

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 9, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
David B. Saxe  
Barbara R. Kapnick  
Marcy L. Kahn, Justices.

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

Respondent,

M-2304

DC #36

-against-

SCID No. 30080/13

Norman C. Martin,

Defendant-Appellant.  
-----X

An appeal having been taken to this Court by defendant from the order of the Supreme Court, New York County, entered on or about June 17, 2013,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the September 2016 Term of this Court and counsel is directed to so perfect.

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 9, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
David B. Saxe  
Barbara R. Kapnick  
Marcy L. Kahn, Justices.

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

Respondent,

M-2305

DC #37

-against-

Ind. Nos. 4315/03

588/03

Miguel Martinez,

Defendant-Appellant.  
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about October 11, 2012,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the September 2016 Term of this Court and counsel is directed to so perfect.

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 9, 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

Qualiayah J.  
and Quaaliayah J.,

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

**M-1633**  
Docket Nos. NN-40542/13  
NN-40543/13

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

Tanecka J.,  
Respondent-Appellant.

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

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of Fact-Finding of the Family Court, New York County, entered on or about July 9, 2015 and from an Order of Disposition of said Court, entered on or about March 4, 2016, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Richard L. Herzfeld, Esq.,

112 Madison Avenue, 8<sup>th</sup> Floor, New York, NY 10016, Telephone No. (212) 818-9019, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor;<sup>1</sup> **within 30 days (FCS 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



CLERK

---

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 9, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
David B. Saxe  
Barbara R. Kapnick  
Marcy L. Kahn, Justices.

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

Respondent,

M-2306

DC #38

-against-

Ind. No. 3268/11

Hector Matos,

Defendant-Appellant.  
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about August 14, 2013,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the September 2016 Term of this Court and counsel is directed to so perfect.

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 9, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
David B. Saxe  
Barbara R. Kapnick  
Marcy L. Kahn, Justices.

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

Respondent,

-against-

Francisco Mendoza,

Defendant-Appellant.  
-----X

M-2311  
DC #42  
Ind. No. 492/11  
Case No. 76191C/10

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about April 3, 2013,

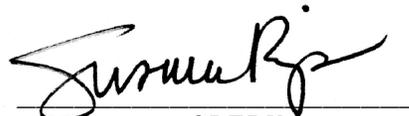
And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the September 2016 Term of this Court and counsel is directed to so perfect.

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 9, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
David B. Saxe  
Barbara R. Kapnick  
Marcy L. Kahn, Justices.

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

Respondent,

M-2312

DC #43

-against-

Ind. No. 2451/06

Yovany Ramos Mondroy,

Defendant-Appellant.  
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about June 29, 2010,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the September 2016 Term of this Court and counsel is directed to so perfect.

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 9, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
David B. Saxe  
Barbara R. Kapnick  
Marcy L. Kahn, Justices.

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

Respondent,

M-2314

DC #45

-against-

Ind. No. 6358/09

Walter Paige,

Defendant-Appellant.  
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about April 28, 2011,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the September 2016 Term of this Court and counsel is directed to so perfect.

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 9, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
David B. Saxe  
Barbara R. Kapnick  
Marcy L. Kahn, Justices.

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

Respondent, M-2318  
DC #49  
-against- SCID No. 3634/13

Roger Rabsatt,

Defendant-Appellant.  
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about October 23, 2013,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the September 2016 Term of this Court and counsel is directed to so perfect.

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 9, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
David B. Saxe  
Barbara R. Kapnick  
Marcy L. Kahn, Justices.

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

Respondent,

M-2328

DC #60

-against-

Ind. No. 4370/08

Carlos Tapia,

Defendant-Appellant.  
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about February 28, 2013,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the September 2016 Term of this Court and counsel is directed to so perfect.

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 9, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
David B. Saxe  
Barbara R. Kapnick  
Marcy L. Kahn, Justices.

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

Respondent,

M-2330  
DC #62  
Ind. Nos. 2638/05  
5373/05

-against-

Michael Toliver, also known as Michel Toliver,

Defendant-Appellant.  
-----X

An appeal having been taken to this Court by defendant from the judgments of the Supreme Court, New York County, rendered on or about May 15, 2007,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the September 2016 Term of this Court and counsel is directed to so perfect.

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 9, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
David B. Saxe  
Barbara R. Kapnick  
Marcy L. Kahn, Justices.

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

Respondent,

M-2334

DC #67

-against-

Ind. No. 5446/10

Hafiz Zahiruddin,

Defendant-Appellant.  
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about October 24, 2012,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the September 2016 Term of this Court and counsel is directed to so perfect.

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 9, 2016.

PRESENT: Hon. David Friedman Justice Presiding,  
Dianne T. Renwick  
Karla Moskowitz  
Rosalyn H. Richter  
Barbara R. Kapnick, Justices.

