rosenfeld and Park
Avenue Discoveries, LLC,
Plaintiffs-Respondents,

-against-

M-6485
Index No. 161611/13

Joel Schreiber & Waterbridge
Capital LLC,
Defendants-Appellants.
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about October 6, 2014,

Now, upon reading and filing the stipulation of the parties hereto, dated December 22, 2015, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected, 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 February 2, 2016.

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

-----X
Celiana Paulino,
Plaintiff-Respondent-Respondent,

-against-

Add Samaroo Realty, LLC, M-6400
Defendant-Respondent-Appellant. Index No. 302391/11

-----X
Add Samaroo Realty, LLC,
Third-Party Plaintiff-Respondent-
Appellant,

-against-

First Class Car & Limousine Service
Corp.,
Third-Party Defendant-Appellant-
Respondent.

-----X

An appeal and cross appeal having been taken from an order and judgment of the Supreme Court, Bronx County, entered on or about April 15, 2014 and September 22, 2014, respectively.

Now, upon reading and filing the stipulation of the parties hereto, dated December 17, 2015, and due deliberation having been had thereon,

It is ordered that the appeal and cross, previously perfected, 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 February 2, 2016.

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

-----X
Santiago Santos and Zionka Santos,
Plaintiffs-Appellants,

-against-

M-6021
Index No. 300546/14

Stewart William Albert and
CC Controlled Combustion Co., Inc.,
Defendants-Respondents.

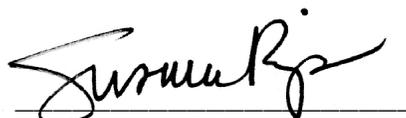
-----X

Defendants-respondents having moved for dismissal of the appeal taken from the order of the Supreme Court, New York County, entered on or about January 13, 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 February 2, 2016.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
David B. Saxe
Barbara R. Kapnick, Justices.

-----X
Deena Fellner,
Plaintiff-Appellant,

-against-

Aeropostale, Inc.,
Defendant-Respondent.

M-5813
Index No. 21470/12E

-----X

Appeals having been taken from orders of the Supreme Court, Bronx County, entered on or about July 24, 2014 and March 13, 2015, respectively,

And plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of said Court entered on or about July 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 denied and the appeals 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 February 2, 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

M-6063
Index No. 3022/11

Defendant-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 November 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 and, 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 February 2, 2016.

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

-----X
Leslie Dick, Alevtina Dick,
Non-Party Appellants,

-against-

Roc Le Triomphe Associates LLC,
Petitioner-Respondent,

David Podell,
Respondent-Respondent.

M-6087
M-6373
Index No. 101928/12

-----X
Non-party appellants having moved for an enlargement of time to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about May 1, 2014 (M-6087),

And petitioner-respondent having cross-moved to dismiss the appeal (M-6373),

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

Ordered that the motion is denied (M-6087), and the cross motion is granted to the extent of dismissing the appeal (M-6373).

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 February 2, 2016.

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

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

Respondent,

-against-

M-6112
Ind. No. 963N/13

Maria Bato,

Defendant-Appellant.
-----X

Assigned counsel for defendant having moved for an order dismissing defendant's appeal taken from a judgment of the Supreme Court, New York County, rendered on or about September 2, 2014, without prejudice to reinstatement at such time appellant becomes amenable to the jurisdiction of this Court,

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

It is ordered that the motion is 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 February 2, 2016.

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

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

Tiffany C.,
Petitioner-Respondent,

M-6095
Docket No. V-23857/14

-against-

Michael C.,
Respondent-Appellant.

-----X
Respondent-appellant having moved to withdraw the appeal taken from the order of the Family Court, Bronx County, entered on or about February 19, 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 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 February 2, 2016.

