

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 October 20, 2016.

PRESENT - Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Sallie Manzanet-Daniels  
Troy K. Webber, Justices.

-----X

Bobby L. Moore,

Plaintiff-Appellant,

-against-

M-3905

Index No. 651907/11

IGPS Company LLC, et al.,

Defendants-Respondents.

-----X

Defendants-respondents 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 July 5, 2016 (Appeal No. 1536),

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 October 20, 2016.

PRESENT - Hon. John W. Sweeny, Jr., Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Barbara R. Kapnick  
Troy K. Webber, Justices.

-----X  
Pedro Castillo, as Administrator of  
the Estate of Jessenia Castillo,  
Deceased,  
Plaintiff-Appellant,

-against-

M-3920  
Index No. 309886/10

The Mount Sinai Hospital, et al.,  
Defendants-Respondents,

Dominick Hollman, M.D., et al.,  
Defendants.

-----X

Plaintiff-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on June 28, 2016 (Appeal No. 1578-1580),

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 October 20, 2016.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,  
Rolando T. Acosta  
Richard T. Andrias  
Sallie Manzanet-Daniels  
Troy K. Webber, Justices.

-----X  
TCR Sports Broadcasting Holding, LLP,  
Petitioner-Appellant-Respondent,

-against-

Washington National Baseball Club, LLC,  
WN Partner, LLC, Nine Sports Holding,  
LLC, et al.,  
Respondents-Respondents-Appellants,

M-4869  
Index No. 652044/14

The Office of the Commissioner of  
Baseball, et al.,  
Respondents-Respondents-Appellants,

The Baltimore Orioles Baseball Club,  
et al.,  
Nominal Respondents-Appellants-  
Respondents.

-----X

An appeal and cross appeals having been taken to this Court by the above-named petitioner from the order of the Supreme Court, New York County, entered on or about November 4, 2015, and said appeal having been perfected,

And non-party movant Kenneth R. Feinberg having moved for leave to file a brief amicus curiae in connection with the aforesaid appeal,

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

It is ordered that the motion is granted to the extent of directing movant to file nine copies of the brief amicus curiae with this Court immediately.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 20, 2016.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Troy K. Webber  
Marcy L. Kahn, Justices.

-----X  
Akwasí Boakye Osei, M-3271  
Plaintiff-Appellant, M-3274  
M-3449  
-against- Action No. 1  
Index No. 100923/15  
Standard Chartered Bank and  
Standard Chartered Bank Ghana Limited,  
Defendants-Respondents.

-----X  
Akwasí Boakye Osei, Action No. 2  
Plaintiff-Appellant, Index No. 101207/15  
-against-  
Standard Chartered Bank and  
Standard Chartered Bank Ghana Limited,  
Defendants-Respondents.  
-----X

An appeal having been taken by plaintiff-appellant in Action No. 1 from an order of the Supreme Court, New York County, entered on or about January 28, 2016; and an appeal having been taken by plaintiff-appellant in Action No. 2 from an order of the same Court and Justice, entered on or about April 18, 2016,

And, plaintiff-appellant having moved for vacatur of certain orders of the Supreme Court which dismissed his actions against the defendants in both the aforesaid actions; to recuse Justice Braun from said actions; to void defendants' filings, and to investigate the court officers involved, alleging they perpetuated a fraud upon the Court (M-3271/M-3274),

And, defendants-respondents having cross-moved to dismiss plaintiff's appeals as untimely and for sanctions (M-3449),

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

It is ordered that the motions for vacatur of the lower Courts orders, recusal of the aforesaid Justice, to void further filings by defendants' and to investigate certain court officers are denied (M-3271/M-3274); plaintiff-appellant is directed not to file any further motions without prior written permission of the Clerk of this Court. The cross-motion is granted to the extent of dismissing the appeals as untimely (M-3449).

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 October 20, 2016.

Present - Hon. Rolando T. Acosta, Justice Presiding,  
Dianne T. Renwick  
David B. Saxe  
Paul G. Feinman  
Marcy L. Kahn, Justices.

-----X  
Lisa Goldstein,

Plaintiff-Appellant-Respondent,

-against-

M-4894  
Index No. 651706/14

Orensanz Events LLC, et al.,

Defendants-Respondents-Appellants.