-----X  
Barbara Matas,  
Plaintiff,

-against-

M-2372  
Index No. 300287/12

Martin Rosengarten,  
Defendant.

-----X

Defendant having moved for certain relief denied by a Justice of the Supreme Court, New York County, and entered on or about April 8, 2016,

Now, upon reading and filing the papers with respect to the motion, and the correspondence from Merryl E. Steinberg, Esq., counsel for defendant Martin Rosegarten, and due deliberation having been had thereon,

It is ordered that the motion is hereby withdrawn.

ENTER:



\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 9, 2016.

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

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

-against-

M-2033  
Ind. No. 5505N/14

Jose Rafael Medina,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about September 10, 2015,

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

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

ENTER:



\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 9, 2016.

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

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

-against-

M-2087  
Ind. No. 4351/08

Jawaun Francis,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to file a pro se supplemental brief in connection with the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about May 23, 2013, 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 9, 2016.

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

-----x  
Perine International, Inc.,  
Plaintiff-Appellant-Respondent,

-against-

Bedford Clothiers, Inc.,  
Defendant-Respondent-Appellant,

-and-

Seena International, Inc., Ricky Singh,  
Brooklyn Xpress and Vasu Kothapally,  
Defendants-Respondents,

M-2565  
Index No. 650040/12

Regent Alliance, Ltd., and Na Lam,  
also known as Linna or Llinna Lam,  
Linna Textile Manufacturing, Ltd.,  
Additional Cross-Claim Defendants-  
Appellants,

J & Company Jeans, LLC, and various  
John Does and Jane Does,  
Additional Cross-Claim Defendants.

-----x

An appeal and cross appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about September 29, 2015, and said appeals having been perfected,

And appellants and cross appellants having moved for an order granting a preference in hearing and determination of the appeal and cross appeal,

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

It is ordered that the motion is 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 9, 2016.

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

-----X  
Ambac Assurance Corporation, et al.,

Plaintiffs-Appellants-Respondents,

-against-

First Franklin Financial Corporation,  
et al.,

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

M-2611X  
Index No. 651217/12

An appeal and cross appeal having been taken from an order of the Supreme Court, New York County, entered on or about September 22, 2015,

Now, after pre-argument conference, and upon reading and filing the stipulation of the parties hereto, "so ordered" May 4, 2016, 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 June 9, 2016.

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

-----X  
Ines L. Castro,  
Plaintiff-Appellant-Respondent,

-against-

M-2558X  
Index No. 108515/11

A and M Restoration Services Corp.,  
Defendant-Respondent-Appellant,

Fordham Associates, LLC, et al.,  
Defendants-Respondents.  
-----X

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

Now, after pre-argument conference, and upon reading and filing the stipulation of the parties hereto, "so ordered" May 10, 2016, 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 June 9, 2016.

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

-----X  
Christina Fox and Gregory Fox,  
Plaintiffs-Respondents-Appellants,

-against-

Aviva Lubin, Lenox Hill Hospital,  
Edward Yatco, Manhattan Minimally M-2209  
Invasive and Bariatric Surgery, P.C., Index No. 805145/13  
Defendants-Appellants-Respondents,

-and-

Sodexo America, LLC,  
Defendant-Respondent-Respondent.

-----X

Appeals and a cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about January 13, 2016, and from the judgment, same Court and Justice, entered on or about February 9, 2016, and said appeals and cross appeal having been perfected,

Now, upon reading and filing the stipulation of the parties hereto, dated April 25, 2016, and due deliberation having been had thereon,

It is ordered that the appeals 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 June 9, 2016.

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

-----X

Frank Annunziata,  
Plaintiff-Appellant-Respondent,

-against-

CPT 360 Lexington, LLC,  
Defendant-Respondent,

M-2363X  
Index No. 150944/12

Americon Construction, Inc.,  
Defendant-Respondent-Appellant,

Americon, Inc. and York Scaffolding  
Equipment Corp.,  
Defendants-Respondents.

-----X

An appeal and cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about October 8, 2015,

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 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 June 9, 2016.

Present - Hon. Peter Tom, Justice Presiding,  
Angela M. Mazzarelli  
Richard T. Andrias  
David Friedman  
Rolando Acosta, Justices.

-----X  
Matthew R. Mayers,  
Plaintiff,

M-2166

-against-

Index No. 650410/13

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

**SEALED**

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

-against-

Index No. 654075/13

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

-----X

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

Now, upon reading and filing the stipulation of the parties hereto, dated April 25, 2016, and due deliberation having been had thereon,

It is ordered that the appeal and cross appeal, 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 June 9, 2016.