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

-----X
In Re: 91st Street Crane Collapse Index No. 771000/10
Litigation

Maria Leo, Administratrix of the Estate of
Her Son, Donald Christopher Leo, Deceased
May 30, 2008,
Plaintiff,

-against-

M-7
Action No. 1
Index No. 117294/08

The City of New York, New York City
Department of Buildings,
Defendants-Respondents,

Michael Carbone, Patricia J. Lancaster,
Robert Limandri, New York Crane and
Equipment Corp., James F. Lomma, Lomma
Trucking & Rigging, J.F. Lomma Rigging, Inc.,
Tes, Inc., J F Lomma Trucking & Riggin, JF
Lomma Tucking & Rigging and Specialized
Services, Brady Marine Repair Co., Testwell,
Inc., Branch Radiographic Laboratories Inc.,
Crane Inspection Services, Ltd., Sorbara
Construction Corp.,
Defendants,

1765 First Associates, LLC,
Defendant-Appellant,

Leon D. DeMatteis Construction Corporation,
Mattone Group Construction Co. Ltd., Mattone
Group, LLC., City of New York Construction
Authority, City of New York School Construction
Fund, Howard I. Shapiro & Associates Consulting
Engineers, P.C., New York Rigging Corp.,
Tower Rigging Consultants, Inc., Tower Rigging,
Inc., Unique Rigging Corp., Lucius Pitkin, Inc.,
McLaren Engineering Group, M.G. McLaren, P.C.
and John/Jane Does "1" through "10".
Defendants.

-----X

-----X
(And Additional Third-Party Actions)
-----X

In Re: 91st Street Crane Collapse
Litigation

- - - - -
Xhevahire Sinanaj and Selvi Sinanovic, as
Co-Administrators of the Estate of Ramadan
Kurtaj, Deceased & Selvi Sinanovic,
Individually,
Plaintiffs,

-against-

Action No. 2

Index No. 117469/08

The City of New York, New York City
Department of Buildings,
Defendants,

Michael Carbone, Patricia J. Lancaster,
Robert Limandri, City of New York School
Construction Authority, New York City
Educational Construction Fund, City of
New York School Construction Fund,
New York Crane & Equipment Corp, J.F.
Lomma, Inc., Tes, Inc., J F Lomma Trucking &
Rigging, JF Lomma Brady Marine Repair Co.,
Testwell, Inc., Branch Radiographic
Laboratories Inc., Crane Inspections
Services, Ltd.,

Sorbara Construction Corp., 1765 First
Associates, LLC,
Defendants,

Leon D. DeMatteis Construction Corporation,
Mattone Group Construction Co. Ltd., Mattone
Gruppo Ltd., Mattone Group, LLC., Howard I.
Shapiro & Associates Consulting Engineers,
P.C., New York Rigging Corp., Tower Rigging
Consultants, Inc., Tower Rigging, Inc., Unique
Rigging Corp., Lucius Pitkin, Inc., McLaren
Engineering Group, M.G. McLaren, P.C.
and John/Jane Does "1" through "10".
Defendants.

-----X
(And Additional Third-Party Actions)
-----X

-----X
In Re: 91st Street Crane Collapse
Litigation

- - - - -
John Odermatt, Noel Allum, Mary Allum,
Vered Ohayon, Crystal Brisbane, William
Dodson, Ania Kucharski, Jonathan Urband
and David Leichter,
Plaintiffs,

-against-

Action No. 3
Index No. 102943/09

1765 First Associates, LLC, Leon D. DeMatteis
Construction Corporation, New York Crane and
Equipment Corp., Sorbara Construction
Corporation and The City of New York,
Defendants.

-----X
(And Additional Third-Party Actions)

-----X
In Re: 91st Street Crane Collapse
Litigation

- - - - -
First & 91, LLC,
Plaintiff,

-against-

Action No. 4
Index No. 108543/08

1765 First Associates, LLC, Leon D. DeMatteis
Construction Corporation, New York Crane and
Equipment Corp., Sorbara Construction
Corporation and The City of New York,
Defendants.

-----X
(And Additional Third-Party Actions)

-----X
In Re: 91st Street Crane Collapse
Litigation

- - - - -
Guiseppe Calabro,
Plaintiff,

-against-

Action No. 5
Index No. 108543/08

The City of New York, 1765 First Associates,
LLC, Mattone Group Construction Co., Ltd.,
DeMatteis Construction, Leon D. Matteis
Construction Corporation and New York Crane &
Equipment Corp.,
Defendants.