-----X

An appeal and cross appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about June 30, 2016, and said appeal and cross appeal having been perfected,

And, defendants-respondents-appellants having moved for an enlargement of the record on appeal to include an affirmation by defense counsel dated September 26, 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 October 20, 2016.

Present: Hon. Rolando T. Acosta, Justice Presiding,  
David B. Saxe  
Karla Moskowitz  
Rosalyn H. Richter  
Barbara R. Kapnick, Justices.

-----X

Kelly Forman,  
Plaintiff-Appellant,

-against-

**M-3116**

Index No. 113059/11

Mark Henkin,  
Defendant-Respondent.

-----X

Defendant-respondent having moved for leave to appeal to the Court of Appeals from the decision and order of this Court, entered on December 17, 2015 (Appeal No. 14906N),

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 this Court, pursuant to CPLR 5713, certifies that the following question of law, decisive of the correctness of its determination, has arisen, which in its opinion ought to be reviewed by the Court of Appeals:

"Was the order of the Supreme Court, as modified by this Court, properly made?"

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

ENTERED:



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 October 20, 2016.

PRESENT - Hon. Karla Moskowitz, Justice Presiding,  
Paul G. Feinman  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

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

-against-

M-3751  
Ind. No. 2869/14

Sekou Shutsha,  
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about June 10, 2015,

And an order of this Court entered November 10, 2015 (M-4968) granting defendant-appellant leave to prosecute the appeal as a poor person and assigning The Center for Appellate Litigation on the appeal, and related relief,

And defendant-appellant, having moved for leave to file a pro se supplemental brief, and for an order relieving assigned counsel, and substituting other 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 directing defendant to serve and file 8 copies of his pro se supplemental brief on or before December 5, 2016 for the February 2017 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:



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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 October 20, 2016.

Present - Hon. Karla Moskowitz,  
Paul G. Feinman  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer,

Justice Presiding,  
  
  
  
Justices.

-----X  
One Pleasantville Road, LLC,  
Plaintiff-Appellant,

M-4178

-against-

Index No. 401074/13

Getty Properties Corp.,  
Defendant-Respondent.

-----X  
1224 Route 22 LLC, et al.,  
Plaintiffs-Appellants,

-against-

Index No. 401313/13

Getty Properties Corp.,  
Defendant-Respondent.

-----X  
857 Rt 6 Mahopac LLC, et al.,  
Plaintiffs-Appellants,

-against-

Index No. 401438/13

Getty Properties Corp.,  
Defendant-Respondent.

-----X

Plaintiffs-appellants having taken separate appeals from the judgment of the Supreme Court, New York County, entered on or about June 1, 2016,

And, the respective plaintiffs-appellants having jointly moved for consolidation of the aforesaid appeals,

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

It is ordered that the motion is granted to the extent of permitting the respective plaintiffs-appellants to prosecute the consolidated appeals upon 9 copies of one record and one set of points covering the consolidated appeals. The attention of the parties is directed to 22 NYCRR § 600.11.

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 October 20, 2016.

Present - Hon. Karla Moskowitz, Justice Presiding,  
Paul G. Feinman  
Judith J. Gische  
Barbara R. Kapnick, Justices.

-----X  
Mallow, Konstam, Mazur, Bocketti  
and Nisonoff, P.C.,  
Plaintiff-Respondent,

-against-

M-4044  
M-4186  
Index No. 153568/14

Natan Zeidman,  
Defendant-Appellant.

-----X

Appeals having been taken to this Court by defendant from orders of the Supreme Court, New York County, entered on or about June 27, 2015 and January 28, 2016,

And, plaintiff-respondent having moved, pursuant to CPLR 5513(a), for dismissal of the notices of appeal dated February 23, 2016 and March 2, 2016, insofar as they seek to appeal the order of the Supreme Court, New York County, entered on or about June 27, 2015 (M-4044),

And, plaintiff-respondent having separately moved for dismissal of the notices of appeal filed on February 23, 2016 and March 2, 2016, to the extent they seek to appeal from the order of the Supreme Court, New York County, entered on or about January 28, 2016 (M-4186),

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

It is order that the motion to dismiss the notices of appeal dated February 23, 2016 and March 2, 2016, insofar as they seek to appeal the order of the Supreme Court, New York County, entered on or about June 27, 2015 is granted (M-4044). The motion to dismiss the notices of appeal filed on February 23, 2016 and March 2, 2016, to the extent they seek to appeal from the order of the Supreme Court, New York County, entered on or about January 28, 2016 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 October 20, 2016.