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

-----X  
Federal National Mortgage Association,  
Plaintiff-Appellant,

M-2402

-against-

Lawrence R. Singer, also known as  
Lawrence Singer, et al.,  
Defendants-Respondents,

Action No. 1  
Index No. 850039/11

-and-

Board of Managers of 4260 Broadway  
Condominium, et al.,  
Defendants.

- - - - -  
Bank of America, N.A.,  
Plaintiff-Appellant,

-against-

Lawrence R. Singer, et al.,  
Defendants-Respondents,

Action No. 2  
Index No. 850200/13

-and-

Board of Managers of 4260 Broadway  
Condominium, et al.,  
Defendants.

-----X

In these consolidated actions, appeals having been taken from the order of the Supreme Court, New York County, entered on or about July 15, 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 consolidated 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 June 9, 2016.

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

-----X  
Keylla Diaz,

Plaintiff-Respondent,

-against-

All County Bus, LLC, et al.,  
Defendants,

M-2358  
Index No. 153909/13

-and-

Megan Marie Long,  
Defendant-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about November 6, 2015,

Now, upon reading and filing the stipulation of the parties hereto, dated April 26, 2016, 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 June 9, 2016.

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

-----X  
Davidoff Hutcher & Citron, LLP,  
Plaintiff-Appellant,

-against-

M-2350  
Index No. 153062/15

David Burke,  
Defendant-Respondent.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about February 16, 2016,

Now, upon reading and filing the stipulation of the parties hereto, dated April 28, 2016, 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 June 9, 2016.

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

-----X

NYRF LLC,  
Plaintiff-Appellant,

-against-

M-2539  
Index No. 159493/14

Ethel Goldstein Irrevocable Trust,  
for the benefit of, Helene Joy  
Goldstein, 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 8, 2015,

Now, upon reading and filing the stipulation of the parties hereto, dated May 5, 2016, 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 June 9, 2016.

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

-----X  
Merle Brenner and Stephen Brenner,  
Plaintiffs-Respondents,

-against-

M-2572  
Index No. 310409/09

VIP's, Inc., doing business as VIP's  
Café and Parma Tile Mosaic & Marble  
Co., Inc.,  
Defendants.

-----X  
Illion, Inc., doing business as  
VIP's Café and Mosholu Preservation  
Corporation,  
Third-Party Plaintiffs-Appellants  
Respondents,

Third-Party  
Index No. 73906/11

-against-

Parma Tile Mosaic & Marble Co., Inc.,  
Third-Party Defendant-Respondent-  
Appellant.

-----X

Appeals having been taken from a judgment of the Supreme Court, Bronx County, entered on or about December 4, 2015,

Now, after pre-argument conference, and upon reading and filing the stipulation of the parties hereto, "so ordered" May 11, 2016, and due deliberation having been had thereon,

It is ordered that the appeals, 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 June 9, 2016.

Present - Hon. Peter Tom, Justice Presising,  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr.  
Rolando Acosta, Justices.

-----X

Raymond Wolff,  
Plaintiff-Respondent,

-against-

M-2208

Index No. 151445/14

SL Green Realty Corp., et al.,  
Defendants-Appellants,

"John Doe", etc.,  
Defendant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about January 13, 2016,

Now, upon reading and filing the stipulation of the parties hereto, dated April 4, 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 9, 2016.

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

-----X  
Aspen Specialty Insurance Company,  
Plaintiff-Appellant,

-against-

M-2362X  
Index No. 160353/14

Ironshore Indemnity Incorporated and  
Transel Elevator, Inc.,  
Defendants-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about July 9, 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 9, 2016.

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

-----X  
Fourteenth 348 LLC,  
Plaintiff-Respondent,

-against-

M-2610X  
Index No. 652242/15

RRR Industries, Limited Partnership,  
Defendant-Appellant,

Ultimate Realty, LLC, et al.,  
Defendants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about August 5, 2015,

Now, after pre-argument conference, and upon reading and filing the stipulation of the parties hereto, "so ordered" May 5, 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 9, 2016.

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

-----X  
Shelton Stewart,  
Plaintiff-Respondent,

-against-

M-2609X  
Index No. 13911/99

New York City Transit Authority,  
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about November 23, 2015,

Now, after pre-argument conference, and upon reading and filing the stipulation of the parties hereto, "so ordered" May 4, 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 9, 2016.

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

-----X  
Chantel Shaw,  
Plaintiff-Respondent/Respondent,

-against-

Fireproofing Corporation of America and  
Alexander Armstrong,  
Defendants-Appellants,

M-2213X  
Index No. 302226/11

Shawn Downer and Krystle Stewart,  
Defendants-Appellants.

-----X

Appeals having been taken from the order of the Supreme Court, Bronx County, entered on or about July 22, 2015,

Now, after pre-argument conference, and upon reading and filing the stipulation of the parties hereto, "so ordered" April 29, 2016, and due deliberation having been had thereon,

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

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 9, 2016.