-----X

-----X
(And Additional Third-Party Actions)

-----X
In Re: 91st Street Crane Collapse
Litigation

- - - - -
Christopher Doran,
Plaintiff,

-against-

Action No. 6
Index No. 108543/08

The City of New York, 1765 First Associates,
LLC, Mattone Group Construction Co., Ltd.,
DeMatteis Construction, Leon D. Matteis
Construction Corporation and New York Crane &
Equipment Corp.,
Defendants.

-----X
(And Additional Third-Party Actions)

-----X
Consolidated appeals having been taken by defendants, The
City of New York and The New York City Department of Buildings,
and by third-party defendant-appellant, Sorbara Construction
Corp., and by defendant 1765 First Associates, LLC from orders of
the Supreme Court, New York County, entered on or about March 3,
2014 (mot. seq. no. 88 - Action No. 1), March 5, 2014 (mot. seq.
no. 63 - Action No. 2), March 12, 2014 (mot. seq. no. 24 - Action
No. 5), March 13, 2014 (mot. seq. no. 11 - Action No. 4/ mot.
seq. no 13 - Action No. 6), and March 14, 2014 (mot. seq. no. 10
- Action No. 3), respectively, and said appeals having been
perfected,

And defendant-appellant Leon D. DeMatteis Construction
Corporation having moved to withdraw so much of the appeal which
pertains to Maria Leo, Administratrix of the Estate of
Her Son, Donald Christopher Leo, Deceased, May 30, 2008 (Index
No. 117294/08, mot. seq. nos. 75 & 90),

Now, upon reading and filing the papers with respect to
the motion, including the stipulation of the parties dated
June 23, 2015,

It is ordered that the motion is granted to the extent of
withdrawing so much of the appeal pertaining to Maria Leo,
Administratrix of the Estate of Her Son, Donald Christopher Leo,
Deceased, May 30, 2008 (Index No. 117294/08, mot. seq. nos. 75 &
90).

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 February 2, 2016.

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

-----X

The People of the State of New York,
Respondent,

-against-

Jose Maldonado,
Defendant-Appellant.

M-4269
M-6261
Ind. No. 4346/10
Case No. 73623C/10

-----X

An appeal having been taken from the judgment of the Supreme Court, Bronx County, rendered on or about May 21, 2014,

And defendant having moved for leave to appeal from an order of the Supreme Court, Bronx County, entered on or about August 4, 2015 (M-4269),

And defendant-appellant having moved for an order discontinuing the direct appeal from the judgment of said Court, rendered on or about May 21, 2014 as moot, and withdrawing the motion seeking leave to appeal to this Court (M-6261),

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

It is ordered that the motion is granted and the direct appeal is discontinued as moot (M-6261). The motion for leave to appeal to this Court is deemed withdrawn (M-4269).

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 February 2, 2016.

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

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

-against-

M-6175
Ind. Nos. 3050/13
566/14

Brandon Senquiz,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about January 9, 2014 (Ind. No. 3050/13), for leave to prosecute the appeal as a poor person upon the original record and upon a reproduced appellant's brief, and for assignment of counsel,

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

It is ordered that the motion is granted to the extent of permitting the appeal from the judgment of said Court, rendered on or about December 16, 2014 (Ind. No. 566/14) to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 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.

The motion to the extent it seeks leave to file a late notice of appeal with regard to the judgment of the Supreme Court, New York County, rendered on or about January 9, 2014 (Ind. No. 3050/13), and related relief, 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 February 2, 2016.

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

-----x

The People of the State of New York,

-against-

M-6163
Ind. No. 2947N/04

William Candelario,

Defendant.

-----x

Defendant having moved for an enlargement of time to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about February 8, 2005, and for other related relief, and such relief having been denied by this Court by order entered February 5, 2013 (M-5573),

And defendant having moved again for the same 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 (CPL 460.30[1]).

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 February 2, 2016.

