

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 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-2207  
Ind. No. 1918/11

Modesto Encarnacion,  
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about March 12, 2013,

Now, upon reading and filing the stipulation of the parties hereto, dated July 13, 2014, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 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-2352  
Ind. No. 404/14

Nathaniel Richardson,  
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, Bronx County, rendered on or about April 10, 2014,

Now, upon reading and filing the stipulation of the parties hereto, dated April 29, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 June 2, 2016.

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

-----X  
Andrea Krakowski,  
Plaintiff-Respondent,

-against-

M-2359X  
Index No. 350022/13

Harry Krakowski,  
Defendant-Appellant.  
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about January 8, 2016,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 28, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 June 2, 2016.

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

-----X  
Peter Larkin,  
Plaintiff-Appellant,

-against-

M-2365X  
Index No. 113998/09

City of New York, et al.,  
Defendants-Respondents.  
-----X  
(And other third-party actions)  
-----X

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

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 25, 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 June 2, 2016.

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

-----X  
Ocwen Loan Servicing, LLC,  
Plaintiff-Respondent,

-against-

M-2367X  
Index No. 654586/12

Ohio Public Employees Retirement  
System,  
Defendant-Appellant.

-----X

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

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 21, 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 June 2, 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 Custody/Visitation  
Proceeding:

Jeannie D.,  
Petitioner-Appellant,

-against-

Yerlin F. M.,  
Respondent-Respondent.

**CONFIDENTIAL**

M-2406

Docket Nos. V-24114-12/12A  
V-24114-12/14B  
V-24114-12/14C  
V-24114-12/15D

-----X

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

Now, upon reading and filing the stipulation of the parties hereto, dated April 29, 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 June 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-2413  
Ind. No. 670/14

Gary Teasley,  
Defendant-Appellant.  
-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about August 20, 2015,

Now, upon reading and filing the stipulation of the parties hereto, dated May 3, 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 June 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-

Shalik Watson, also known as  
Malik Watson,  
Defendant-Appellant.

M-2354  
Ind. No. 3646/09  
Case No. 58754C/09

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about December 1, 2014,

And Richard M. Greenberg, Esq., having moved for an order assigning him as appellant's 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 striking the designation of assigned counsel Stanley Neustadter, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. (212) 402-4100, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 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-2252  
Ind. No. 1359/14

Christian McFadden,  
Defendant-Appellant.

-----X

An order of this Court having been entered on March 1, 2016 (M-228) granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about October 26, 2015, and assigning Robert S. Dean, Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Robert S. Dean, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. (212) 402-4100, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

ENTER:

  
CLERK

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

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

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

-against-

M-1393  
Ind. No. 3228/07

Angel Beauchamp,  
Defendant-Appellant.  
-----X

A decision and order of this Court having been entered on May 10, 2011 (Appeal No. 5026), unanimously affirming a judgment of the Supreme Court, Bronx County (Caesar Cirigliano, J.), rendered on May 19, 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 June 2, 2016.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Angela M. Mazzarelli  
David Friedman  
Rosalyn H. Richter  
Marcy L. Kahn, Justices.

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

-----  
Edward Schlieben,  
Petitioner,

-against-

Colette DuPont-Schlieben,  
Respondent.

M-1811  
Docket No. F-44506-15/15A  
File No. 253890

-----X  
Respondent having moved for leave to appeal to this Court from the decision and order of the Family Court, New York County, entered on or about March 7, 2016,

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

It is ordered that the motion is denied.

ENTER:

  
\_\_\_\_\_  
CLERK

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

PRESENT: Hon. Peter Tom, Justice Presiding,  
John W. Sweeny, Jr.  
Richard T. Andrias  
Sallie Manzanet-Daniels  
Troy K. Webber, Justices.

-----X  
In the Matter of the Application of  
Cassandra Woods,  
Petitioner,

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

M-1606  
M-1834  
Index No. 101246/14

-against-

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

An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about July 1, 2015, to review a determination of respondent,

And petitioner having moved for a stay of eviction and for an enlargement of time to perfect the aforesaid proceeding (M-1606),

And respondent having cross-moved to dismiss the aforesaid proceeding (M-1834),

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 for a stay of eviction and related relief is denied (M-1606). The cross motion is granted and the proceeding is dismissed (M-1834).

ENTER:

  
CLERK

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

PRESENT: Hon. Peter Tom, Justice Presiding,  
David B. Saxe  
Rosalyn H. Richter  
Judith J. Gische  
Troy K. Webber, Justices.

-----X  
Estate of Magda Markowicz,  
Deceased.