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

-----X  
Luz Rios, et al.,  
Plaintiffs-Respondents.

-against-

Anna Sachko, M-2212X  
Defendant-Appellant, Index No. 305396/11

Ferdinand Plaza, et al.,  
Defendants-Respondents.  
-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about January 12, 2016,

Now, after pre-argument conference, and upon reading and filing the stipulation of the parties hereto, "so ordered" April 20, 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 9, 2016.

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

-----X

Chanel McKenzie,  
Plaintiff-Respondent,

-against-

M-1707

M-2109

Index No. 302274/09

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

-----X

Defendants-appellants having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on March 17, 2016 (Appeal No. 547) [M-1707],

And plaintiff-respondent having cross-moved for resettlement of the aforesaid decision and order of this Court entered on March 17, 2016 [M-2109],

Now, upon reading and filing the papers with respect to the motion and cross motion, and the stipulation of the parties dated May 4, 2016, and due deliberation having been had thereon,

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

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 9, 2016.

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

-----X  
BCM CRE Opportunity Fund I LP,  
formerly known as DMR CRE Opportunity  
Fund I LP,  
Plaintiff-Respondent,

Action No. 1

-against-

M-1920  
Index No. 654476/13

Benjamin Ringel,  
Defendant-Appellant.

-----X  
AC I Ledgewood Mezz LLC,  
Plaintiff-Appellant,

Action No. 2

-against-

M-1921  
Index No. 153809/14

DMR CRE Opportunity Fund I LP, et al.,  
Defendants-Respondents.

-----X

Appeals having been taken by defendant-appellant in Action No. 1 from a judgment of the Supreme Court, New York County, entered on or about October 21, 2014, and from the order of said Court, entered on or about June 5, 2015 and said appeals having been consolidated by an order of this Court entered on November 5, 2015 (M-3939); and an appeal having been taken by plaintiff-appellant in Action No. 2 from a judgment of said Court, entered on or about February 11, 2015,

And plaintiff-respondent in Action No. 1 having moved for dismissal of the aforesaid consolidated appeals (M-1920),

And defendants-respondents in Action No. 2 having also moved for dismissal of the appeals taken in that action (M-1921),

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 and the consolidated appeals in Action No. 1 and the appeal in Action No. 2 are dismissed.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 9, 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 Paternity Proceeding  
Under Article 5 of the Family Court Act.

- - - - -  
Commissioner of Social Services,  
Assignee, on behalf of

Aranessa L.,  
Petitioner-Respondent,

**M-1636**  
Docket No. P-4961/15

-against-

Isaac C.,  
Respondent-Appellant.

- - - - -  
Gary Schultz, Esq.,  
Attorney for the Child.

-----X  
Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about March 10, 2016, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Richard L. Herzfeld, Esq., 112 Madison Avenue, 8<sup>th</sup> Floor, New York, NY 10016, Telephone No. (212) 818-9019, as counsel for purposes of prosecuting the

appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor;<sup>1</sup> **within 30 days (FCS 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



CLERK

---

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 9, 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

Daniel D.,  
Allizania R.,  
and Karime R.,

M-2394  
Docket Nos. NA-3690/13  
NA-8915/13  
NA-3691/13

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

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

Robin P.,  
Respondent-Appellant.

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

-----X  
Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from orders of the Family Court, Bronx County, entered on or about September 18, 2014 and September 24, 2014, for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Andrew J. Baer, Esq., 299 Broadway, Suite #1415, New York, NY 10007, Telephone No. (212) 233-0318, as counsel for purposes of prosecuting the appeal;

(2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor;<sup>1</sup> **within 30 days (FCS 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



CLERK

---

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 9, 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 Family Offense  
Proceeding Under Article 8 of the  
Family Court Act.

Dhanmatie G.,  
Petitioner-Appellant,

**M-2396**  
Docket No. O-31690/13

-against-

Zamin B.,  
Respondent-Respondent.

-----  
Casandra Celestin, Esq.,  
Attorney for the Child.

-----X  
Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about October 2, 2014, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Andrew J. Baer, Esq., 299 Broadway, Suite #1415, New York, NY 10007, Telephone No. (212) 233-0318, as counsel for purposes of prosecuting the

appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor;<sup>1</sup> **within 30 days (FCS 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



CLERK

---

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 9, 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 Proceeding  
Under Article 6 of the Family Court  
Act.

Margot M.,  
Petitioner-Appellant,  
  
-against-

**M-1632**  
Docket No. V-30889/14  
File No. 106529

Chante T. and Justin N.,  
Respondents-Respondents.

-----  
Karen D. Steinberg, Esq.,  
Attorney for the Child.