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

-----X
Leandro Gil, Jean Carl and Pedro
Reyes,
Plaintiffs-Appellants,

-against-

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

M-6050
Index No. 152194/13

-----X

Plaintiffs-appellants 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 February 17, 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 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 February 2, 2016.

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

-----X
Larry Carr,
Plaintiff-Appellant,

-against-

M-6174
Index No. 104602/10

Regina L. Darby, Esq.,
Defendant-Respondent.
-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about March 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 enlarging the time to perfect the appeal 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 February 2, 2016.

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

-----X
Koya Abe,
Plaintiff-Appellant,

-against-

M-6198
Index No. 105985/10

New York University, et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about March 26, 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 on or before March 21, 2016 for the June 2016 Term. Plaintiff's attention is directed to the Rules of this Court 22 NYCRR 600.5 and CPLR 5526 and 5528, with respect to the contents of the record on appeal from an interlocutory order.

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 February 2, 2016.

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

-----X
Carol Fehmian,
Plaintiff-Appellant,

-and-

John Caruso,
Plaintiff,

M-6235
Index No. 100997/11

-against-

Kate Hyun Hoffman and Michael Hoffman,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about January 20, 2015,

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 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 February 2, 2016.

Present - Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
CS 393 LLC,

Petitioner-Landlord-Appellant,

-against-

M-5752

Index No. 571042/14

Steven Eisenberg,
Respondent-Tenant-Respondent,

-and-

"John Doe" and "Jane Doe,"
Respondents-Undertenants.

-----X

Petitioner-landlord-appellant having moved for leave to appeal to this Court from the decision and order of the Appellate Term entered in the office of the Clerk of the Supreme Court, New York County, on or about June 30, 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 February 2, 2016.

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

-----X
8 Beach Street Realty Inc.,
Petitioner-Landlord-Respondent,

-against-

M-6191
Index No. 570297/14

Max Blagg,
Respondent-Tenant-Appellant,

-and-

Anita Madeira, "John Doe" and "Jane
Doe,"
Respondents.

-----X

Petitioner-landlord-respondent having moved for leave to appeal to this Court from the decision and order of the Appellate Term entered in the office of the Clerk of the Supreme Court, New York County, on or about September 17, 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 February 2, 2016.

Present - Hon. Peter Tom, Justice Presiding,
David B. Saxe
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----X
Albana Rugova, as Administrator of the
Estate of Darden Binakaj, et al.,

Plaintiffs-Respondents-Appellants,

-against-

M-5031
Index No. 303175/09

The City of New York, et al.,

Defendants-Appellants-Respondents.
-----X

Defendants-appellants-respondents having moved for reargument of the decision and order of this Court entered on September 8, 2015 (Appeal No. 14258),

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 February 2, 2016.

Present - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
David B. Saxe, Justices.

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

Respondent,

-against-

M-5885
Ind. No. 10203/95

James Jones,

Defendant-Appellant.

-----X

A decision and order of this Court having been entered on April 13, 1999 (Appeal No. 730), unanimously affirming a judgment of the Supreme Court, New York County (Weissberg, J.), rendered on October 1, 1996,

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 February 2, 2016.

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

-----X
Eastern Concrete Materials, Inc./ NYC
Concrete Materials,
Plaintiff-Respondent,

-against-

M-6045
Index No. 303005/12

Derosa Sports Construction, Inc.,
Defendant-Appellant,

Thomas Derosa, et al.,
Defendants.

-----X

Defendant-appellant having moved for a preference in the hearing of the perfected appeal from the order of the Supreme Court, Bronx County, entered on or about November 12, 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 February 2, 2016.

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

-----X
Greenwich Insurance Company,
Plaintiff-Respondent,

-against-

M-5936
Index No. 154552/12

The City of New York and New York
City Economic Development Corporation,
Defendants-Appellants,

Triumph Construction Corporation,
et al.,
Defendants.