Present: Hon. Karla Moskowitz, Justice Presiding,  
Paul G. Feinman  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

-----X

In the Matter of the Application  
of The United Federation of Teachers,  
Local 2, AFT, AFL-CIO,  
Petitioner-Respondent/Appellant,

**Action No. 1**

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

**M-3988**  
**M-4249**

-against-

Index No. 103612/12

New York City Board of Collective  
Bargaining, The City of New York  
and Jose Morales,  
Respondents-Appellants/Respondents.

-----X

In the Matter of the Application  
of The City of New York, et al.,  
Petitioners-Appellants/Respondent,

**Action No. 2**

For a Judgment and Order Pursuant  
to Articles 75 and 78 of the Civil  
Practice Law and Rules,

**M-3989**  
**M-4248**

-against-

Index No. 401937/12

Jose E. Morales, The Office of  
Collective Bargaining of the City  
of New York, et al.,  
Respondents-Respondents,

The United Federation of Teachers,  
Local 2, AFT, AFL-CIO,  
Respondent-Respondent/Appellant.

-----X

An appeal having been taken in Action No. 1 by "City" respondents from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about April 21, 2016; and in the same action, "UFT" petitioner having taken a cross appeal from the same order and judgment (one paper),

And, an appeal having been taken by the "City" petitioners from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about April 21, 2016; and in the same action, the "UFT" respondent having taken a cross appeal from the same order and judgment (one paper),

And, respondent Jose Morales having moved to dismiss the appeal in Action No. 1 (M-3988),

And, the "City" respondent(s) having cross-moved to consolidate all of the "City" appeals in both actions, and enlarge the time to perfect said appeals (M-4249),

And, respondent Jose Morales having moved to dismiss the "City" appeals in both actions, or to expedite said appeals (M-3989),

And, the petitioners in Action No. 2, having cross-moved to consolidate the "City" appeals in both actions, and enlarge the time to perfect said appeals (M-4248)

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

It is ordered that the motions to dismiss the "City" appeals (M-3988 & M-3989) are granted unless the appeals are perfected for the May 2017 Term. The cross motions are granted to the extent of consolidating said appeals and enlarging the time to perfect same to the May 2017 Term. The City appellants are permitted to prosecute the consolidated appeals upon 9 copies of one record and of one set of appellants' points covering the appeals.

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 October 20, 2016.

Present - Hon. Karla Moskowitz, Justice Presiding,  
Paul G. Feinman  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

-----X

Interventure 77 Hudson LLC, et al.,  
Plaintiffs-Appellants,

-against-

Falcon Real Estate Investment Co.,  
LP, etc., et al.,  
Defendants-Respondents,

M-3683  
Index No. 653913/13

-and-

International Real Estate Services,  
Inc., et al.,  
Defendants.

-----X

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about April 22, 2016,

And, plaintiff-appellants having moved for a stay of the order to the extent that it directs the disclosure of certain documents, pending hearing and determination of the appeal taken therefrom,

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 August 8, 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 October 20, 2016.

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

-----x  
Domingo Mouta, et al.,  
Plaintiffs,

-against-

M-4450X  
Index No. 307749/08

Essex Market Development, LLC, JF  
Contracting, and MSS Construction Corp.,  
Defendants-Appellants.

-----x  
Essex Market Development LLC,  
Third-Party Plaintiff-Appellant,

-against-

Index No. 83824/09

Marangos Construction Corp.,  
Third-Party Defendant-Respondent.

-----x  
J.F. Contracting Corp.,  
Third-Party Plaintiff-Appellant,

-against-

Index No. 83768/09

Marangos Construction Corp.,  
Third-Party Defendant-Respondent.

-----x

Appeals having been taken from the order of the Supreme Court, Bronx County, entered on or about June 30, 2015, and the judgments of said Court, entered on or about July 8, 2015,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 2, 2016, and due deliberation having been had thereon,

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

ENTER:

A handwritten signature in black ink, appearing to read "Susan R. Jones". The signature is written in a cursive style with a large initial "S" and "R".