-----X  
  
Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about March 18, 2016, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Carol L. Kahn, Esq., 225 Broadway, Suite #1510, New York, NY 10007, Telephone (212) 227-0206, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the

proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor;<sup>1</sup> **within 30 days (FCS 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** (See M-2129, decided simultaneously herewith.)

ENTER:



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CLERK

---

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 9, 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

Tiffany Nevaeh L.,  
also known as Tiffany C.,

**M-2102**

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

Docket No. B-34936/14

- - - - -  
New York Foundling Hospital Adoption & Legal Services, The Administration for Children's Services,  
Petitioners-Respondents,

Marcelino L.,  
Respondent-Appellant.

- - - - -  
Dominic Sarna, Esq.,  
Attorney for the Child.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about April 6, 2016, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Andrew J. Baer, Esq., 299 Broadway, Suite #1415, New York, NY 10007, Telephone No. (212) 233-0318, as counsel for purposes of prosecuting the appeal;

(2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor;<sup>1</sup> **within 30 days (FCS 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



---

CLERK

---

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 9, 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 Proceeding  
Under Article 6 of the Family Court  
Act.

Margot M.,  
Petitioner-Appellant,  
  
-against-

**M-1632**  
Docket No. V-30889/14  
File No. 106529

Chante T. and Justin N.,  
Respondents-Respondents.

Karen D. Steinberg, Esq.,  
Attorney for the Child.

-----X  
  
Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about March 18, 2016, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Carol L. Kahn, Esq., 225 Broadway, Suite #1510, New York, NY 10007, Telephone (212) 227-0206, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the

proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor;<sup>1</sup> **within 30 days (FCS 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** (See M-2129, decided simultaneously herewith.)

ENTER:



CLERK

---

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 9, 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 Proceeding  
Under Article 6 of the Family Court  
Act.

- - - - -  
Margot M.,  
Petitioner-Appellant,

**M-2129**  
Docket No. V-30889/14  
File No. 106529

-against-

Chante T. and Justin N.,  
Respondents-Respondents.

- - - - -  
Karen D. Steinberg, Esq.,  
Attorney for the Child.

-----X

John A. Diaz, Esq., Family Court attorney for the subject child, having moved on said child's behalf, for leave to respond, as a poor person, to the appeal from the order of the Family Court, New York County, entered on or about March 18, 2016, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Karen D. Steinberg, Esq., 31 East 32<sup>nd</sup> Street, Suite 300, New York, NY 10016, Telephone No. (347) 346-4847, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this Court. (See M-1632, decided simultaneously herewith.)

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 9, 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 Paternity  
Proceeding Under Article 5 of the  
Family Court.

-----  
Michael S.,  
Petitioner-Appellant,

**M-1877**  
Docket No. P-27685/10

-against-

Sultana R.,  
Respondent-Respondent.

-----  
Daniel R. Katz, Esq.,  
Attorney for Giselle C.,  
Child Respondent-Appellant.

-----X  
  
Mina McFarlane, Esq., Family Court attorney for the subject child, having moved on said child's behalf for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about March 17, 2016, and for assignment of appellate counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Daniel R. Katz, Esq., 339 West 88<sup>th</sup> Street, Apt. #3, New York, NY 10024, Telephone No. (917) 886-5620, as counsel for purposes of prosecuting the appeal;

(2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the State of New York from funds available therefor;<sup>1</sup> **within 30 days (FCS 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



CLERK

---

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 9, 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

Legend S.,

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

**M-2170**  
Docket No. B-33875/15

-----  
Edwin Gould Services for Children,  
et el.,  
Petitioners-Respondents,

Tawana T.,  
Respondent,

Legend S.,  
Child/Respondent-Appellant.

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

-----X

Liza S. Camellerie, Esq., Family Court Attorney for the subject child/respondent-appellant, having moved on said child's behalf for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, New York County, entered on or about March 29, 2016, for assignment of appellate counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Andrew J. Baer, Esq., 299 Broadway, Suite #1415, New York, NY 10007, Telephone No. (212) 233-0318, as counsel for purposes of prosecuting the appeal on said child's behalf; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the State of New York from funds available therefor;<sup>1</sup> **within 30 days (FCS 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of the receipt of the transcripts. Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.

ENTER:



CLERK

---

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 9, 2016.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Angela M. Mazzarelli  
Sallie Manzanet-Daniels  
Barbara R. Kapnick  
Marcy L. Kahn, Justices.

-----X

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

-against-

M-2373  
Index Nos. 654470/12  
159045/12

KGK Jewelry LLC,  
Defendant/Counterclaim  
Plaintiff-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about August 21, 2015, and said appeal having been perfected, and a separate appeal having been taken from a judgment of the same Court entered on February 29, 2016, respectively,

And plaintiffs having moved for consolidation of the aforesaid appeals, and for other relief,

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

It is ordered that the motion is granted to the extent of consolidating the aforesaid appeals, which will be maintained on the calendar for the September 2016 Term. Appellants are granted leave to withdraw their existing briefs and record if so advised and are permitted to prosecute the appeals upon 8 copies of one record and one copy of appellants' points covering the aforesaid appeals; motion otherwise denied. The interim relief granted by order of a Justice of this Court dated May 3, 2016, is vacated, without prejudice to plaintiffs seeking an undertaking for an automatic stay.