-----X

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

And defendants-appellants having moved for a discretionary stay, pursuant to CPLR 5519(c), pending hearing and determination of the aforesaid appeal, or in the alternative, for reconsideration of this Court's order dated November 10, 2015 (M-3704), declaring that there was no automatic stay in effect,

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

Ordered that a discretionary stay of discovery is granted until the resolution of the aforesaid appeal; motion 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 February 2, 2016.

Present: Hon. Peter Tom, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta
Richard T. Andrias, Justices.

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

For a Judgment Pursuant to Article 78 **M-6522**
of the Civil Practice Law and Rules, Index No. 113832/11

-against-

Raymond Kelly as Commissioner of
Police for the New York City Police
Department,
Respondents.

-----X

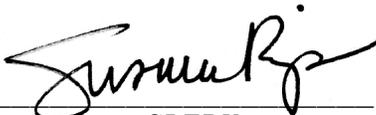
An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about May 1, 2012, to review a determination of respondents,

And respondents having moved to enlarge the record on appeal,

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

It is ordered that the motion is granted to the extent of deeming the CD-ROM attached to the moving papers as Movant's Ex. C 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 February 2, 2016.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David B. Saxe
Karla Moskowitz
Rosalynd H. Richter, Justices.

-----x
Jimmy Campbell,

Plaintiff-Appellant,

-against-

M-6200
Index No. 303649/13

Lascelle McCallum, et al.,

Defendants-Respondents.
-----x

Defendants-respondents having moved for dismissal of the appeal from the order of the Supreme Court, Bronx County, entered on or about January 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 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 February 2, 2016.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David B. Saxe
Karla Moskowitz
Rosalyn H. Richter, Justices.

-----x
Eric Williams,

Plaintiff-Appellant,

-against-

American United Transportation Inc.,
et al.,

M-6449
Index No. 22157/12E

Defendants-Respondents.
-----x

Defendants-respondents having moved for dismissal of the appeal from the order of the Supreme Court, Bronx County, entered on or about January 13, 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 February 2, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
Rosalyn H. Richter, Justices.

-----X
The People of the State of New York
ex rel. Robert Gist, Jr.,
Petitioner-Appellant,

M-6441
Index No. 250733/15

-against-

Warden, Eric M. Taylor Center, etc.,
et al.
Respondents-Respondents.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Supreme Court, Bronx County, entered on or about October 5, 2015, which dismissed a habeas corpus proceeding, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for assignment of counsel,

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

It is ordered that said motion is granted and it is directed that the appeal be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the Attorney General of the State of New York and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

Seymour W. James, Jr., Esq., Legal Aid Society, 199 Water Street, 5th Floor, New York, New York 10038, Tel. No. (212) 577-3688, is assigned as counsel for petitioner-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 February 2, 2016.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David B. Saxe
Karla Moskowitz
Rosalyn H. Richter, Justices.

-----X
Anneke Elin Pazzanese,
Plaintiff-Appellant,

-against-

M-6253
Index No. 308377/11

Geoffrey Charles Pazzanese,
Defendant-Respondent.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from a judgment of divorce entered in the Supreme Court, New York County, on or about September 29, 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 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 February 2, 2016.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Karla Moskowitz
Rosalyn H. Richter, Justices.

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

ex rel. Carl Fraser,
Petitioner-Appellant,

-against-

Warden, G.M.D.C., N.Y.C. Dept. of
Corrections,
Respondent-Respondent.

-----X

CONFIDENTIAL

M-6314

Index No. 400537/12

Petitioner-appellant, pro se, having moved for an enlargement of time to perfect the appeal taken to this Court from the judgment of the Supreme Court, New York County, entered on or about April 5, 2012,

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 enlarging the time to perfect the appeal 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 February 2, 2016.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David B. Saxe
Karla Moskowitz
Rosalyn H. Richter, Justices.

-----X
In the Matter of the Application of
215 W 88th Street Holdings LLC.,
Petitioner-Appellant,

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

M-6448
Index No. 100693/14

-against-

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

Petitioner-appellant having moved for an enlargement of time to perfect the appeal from a judgment of the Supreme Court, New York County, entered on or about February 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 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 February 2, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Diane T. Renwick
Sallie Manzanet-Daniels
Barbara R. Kapnick, Justices.