---

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 October 20, 2016.

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

-----X  
William Kenny,  
Plaintiff,

-against-

M-4493  
Index No. 151931/12

767 Fifth Partners LLC, et al.,  
Defendants.

-----X  
767 Fifth Partners, LLC, et al.,  
Third-Party Plaintiffs,

-against-

Index No. 590807/12

Meli Contracting Co., Inc.,  
Third-Party Defendant.

-----X  
767 Fifth Partners, LLC, et al.,  
Second Third-Party  
Plaintiffs-Respondents,

-against-

Index No. 590346/13

Carney Security Service Inc.,  
Second Third-Party  
Defendant-Appellant.

-----X

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

Now, upon reading and filing the stipulation of the parties hereto, filed on September 1, 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:

A handwritten signature in black ink, appearing to read "Susan R. Jones". The signature is written in a cursive style with a prominent initial "S".

---

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 October 20, 2016.

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

-----X  
Kandice Purdy,  
Plaintiff-Respondent,

-against-

Mount Sinai Medical Center, et al.,  
Defendants-Appellants.

M-4449X  
Index No. 113918/09

-----X

Appeals having been taken from the orders of the Supreme Court, New York County, entered on or about October 21, 2015,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 6, 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 October 20, 2016.

Present: Hon. Peter Tom, Justice Presiding,  
John W. Sweeny, Jr.  
Richard T. Andrias  
Troy K. Webber  
Ellen Gesmer, Justices.

-----X  
Francisco Ramirez,  
Plaintiff-Respondent,

-against-

Joselyn Santana and Geronimo Figueroa,  
Defendants-Appellants.

-----X

**M-4260**

**M-4301**

Index No. 21166/13E

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about October 8, 2015,

And, defendants-appellants having moved to enlarge the time to perfect the aforesaid appeal (M-4260),

And, plaintiff-respondent having cross-moved to dismiss the aforesaid appeal (M-4301),

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 defendants' motion to enlarge the time to perfect the appeal is denied (M-4260). Plaintiff's cross motion is granted and defendants' appeal is dismissed (M-4301).

ENTERED:

  
\_\_\_\_\_  
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 October 20, 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 the Commitment of  
Guardianship and Custody of

Romeo Anthony L., also known as  
Romeo A. L., also known as  
Romeo L.,

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

M-3794  
Docket No. B-36937/14

-----  
New York Foundling Hospital, the  
Foster Care Agency, et al.,  
Petitioners-Respondents,

Marcelino L.,  
Respondent-Appellant,

Tiffany C.,  
Respondent-Respondent.

-----  
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 the Family Court, New York County, entered on or about July 7, 2016, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Susan Barrie, Esq., 401 Broadway, Suite 1902, New York, NY 10013, Telephone No. 917-612-5999, 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 (FCA 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 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

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<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 October 20, 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

Serina C.,

A Child Under 18 Years of Age Alleged  
to be Abused and/or Neglected Under

M-4215  
Docket No. NN-01425/15

Article 10 of the Family Court Act.

-----  
Administration for Children's Services,  
Petitioner-Respondent,  
Ismael M.,  
Respondent-Appellant,

Clarissa C.,  
Respondent.

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

-----X

Respondent-appellant father 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 June 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, Steven N. Feinman, Esq., One North Broadway, Suite 412, White Plains, NY 10601, Telephone No. (914) 949-8214, 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 (FCA 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 receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



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CLERK

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<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 October 20, 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

Brianna C.,

A Child Under the Age of 18 Years  
Alleged to be Neglected

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

M-4216  
Docket No. NN-31152/16

Raidri C.,  
Respondent-Appellant.

- - - - -  
Seymour W. James, Esq., Attorney  
for the Child.

-----X

Respondent-appellant mother having moved for leave to prosecute, as a poor person, the appeal from two orders of the Family Court, New York County, entered on or about June 21, 2016 and July 11, 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, Steven Feinman, Esq., One North Broadway Suite 412, White Plains, NY 10601, Telephone No. (914) 949-8214, 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 (FCA**

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

**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 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

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 October 20, 2016.

Present - Hon. Peter Tom, Justice Presiding,  
John W. Sweeny, Jr.  
Richard T. Andrias  
Troy K. Webber  
Ellen Gesmer, Justices.