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 9, 2016.

Present: Hon. Peter Tom, Justice Presiding,  
Angela M. Mazzarelli  
Richard T. Andrias  
Sallie Manzanet-Daniels  
Ellen Gesmer, Justices.

-----X  
Cathy Licata and Michael Licata,

Plaintiffs-Appellants-Respondents,

-against-

AB Green Gansevoort, LLC, et al.,

Defendants-Respondents-Appellants.

-----X  
(And a Third-Party Action)

**M-2115**  
**M-2156**  
Index No. 112822/08

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

And, plaintiffs having moved for an enlargement of time to perfect their appeal (M-2115),

And defendants having cross-moved for an enlargement of time to perfect their cross appeal (M-2156),

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

It is ordered that the motion and cross motion are granted to the extent of enlarging the time to perfect the appeal and cross appeal 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 9, 2016.

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

-----X  
Mariners Cove Site B Associates,

Petitioner-Landlord,

-against-

Dr. Steven Greer,

Respondent-Tenant.  
-----X

M-1525  
Index No. 63974/14

Respondent-tenant having moved for leave to appeal to this Court from an interlocutory order of the Appellate Term entered in the office of the Clerk of the Supreme Court, New York County, on or about March 15, 2016, and for a stay of a warrant of eviction pending hearing and determination of this motion and the the proposed appeal to 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, with respect to leave to appeal to this Court from the interlocutory order of the Appellate Term is denied, and the stay of eviction and related relief, is denied as academic.

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 9, 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,

-against-

M-1263  
Ind. No. 1320N/12

Juan E. Honorio,

Defendant.

-----X

An order of this Court having been entered on September 29, 2015 (M-4081), withdrawing defendant's appeal from the judgment of **resentence** of the Supreme Court, New York County, rendered on or about February 14, 2014, in accordance with a written stipulation of the parties,

And defendant pro se having moved for vacatur of the prior order of this Court entered September 29, 2015 (M-4081) or, in the alternative, to reinstate the appeal based upon a writ of error coram nobis upon the ground he was denied effective assistance of appellate 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 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 9, 2016.

Present - Hon. Peter Tom, Justice Presiding,  
John W. Sweeny, Jr.  
Karla Moskowitz  
Rosalyn H. Richter  
Ellen Gesmer, Justices.

-----X

In the Matter of the Application of  
the State of New York,

Petitioner-Respondent,

M-2151

Index No. 341104/08

For a Judgment Pursuant to Article 10  
of the Mental Hygiene Law,

-against-

C.B.,

Respondent-Appellant.

-----X

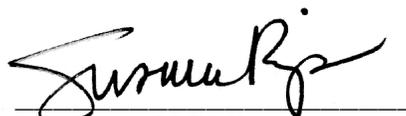
Appeals having been taken from the orders of the Supreme Court, Bronx County, entered on or about April 27, 2015 and June 11, 2015, respectively, and said appeals having been perfected,

And respondent-appellant having moved for this Court to take judicial notice of respondent's federal rap sheets showing his prior convictions (Exhibit A. to the Kahn Affirmation), and respondent's plea allocution in the case entitled *People v C. B.*, Bronx Indictment Nos. 6985/97 and 3757/98 dated January 27, 2000 (Exhibit B. to the Kahn Affirmation), respectively,

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 counsel is directed to immediately file 9 copies of said exhibits as a supplemental record on appeal.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 9, 2016.

Present - Hon. Peter Tom, Justice Presiding,  
John W. Sweeny, Jr.  
Karla Moskowitz  
Rosalyn H. Richter  
Ellen Gesmer, Justices.

-----x  
In the Matter of the Guardianship and Custody of

Ethan N.M.M., and  
Desiree Qiana M.,

Children Under 18 Years of Age Pursuant to Section 384-b of the Social Services Law and/or Article 6 of the Family Court Act.

M-2153  
Docket Nos. B-876/14  
B-877/14

- - - - -  
Catholic Guardian Services, et al.,  
Petitioners-Respondents,

Aythea M.,  
Respondent-Appellant.