-----X
Brenda Pomerance, on behalf of herself
and in the right of 310 West 52nd Street
Condominium Association,
Plaintiffs-Respondents,

M-143
Index No. 650129/11

-against-

Brian Scott McGrath, etc., et al.,
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 1, 2015,

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

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties, dated January 9, 2016, and due deliberation having been had thereon, it is

Ordered that the motion is granted on condition the appeal is perfected 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 February 2, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Diane T. Renwick
Sallie Manzanet-Daniels
Barbara R. Kapnick, Justices.

-----X
Debora Sarita,
Plaintiff-Appellant,

-against-

M-6473
Index No. 20055/12

Mile Square Transportation, Inc.,
et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about March 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 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 February 2, 2016.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Rosalyn H. Richter, Justices.

-----X

Santa Roman,
Plaintiff-Appellant,

-against-

M-5969

Index No. 309025/09

Sullivan Paramedicine, Inc., et al.,
Defendants,

Arie Nudel,
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 October 29, 2015 (Appeal Nos. 15997-15998-15998A),

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 February 2, 2016.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----X

Theodore Grunewald, et al.,
Plaintiffs-Appellants,

-against-

M-5375

Index No. 158002/12

The Metropolitan Museum of Art,
et al.,
Defendants-Respondents.

- - - - -

Filip Saska, et al.,
Plaintiffs-Appellants,

-against-

Index No. 650775/13

The Metropolitan Museum of Art,
Defendant-Respondent.

-----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 February 5, 2015 (Appeal Nos. 13886-13886A),

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 February 2, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-6462
New York County
Docket No. 33792/14

Manuel Martinez,
Defendant-Appellant.

-----X

An appeal to the Appellate Term having been taken from the judgment of the of the Supreme Court, New York County, rendered on or about February 24, 2015,

And defendant having moved for an order transferring the aforesaid appeal from the Appellate Term, First Department, 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.

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 February 2, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
Rosalyn H. Richter, Justices.

-----X

In the Matter of

Mya Malaysha W.,

M-6396

Docket No. B-50101/12

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

- - - - -
The Children's Aid Society and
The Commissioner of the Administration
for Children's Services of the City of
New York,

Petitioners-Respondents,

Debora D. M.,
Respondent-Appellant,

Anthony W.,
Respondent-Appellant.

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

----- X

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

And respondent-appellant father having moved to hold a reconstruction hearing of the proceedings held on October 1, 2013, in Family Court, New York County, held in Part 11 before Hon. Clark V. Richardson, and holding the appeal in abeyance until said reconstruction hearing is completed,

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 remanding the matter to Family Court, New York County, for reconstruction of the proceedings held before Hon. Clark V. Richardson on October 1, 2013, as expeditiously as possible. Appellant's counsel is directed to serve a copy of this order upon the Clerk of the Family Court, New York County, within 10 days of the date of entry hereof, and the Clerk is directed to have the minutes of the proceeding transcribed and delivered to appellant's counsel for inclusion the record on appeal within 30 days of the conclusion of said reconstruction. The time to perfect the appeals of the respondent-appellant mother (Cal. No. 2234) and respondent-appellant father (Cal. No. 2228) is enlarged 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 February 2, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Diane T. Renwick
Sallie Manzanet-Daniels
Barbara R. Kapnick, Justices.

-----X
In the Matter of

Hannah O.,
also known as Ikhlas O.,
and Abdul-Maleek R.,

M-6464

Docket Nos. NN-21912/12
NN-21913/12

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

The Administration for Children's
Services of the City of New York,
Petitioner-Respondent,

Waheedah S.,
Respondent-Appellant.