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

-against-

M-4437  
Ind. No. 3007/14

Willie Tookes,  
Defendant-Appellant.

-----X

Defendant having renewed the motion for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about September 22, 2015, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 20, 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-4351  
Ind. No. 5644/14

Giscard Dejean,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Melissa Jackson, J.) entered on or about August 17, 2016, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Jackson as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Seymour W. James, Jr., Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed. 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 October 20, 2016.

PRESENT: Hon. Peter Tom, Justice Presiding,  
John W. Sweeny, Jr.  
Richard T. Andrias  
Troy K. Webber  
Ellen Gesmer, Justices.

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

-against-

M-4398  
Ind. No. 4193/14

Lenard Berrian,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of **resentence** of the Supreme Court, New York County, rendered on or about May 31, 2016, for leave to have the appeal heard upon 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 granted to the extent of continuing and extending the poor person relief and assignment of assigned counsel Robert S. Dean, Esq., previously afforded defendant by the order of this Court entered on April 7, 2016 (M-1172) to cover the judgment of **resentence**,

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript of the stenographic minutes of **resentence**. 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. 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 October 20, 2016.

PRESENT - Hon. Peter Tom, Justice Presiding,  
John W. Sweeny, Jr.  
Richard T. Andrias  
Troy K. Webber  
Ellen Gesmer, Justices.

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

-against-

M-4181  
Ind. No. 4757/14

Clifford Taylor,  
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 July 11, 2016, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth the amount and sources of funds to post the bail in the Supreme Court, the disposition thereof, and an explanation as to why similar funds are not available to prosecute this appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 20, 2016.

Present - Hon. Peter Tom, Justice Presiding,  
John W. Sweeny, Jr.  
Richard T. Andrias  
Troy K. Webber  
Ellen Gesmer, Justices.

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

-against-

M-4292  
Ind. No. 3239N/12

Yuseiph Sidberry,  
Defendant-Appellant.

-----X

An order of this Court having been entered on January 9, 2014 (M-6046), inter alia, granting defendant's motion for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about October 31, 2013, and assigning counsel therefor,

And, defendant-appellant having moved for an order amending the notice of appeal and the aforementioned order of arraignment to include the appeal from the judgment of **resentence** of said Court, rendered on or about August 17, 2016,

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

It is ordered that said motion is granted to the extent of amending defendant's notice of appeal and the aforementioned order to include the appeal from the judgment of **resentence** rendered on or about August 17, 2016, and extending the poor person relief previously granted to cover same.

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 October 20, 2016.

Present - Hon. Peter Tom, Justice Presiding,  
John W. Sweeny, Jr.  
Richard T. Andrias  
Troy K. Webber  
Ellen Gesmer, Justices.

-----X  
Robyn Pena,  
Plaintiff-Appellant,

-against

M-4063  
Index No. 303162/11

The City of New York,  
Defendant-Respondent.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about November 12, 2015,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the February 2017 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 October 20, 2016.

Present - Hon. Peter Tom, Justice Presiding,  
John W. Sweeny, Jr.  
Richard T. Andrias  
Troy K. Webber  
Ellen Gesmer, Justices.

-----X  
Shahram Kohan,

Plaintiff-Appellant,

-against-

Behzad Nehmadi, etc., et al.,

Defendants-Respondents.  
-----X

M-4261  
Index No. 104185/11

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about November 12, 2015,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the February 2017 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 October 20, 2016.

PRESENT: Hon. Peter Tom, Justice Presiding,  
John W. Sweeny, Jr.  
Richard T. Andrias  
Troy K. Webber  
Ellen Gesmer, Justices.

-----X  
Cash and Carry Filing Service, LLC,  
Plaintiff-Respondent,

-against-

M-4310  
Index No. 154341/15

Rehan Perveez and 59 North 6th  
Street, LLC,  
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about November 6, 2015,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the February 2017 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 October 20, 2016.

Present - Hon. Peter Tom, Justice Presiding,  
John W. Sweeny, Jr.  
Richard T. Andrias  
Troy K. Webber  
Ellen Gesmer, Justices.

-----X

Maria Santana,  
Plaintiff-Appellant,

-against-

M-3946  
Index No. 303534/10

3410 Kingsbridge LLC, et al.,  
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, Bronx County, entered on or about June 22, 2015,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the March 2017 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 October 20, 2016.