M-2060  
Rita Hyman, Index No. 2865/15  
Objector-Appellant.  
-----X

Objector-appellant daughter Rita Hyman having moved for an order staying all proceedings, including issuance of letters testamentary pending hearing and determination of the appeal taken from the order of the Surrogate's Court, Bronx County, entered on or about April 1, 2016,

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 interim relief granted by the order of a Justice of this Court dated April 21, 2016, is vacated.

ENTER:

  
CLERK

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

PRESENT - Hon. Peter Tom, Justice Presiding,  
David B. Saxe  
Rosalyn H. Richter  
Judith J. Gische  
Troy K. Webber, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-1764  
Ind. No. 3963/14

Clyde Daniels,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about December 1, 2015, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied.

ENTER:

  
CLERK

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

PRESENT - Hon. Peter Tom, Justice Presiding,  
David B. Saxe  
Rosalyn H. Richter  
Judith J. Gische  
Troy K. Webber, Justices.

-----X

In the Matter of the Application of

Herbert Paul,  
Petitioner,

For a Judgment Pursuant to Article 78  
of the CPLR,

-against-

M-1677  
Index No. 104258/12

New York City Department of Education,  
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 July 18, 2013,

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

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the proceeding to the October 2016 Term, with no further enlargements to be granted.

ENTER:



CLERK

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

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
John W. Sweeny, Jr.  
Sallie Manzanet-Daniels, Justices.

-----X  
Augusto Figueroa,  
Plaintiff-Appellant,

-against-

M-1379  
Index No. 101302/07

Andrew Mandel,  
Defendant-Respondent.  
-----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 16, 2016 (Appeal No. 253-253A),

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

It is ordered that the motion is denied.

ENTER:



CLERK

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

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
Richard T. Andrias  
Karla Moskowitz  
Marcy L. Kahn, Justices.

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

-against-

M-1575  
Ind. No. 2462/04

Anthony Cruz,  
Defendant-Appellant.

-----X

Respondent People having moved to dismiss the appeal from the SORA order of the Supreme Court, New York County, entered on or about October 18, 2013, 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 and the appeal is dismissed.

ENTER:

  
CLERK

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

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
Richard T. Andrias  
Karla Moskowitz  
Marcy L. Kahn, Justices.

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

-against-

M-1645  
Ind. No. 3859N/07

Msika J. Samuel,  
Defendant.

-----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 October 29, 2007,

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

It is ordered that the motion is denied.

ENTER:

  
\_\_\_\_\_  
CLERK

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

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

-----x  
Anthony Toxey,

Plaintiff-Appellant-Respondent,

-against-

The City of New York,

Defendant-Respondent-Appellant.  
-----x

M-1253

M-1822

Index No. 400844/10

Appeals and cross appeals having been taken to this Court from orders of the Supreme Court, New York County, entered on or about March 25, 2014 and November 17, 2014, respectively,

And plaintiff-appellant-respondent having moved, by duplicate motions, for an enlargement of time to perfect the consolidated appeals,

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

It is ordered that the motions are granted to the extent of enlarging the time to perfect the consolidated appeals and cross appeals to the December 2016 Term, with leave to seek further enlargements if necessary. Plaintiffs-appellant-respondent is directed to perfect his appeal subject to the terms and conditions set forth in this Court's order entered May 19, 2015 (M-1448/M-1696).

ENTER:

  
CLERK

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

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

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

-against-

M-1443  
Ind. No. 2950/13

Vijay Jain,  
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about June 23, 2015,

And defendant-appellant having moved for an order continuing the stay of execution of sentence and bail pending appeal granted by order of a Justice of this Court on June 23, 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 continuing the stay of execution of sentence and bail, granted on June 23, 2015, on the same terms and conditions, and on condition that the appeal is perfected for the November 2016 Term.

ENTER:

  
CLERK

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

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

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

-against-

M-1591  
Ind. No. 2967/14

Luis Robles,  
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 November 30, 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 as 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.

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 June 2, 2016.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Marcy L. Kahn, Justices.

-----X  
Jessica Cozier,  
Plaintiff-Appellant,

-against-

Kwame Baah, et al.,  
Defendants-Respondents.

M-2037  
Index No. 309093/10

-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeals from the judgment of the Supreme Court, Bronx County, entered on or about July 13, 2015 and from the order of said Court entered July 27, 2015,

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

Sua sponte, the appeals are deemed consolidated and appellant is permitted to prosecute the appeals upon 9 copies of one record and one set of appellant's points covering the appeals.

It is further ordered that the motion is granted to the extent of enlarging the time to perfect the consolidated appeals 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 June 2, 2016.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Karla Moskowitz  
Sallie Manzanet-Daniels  
Ellen Gesmer, Justices.