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

-----X
An appeal having been taken from the Order of
Disposition of the Family Court, New York County, entered
on or about January 26, 2015,

And respondent-appellant mother having moved for an
order relieving Bruce Roistacher, Esq., as counsel on the appeal;
granting poor person relief and assignment of new appellate
counsel; and enlarging the time to perfect the appeal,

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

Ordered that the motion is granted to the extent of
relieving Bruce Roistacher, Esq. as counsel on the appeal, and
enlarging appellant's time to perfect the appeal to the June 2016

Term. So much of the motion which seeks poor person relief and the assignment of counsel is denied, without prejudice to renew upon an affidavit from respondent in compliance with CPLR 1101(a), and, sua sponte, the appeal by the children, perfected for the March 2016 Term (Cal. No. 2903) 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 February 2, 2016.

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

-----X
Kevin Toomey,
Plaintiff-Respondent,

-against-

M-6120
Index No. 5227/08

Johanna Toomey,
Defendant-Appellant.
-----X

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

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 enlarging the time to perfect the appeal 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 February 2, 2016.

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

-----X

Edith Lieber,
Plaintiff-Appellant,

-against-

M-6440
Index No. 110917/10

New York City Transit Authority and
Metropolitan Transportation Authority,
Defendant-Respondents.

-----X

Plaintiff-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 February 23, 2015,

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 enlarging the time to perfect the appeal 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 February 2, 2016.

PRESENT: Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Karla Moskowitz, Justices.

-----X
Yvonne Gilmore,
Plaintiff-Appellant,

-against-

M-6310
Index No. 104095/11

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

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about December 22, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the 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 February 2, 2016.

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

-----X
Leslie Trinin,
Plaintiff-Appellant,

-against-

M-6336
Index No. 653722/13

Victoria Classics, Ltd., et al.,
Defendants-Respondents.
-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about March 9, 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 February 2, 2016.

PRESENT: Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Karla Moskowitz, Justices.

-----X
Janelle Martinez, an Infant By His
Mother and Natural Guardian,
Brenda Marquez,
Plaintiff-Appellant,

-against-

M-6332
Index No. 350373/10

New York City Health and Hospitals
Corporation (Lincoln Hospital),
Defendant-Respondent.
-----X

Appeals having been taken from the orders of the Supreme Court, Bronx County, entered on or about March 16, 2015 and September 16, 2015, respectively,

And plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of said Court, 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 granted to the extent of enlarging the time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about March 16, 2015, 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 February 2, 2016.

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

-----X
Bridge Street Contracting Inc.,
Plaintiff-Appellant,

EMFT, LLC, et al.,
Plaintiffs,

-against-

M-5777
Index No. 602447/09

Everest National Insurance Company,
Defendant-Respondent,

Scottsdale Insurance Company,
Defendant,

CastlePoint Insurance Company,
Proposed Intervenor-Appellant.

-----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 October 15, 2015 (Appeal No. 15879),

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 February 2, 2016.

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

-----X

Gemmon LLC,
Plaintiff-Appellant,

M-6242

-against-

Index No. 652726/11

Vera Wang Becker, 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 16, 2015,

And plaintiff-appellant having moved for an enlargement of time to perfect the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motion, and correspondence of counsel for plaintiff-appellant, dated December 22, 2015, and due deliberation having been had thereon, it is

Ordered that the motion is deemed withdrawn in accordance with the aforesaid correspondence.

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 February 2, 2016.

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

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

-against-
Jesse Shuler-Gibson,

M-6051
Ind. No. 1837/14

Defendant.
-----x

Defendant having moved for an enlargement of time to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about September 23, 2014, for leave to appeal as a poor person, and for other 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 (CPL 460.30[1]).

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 February 2, 2016.

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

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

-against-
Wyse Agblevor,

M-6060
Ind. No. 4405N/12

Defendant.
-----x

Defendant having moved for an enlargement of time to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about October 24, 2013, for leave to appeal as a poor person, and for other 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 (CPL 460.30[1]).

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 February 2, 2016.

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

-----X
In the Matter of the Application of
Detective Rafael Astacio,
Petitioner,

For a Judgment Pursuant to Article 78 M-5938
of the Civil Practice Law and Rules, Index No. 100283/14

-against-

William Bratton, et al.,
Respondents.

-----X

An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about January 6, 2015, to review a determination of respondent,

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

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the proceeding to the 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 February 2, 2016.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
David B. Saxe
Judith J. Gische, Justices.