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

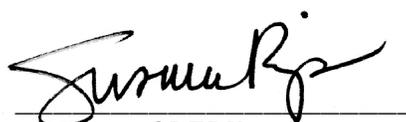
-----x  
An appeal having been taken to this Court from the orders of the Family Court, Bronx County, entered on or about June 29, 2015, and said appeal having been perfected,

And respondent-appellant having moved for an order taking judicial notice of "the Court Update" from the Catholic Guardian Services dated April 25, 2016 (Exhibit B to the moving papers), and for leave to enlarge the record on appeal to include said document,

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 respondent is directed to immediately file 9 copies of said document (Exhibit B to the moving papers) as a supplemental record on appeal.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 9, 2016.

Present: Hon. Peter Tom, Justice Presiding,  
David Friedman  
David B. Saxe  
Judith J. Gische, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

**M-2070**

Ind. No. 2201/09

Elmer Castillo,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for reargument of the decision and order of this Court, entered on April 7, 2016 (Appeal No. 16343),

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 decision and order of this Court, entered on April 7, 2016 (Appeal No. 16343) is recalled and vacated and a new decision and order is substituted therefor. (See Appeal No. 16343, decided simultaneously herewith.)

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 9, 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. Frank Monte,  
Petitioner,

**M-1831**  
Ind. No. 1021/14

-against-

Warden Maxsolaine Mingo, etc.,  
Respondents.

-----X

An order of this Court having been entered on March 3, 2016 (M-42/M-6284), denying petitioner's applications for a writ of habeas corpus and transferring the matter to Supreme Court, New York County, for disposition,

And, petitioner having moved for reargument of the aforesaid order of this Court entered on March 3, 2016 (M-42/M-6284), 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 9, 2016.

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

-----X  
Shatima Turner, Buster Turner, Andre  
Turner, Dexter Turner, Yul Turner,  
Gail Turner, Yolanda Dove and Eugene  
Turner,  
Plaintiffs-Appellants,

M-2038  
Index No. 20229/12E

-against-

Owens Funeral Home, Inc. et al.,  
Defendants-Respondents.

-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about June 30, 2015, pending hearing and determination of a related 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 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 9, 2016.

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

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

-against-

Frank Pagan,  
Defendant-Appellant.

M-1729  
Ind. Nos. 28/15  
1298/14

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, Bronx County, rendered on or about April 21, 2015, 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 deeming the moving papers a timely filed notice of appeal, and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, NY 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 9, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
David B. Saxe  
Barbara R. Kapnick  
Marcy L. Kahn, Justices.

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

Respondent, M-2253  
DC #3  
-against- Ind. No. 5102/11

Princessam Bailey,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about July 30, 2013,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the September 2016 Term of this Court and counsel is directed to so perfect.

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 9, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
David B. Saxe  
Barbara R. Kapnick  
Marcy L. Kahn, Justices.

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

Respondent, M-2259  
DC #7  
-against- Ind. No. 2923/04

Devon Brown,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of **resentence** of the Supreme Court, Bronx County, rendered on or about July 15, 2009,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the September 2016 Term of this Court and counsel is directed to so perfect.

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 9, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
David B. Saxe  
Barbara R. Kapnick  
Marcy L. Kahn, Justices.

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

Respondent, M-2263  
DC #10  
-against- Ind. No. 1348/09

Diego Carmona,

Defendant-Appellant.  
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about April 3, 2013,

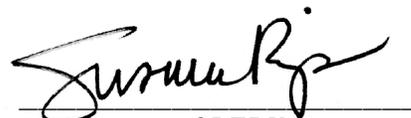
And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the September 2016 Term of this Court and counsel is directed to so perfect.

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 9, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
David B. Saxe  
Barbara R. Kapnick  
Marcy L. Kahn, Justices.

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

Respondent, M-2272  
DC #16  
-against- Ind. No. 1430/12

Blondine D. Destin,

Defendant-Appellant.  
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about January 21, 2014,

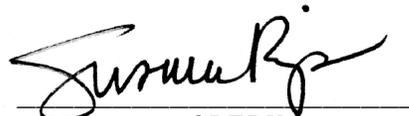
And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the September 2016 Term of this Court and counsel is directed to so perfect.

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 9, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
David B. Saxe  
Barbara R. Kapnick  
Marcy L. Kahn, Justices.

-----X  
The People of the State of New York,  
Respondent, M-2291  
DC #30  
-against- Ind. No. 4799/12

Michelle Harris,  
Defendant-Appellant.  
-----X

An appeal having been taken to this Court by defendant from the judgments of the Supreme Court, New York County, rendered on or about April 10, 2013 and November 19, 2013, respectively,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the September 2016 Term of this Court and counsel is directed to so perfect.

ENTER:

  
CLERK

✓

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

BEFORE: Hon. Sallie Manzanet-Daniels  
Justice of the Appellate Division

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

M-1158  
Ind. Nos. 226/09,  
2786/09

-against-

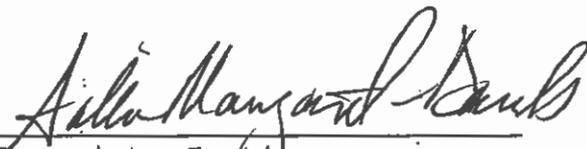
CERTIFICATE  
DENYING LEAVE

Michael Payne,

Defendant.