-----X

Matteo Nania,  
Plaintiff-Appellant,

-against-

M-2081  
Index No. 402990/10

Metropolitan Transit Authority,  
et al.,  
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 30, 2015,

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

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

It is ordered that the motion is denied.

ENTER:

  
CLERK

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

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,  
Karla Moskowitz  
Sallie Manzanet-Daniels  
Ellen Gesmer, Justices.

-----X  
Todd Galeto,  
Plaintiff-Appellant,

-against-

M-1869  
Index No. 157882/12

Antonio Rodriguez,  
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 May 5, 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 June 2, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Karla Moskowitz  
Sallie Manzanet-Daniels  
Ellen Gesmer, Justices.

-----X  
Timothy Braddock,  
Petitioner,

For a Judgment Pursuant to Article 78 **M-1799**  
of the Civil Practice Law and Rules, Index No. 100123/15

-against-

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

An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about November 9, 2015, to review a determination of respondent,

And petitioner having moved for leave to prosecute the proceeding as a poor person, upon the original record and reproduced petitioner's brief,

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 submission of a notarized affidavit detailing the role Thomas Bucaro played before Supreme Court, this Court, and the source of funds used to retain Mr. Bucaro, if any.

ENTER:



CLERK

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

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Karla Moskowitz  
Sallie Manzanet-Daniels  
Ellen Gesmer, Justices.

-----X  
Yacelli Camacho, an infant, by her  
mother and natural guardian, Francisca  
Estevez and Francisca Estevez,  
individually,  
Plaintiffs-Respondents,

**M-1954**  
Index No. 350152/13

-against-

New York Plumbing and Heating Corp.,  
and Mehmet Selim,  
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about March 13, 2015,

And, defendants-appellants having moved for an order enlarging the record on appeal to include the defendants-appellants reply affirmation submitted in further support of their motion for summary judgment (Exhibit G.),

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

It is ordered that the motion is granted.

ENTER:

  
CLERK

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

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Karla Moskowitz  
Sallie Manzanet-Daniels  
Ellen Gesmer, Justices.

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

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

M-1969  
Index No. 101312/14

-against-

Roberto Velez, etc., et al.,  
Respondents.

-----X

An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about July 14, 2015, to review a determination of respondent,

And petitioner having moved for leave to prosecute the proceeding as a poor person, upon the original record and reproduced petitioner's brief, and for an enlargement of time to perfect the proceeding, and related relief,

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

It is ordered that the motion is granted to the extent of permitting the proceeding to be heard on the original record and upon a reproduced petitioner's brief, on condition that petitioner serve one copy of such brief upon the attorney for the respondent and file ten copies of such brief, together with the original record, with this Court. Petitioner is permitted to dispense with payment of the required fee for the subpoena and filing of the record. The time to perfect the proceeding 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 June 2, 2016.

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

-----X

In re Wardell Richardson,  
Petitioner-Appellant,

-against-

M-1409  
Index No. 300498/14

New York City Housing Authority,  
Respondent-Respondent.

-----X

Respondent-respondent having moved for leave to appeal to the Court of Appeals from the decision and order of this Court, entered on February 9, 2016 (Appeal No. 191N),

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

It is ordered that the motion is denied.

ENTER:

  
CLERK

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

Present - Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
David B. Saxe  
Judith J. Gische  
Troy K. Webber, Justices.

-----x  
Paulus Brown,

Plaintiff-Appellant,

-against-

Deborah Nocella, et al.,

Defendants-Respondents.  
-----x

M-2379  
Index No. 303527/15

An appeal having been taken to this Court from the order of the Supreme Court, Bronx County, entered on or about February 24, 2016, and said appeal having been perfected,

And defendants-respondents having moved for adjournment 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 adjourning the appeal (Cal #604) for 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 June 2, 2016.

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

-----X  
In the Matter of the Appointment of  
Kinship Guardianship of

Izora W.,

**CONFIDENTIAL**

A Person Under 21 Years of Age.

M-1607

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

Docket No. G-24821/14

Marissa W.,  
Respondent-Appellant.

- - - - -  
Bruce A. Young, Esq.,  
Attorney for Appointed Guardian  
Grandmother, Izora P.

-----X  
Respondent-appellant having moved for clarification of this Court's order entered on March 10, 2016 (M-305), and for an enlargement of time to perfect said appeal,

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

It is ordered that the motion is granted to the extent of deeming the order of this Court entered March 10, 2016 (M-305) amended to include the language "Appointed appellate counsel Andrew Baer, Esq., is authorized to engage D & L Expert Private Investigators and Law Enforcement Consultants in accordance with Article 18b 722-c for the purpose of conducting a diligent search for respondent-appellant Marissa W. for a fee not to exceed one thousand dollars." It is further ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the December 2016 Term, with leave to seek further enlargements if necessary.