-----X

NYCTL 2011-A Trust, et al.,
Plaintiffs,

-against-

Da'Jue Properties Inc.,
Defendant-Respondent,

M-5903
Index No. 304621/12

New York City Transit Authority Transit
Adjudication Bureau, et al.,
Defendants,

Fay Capital Corp.,
Non-Party Appellant.

-----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 October 22, 2015 (Appeal No. 15955),

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 February 2, 2016.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Rolando T. Acosta
Dianne T. Renwick
Karla Moskowitz, Justices.

-----X
Bond & Broadway, LLC,
Plaintiff-Respondent-Appellant,

-against-

Funding Exchange, Inc.,
Defendant-Appellant-Respondent,

M-5749
Index No. 158917/13

Froggy Associates, LLC,
Defendant-Respondent-Appellant.
-----X

Plaintiff-respondent-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court, entered on October 15, 2015 (Appeal No. 15795),

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 February 2, 2016.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Barbara R. Kapnick, Justices.

-----X

Megan Holdings, LLC,

Petitioner-Landlord-Appellant,

-against-

M-4866

Index No. 570530/11

Julie Conason and Geoffrey Bryant,

Respondents-Tenants-Respondents.

-----X

Petitioner-landlord-appellant having moved for leave to appeal to this Court from the decision and order of the Appellate Term entered in the office of the Clerk of the Supreme Court, New York County, on or about June 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 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 February 2, 2016.

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

-----X

In the Matter of the Application of

Maria Rivera,
Petitioner,

For a Judgment Pursuant to Article 78
of the CPLR,

-against-

M-6160
Index No. 400202/14

New York City Housing Authority,
Respondent.

-----X

An order of the Supreme Court, New York County, entered on or about October 24, 2014 having transferred the within proceeding to this Court pursuant to CPLR 7804(g),

And an order of this Court entered November 19, 2015 (M-3659), having dismissed the aforesaid proceeding,

And petitioner having moved for an order reinstating the appeal,

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

It is ordered that the motion is denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 2, 2016.

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

-----X

In the Matter of the Application of
Jennifer M. Pugh,
Petitioner-Appellant,

M-6205

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

Index No. 101000/12

-against-

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

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Supreme Court, New York County, entered on or about April 26, 2013, 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 further documentation showing petitioner's income, which shall include petitioner's tax returns for the years 2013 and 2014.

ENTER:



CLERK

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

BEFORE: Hon. John W. Sweeny, Jr.
Justice of the Appellate Division

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

M-6109
Ind. No. 90152/2005

-against-

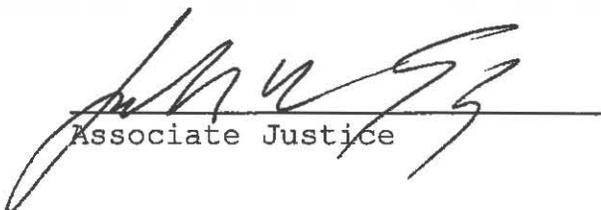
CERTIFICATE
DENYING LEAVE

Joshua Nowrang,

Defendant.
-----X

I, John W. Sweeny, Jr., a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County, dated on or about November 10, 2015 (Michael A. Gross, J.) is hereby denied.

Dated: January 21, 2016
New York, New York


Associate Justice

ENTERED: **FEB 02 2016**

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

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

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

M-6162
SCI: 4117/93

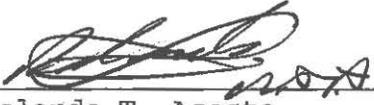
-against-

CERTIFICATE
GRANTING LEAVE

Alejandro Garcia
Defendant-Appellant.
-----X

I, Rolando T. Acosta, 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 October 8, 2015.¹ That portion of the motion seeking permission to appeal in forma pauperis and the assignment of the Center for Appellate Litigation as counsel to represent him on appeal is also granted.

Dated: January 15, 2016
New York, New York



Hon. Rolando T. Acosta
Associate Justice

ENTERED

FEB 02 2016

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,

¹In 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.

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.