-----X

I, Sallie Manzanet-Daniels, 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, New York County, entered on or about November 18, 2015, is hereby denied.

  
\_\_\_\_\_  
Associate Justice

Dated: June 1, 2016  
New York, New York

ENTERED: JUN 09 2016

✓

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

BEFORE: Hon. Sallie Manzanet-Daniels  
Justice of the Appellate Division  
-----X

The People of the State of New York,

M-1738  
Ind. Nos. 5788/12,  
3245/13

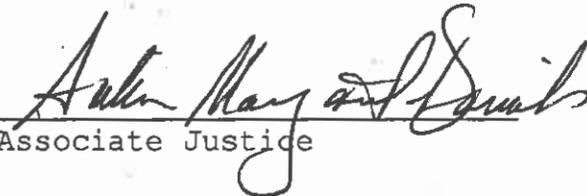
-against-

CERTIFICATE  
DENYING LEAVE

Jose Ortiz,

Defendant.  
-----X

I, Sallie Manzanet-Daniels, 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, New York County, entered on or about January 14, 2016, is hereby denied.

  
Associate Justice

Dated: June 1, 2016  
New York, New York

ENTERED: JUN 09 2016



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

BEFORE: Hon. Sallie Manzanet-Daniels  
Justice of the Appellate Division

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

M-1866  
Ind. No. 110/14

-against-

CERTIFICATE  
DENYING LEAVE

Matthew Williams,

Defendant.

-----X

I, Sallie Manzanet-Daniels, 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, New York County, entered on or about January 12, 2016, is hereby denied. In light of the foregoing, defendant's request for poor person relief is denied as moot.

  
Associate Justice

Dated: June 1, 2016  
New York, New York

ENTERED: JUN 09 2016

✓

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

BEFORE: Hon. Barbara R. Kapnick  
Associate Justice of the Appellate Division

-----X  
In the Matter of the Application of  
GEOFFREY LAKE,  
Petitioner-Respondent,

M-2583  
Ind. No. 100607/15

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

-against-

NEW YORK CITY HOUSING AUTHORITY,  
Respondent-Appellant.  
-----X

Respondent-Appellant having moved, pursuant to CPLR 5701(c),  
for leave to appeal to the Appellate Division, First Department,  
from the order of the Honorable Alice Schlesinger, Supreme Court,  
New York County, entered on April 29, 2016, and for a stay of all  
proceedings, and for related relief,

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

Ordered that the application for leave to appeal is denied.  
That portion of the motion seeking reassignment of the proceeding  
in Supreme Court is denied without prejudice to proceedings in  
Supreme Court and the remainder of the motion is denied as moot.

Dated: June 2, 2016  
New York, New York



Hon. Barbara R. Kapnick  
Associate Justice

**ENTERED**

JUN 09 2016

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 9, 2016.

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

-----x

Aaron Elkin,  
Plaintiff-Appellant,

-against-

Andrea Labis,  
Defendant-Respondent.

-----x

**CONFIDENTIAL**

M-6414A

Index No. 105411/08

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about August 25, 2014,

And plaintiff-appellant having moved to file a supplemental appendix with the transcript of a January 9, 2015 court proceeding (Exhibit 3 to the moving papers), and a letter to plaintiff, dated December 2, 2014, from Westchester Park Pediatrics ("WPP") (plaintiff-appellant's affirmation par. 3), 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, and plaintiff-appellant is directed to file a supplemental appendix consisting of the requested exhibits, with costs to abide the event. The order of this Court entered January 14, 2016 (M-6414) is hereby recalled and 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 9, 2016.

Present: Hon. Peter Tom, Justice Presiding,  
Diane T. Renwick  
Barbara R. Kapnick  
Troy K. Webber, Justices.

-----X

Aaron Elkin,  
Plaintiff-Appellant,

**CONFIDENTIAL**  
**M-1675A**

-against-

Index No. 105411/08

Andrea Labis,  
Defendant-Respondent.

-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about April 23, 2015, April 28, 2015 and April 29, 2015, respectively,

And, plaintiff-appellant having moved for consolidation of the aforesaid appeals and for an enlargement of time to perfect same,

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 consolidating the aforesaid appeals and permitting appellant to prosecute said appeals upon 9 copies of one record and of one set of appellant's points covering the appeals, and enlarging the time to perfect the consolidated appeals to the November 2016 Term. The order of this Court entered May 17, 2016 (M-1675) is hereby recalled and vacated.

ENTER:

  
\_\_\_\_\_  
CLERK