ENTER:

  
\_\_\_\_\_  
CLERK

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

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

-----X  
Michelle Lynn McGuirk,  
Plaintiff-Petitioner-Appellant,

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

-against-

M-1709  
Index No. 100809/14

N.Y.S. Division of Human Rights, et al.,  
Respondents-Respondents,

Swiss Re Financial Services, Corp.,  
et al.,  
Defendants-Respondents-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 December 1, 2015, to review a determination of respondents,

And an appeal having been taken to this Court by petitioner from the order of said Court entered on or about September 30, 2014,

And an order of this Court having been entered on December 17, 2015 (M-5785/M-5904), inter alia, denying petitioner's request to strike the respondent's brief, and granting petitioner's request for leave to file a supplemental appendix,

And petitioner having moved for leave to appeal to the Court of Appeals from the order of this Court dated, December 17, 2015 (M-5785/M-5904), to the extent it denied her motion to strike respondent's brief, and for other relief,

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

It is ordered that the motion is denied.

ENTER:

  
CLERK

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

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

-----X  
Michelle Lynn McGuirk,  
Petitioner-Appellant,

-against-

M-2005  
Index No. 100809/14

N.Y.S. Division of Human Rights, et al.,  
Respondents-Respondents,

Swiss Re Financial Services, Corp.,  
et al.,  
Defendants-Respondents.

-----X

Petitioner-appellant, pro se, having moved for leave to appeal to the Court of Appeals from an order of this Court entered on December 8, 2015 (M-4186), and for a stay of the underlying hybrid appeal-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 denied.

ENTER:

  
CLERK

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

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

-----X  
APF 286 Mad LLC, GAN 286 Madison LLC,  
and 286 Madison Associates, LLC,  
Petitioners-Respondents-Appellants,

-against-

M-1295  
Index No. 570807/15

Chittur & Associates, P.C.,  
Respondent-Appellant-Respondent,

XYZ, Inc.,  
Respondent.

-----X

Respondent-appellant-respondent Chittur & Associates, P.C. 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 January 4, 2016,

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

It is ordered that the motion is denied.

ENTER:

  
CLERK

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

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

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

-against-  
Ramon Rodriguez,  
Defendant.

M-1665  
Ind. No. 2226N/13

-----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 January 9, 2014, for leave to appeal as a poor person and assignment of counsel, and related relief,

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

It is ordered that the motion is denied.

ENTER:

  
CLERK

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

PRESENT - Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Richard T. Andrias  
Barbara R. Kapnick  
Marcy L. Kahn, Justices.

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

-against-

Earl Campbell,  
Defendant-Appellant.

M-1933  
Ind. Nos. 3350N/13  
67/14

-----X

Defendant-appellant, in connection with the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about May 21, 2015, having moved to relieve assigned counsel, or in the alternative, for leave to file a pro se supplemental 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 directing defendant to serve and file 8 copies of his pro se supplemental brief on or before August 8, 2016 for the October 2016 Term, to which Term the appeal is adjourned. The Clerk of the Court is directed to forward to the Warden at the State correctional facility wherein defendant is incarcerated a transcript of the minutes relating to defendant's appeal, said transcript to be made available to appellant and returned by appellant to this Court when submitting the pro se supplemental brief hereto. The appeal will not be heard unless and until all material furnished to appellant has been returned. The motion is otherwise denied.

ENTER:

  
CLERK

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

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

-----X  
In re Eliyahu, an Infant.

- - - - -  
Nekadam Y.,  
Plaintiff-Appellant,

**Confidential**  
Surrogate's Court  
M-1154  
File No. 2010-0178

-against-

David B. and Jennifer B.,  
Respondents-Respondents.  
- - - - -

Anne Reiniger, Esq.,  
Attorney for the Child.  
-----X

Respondents-respondents having moved to dismiss the appeal taken from the order of the Surrogate's Court, New York County, entered on or about December 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 the motion is granted and the appeal is dismissed.

ENTER:

  
CLERK

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

PRESENT - Hon. Rolando T. Acosta, Justice Presiding,  
Dianne T. Renwick  
Richard T. Andrias  
Karla Moskowitz, Justices.

-----X  
Thomas Gass,  
Plaintiff-Appellant,

-against-

Susan Gass,  
Defendant-Respondent.

M-1885  
Index No. 302536/08

-----X

Plaintiff-appellant having moved for reargument of the decision and order of this Court, entered on March 1, 2016 (Appeal No. 353),

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