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

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

-against-

M-2141  
Ind. No. 1402/08

Rodger Wilson,  
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on April 17, 2012 (Appeal No. 6773), unanimously affirming a judgment of conviction of the Supreme Court, New York County (Daniel Fitzgerald, J.), rendered on June 12, 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 October 20, 2016.

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

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

Respondent,

-against-

M-3212  
Ind. No. 3258/12

Khalid Rahman,

Defendant-Appellant.

-----X

A decision and order of this Court having been entered on June 18, 2015 (Appeal No. 15481), unanimously affirming a judgment of the Supreme Court, New York County (Juan M. Merchan, J.), rendered on August 7, 2013,

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 October 20, 2016.

Present - Hon. Peter Tom, Justice Presiding,  
Dianne T. Renwick  
Sallie Manzanet-Daniels  
Judith J. Gische  
Troy K. Webber, Justices.

-----x  
Wells Fargo Bank, National Association,  
successor to Wachovia Financial  
Services, Inc.,

Plaintiff,

-against-

M-4621  
Index No. 651415/16

Andalex Aviation II, LLC and Allen  
Silverman,

Defendants.  
-----x

Defendant Allen Silverman having moved, pursuant to CPLR 5704, for vacatur of a temporary restraining order granted by the Supreme Court, New York County, on or about September 12, 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 October 20, 2016.

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

-----X

In re Michelle Lynn McGuirk,  
Petitioner-Appellant,

-against-

M-4001  
Index No. 100809/14

New York State Division of Human Rights,  
et al.,  
Respondents-Respondent,

Swiss Reinsurance America Corp.,  
et al.,  
Respondents.

-----X

Petitioner-appellant having moved for reconsideration of this Court's order entered on May 19, 2016 (Appeal No. 978-978A), and 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 October 20, 2016.

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

-----X  
Martin H. Levensglick,

Plaintiff-Appellant-Respondent,

-against-

M-3466  
Index No. 350601/03

JoAnna Levensglick,

Defendant-Respondent-Appellant.  
-----X

Plaintiff-appellant-respondent having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on June 16, 2016 (Appeal No. 1480N),

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 October 20, 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 DNR CRE Opportunity  
Fund I LP,  
Plaintiff-Respondent,

Action No. 1

**M-3104**

-against-

Index No. 654476/13

Benjamin Ringel,  
Defendant.

-----X  
AC I LedgeWood Mezz LLC,  
Plaintiff,

Action No. 2

-against-

Index No. 153809/14

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

-----X

Appeals having been taken by defendant Ringel 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 AC I LedgeWood Mezz LLC, in Action No. 2 from a judgment of said Court, entered on or about February 11, 2015,

And, said consolidated appeals in Action No. 1, and the appeal in Action No. 2 having been dismissed by an order of this Court entered on June 9, 2016 (M-1920/M-1921),

And, defendant Ringel in Action 1 and plaintiff AC I Ledgewood Mezz LLC in Action 2 having moved to restore to the calendar their appeals in said actions, for an enlargement of time to perfect same and to have the appeals calendared for argument on the same day,

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

It is ordered that the motion is 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 October 20, 2016.

Present - Hon. Peter Tom, Justice Presiding,  
John W. Sweeny, Jr.  
Richard T. Andrias  
Troy K. Webber  
Ellen Gesmer, Justices.

-----x  
In the Matter of the Application of  
Elias Hernandez,  
Petitioner-Respondent,

For an Order Summarily Vacating,  
Canceling and Discharging of Record M-4115  
Alleged Notice of Lien dated 8/13/13, Index No. 24524/14E  
etc.,

-against

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

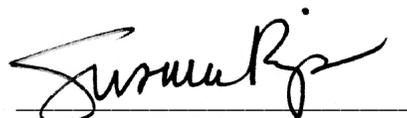
-----x  
An appeal having been taken to this Court from the order of the Supreme Court, Bronx County, entered on or about June 13, 2016,

And petitioner-respondent having moved for an order establishing the amount of money to be deposited with the Court to stop running interest on an underlying lien,

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 on condition petitioner deposit with the Supreme Court \$55,477.89 with respect to the lien, plus the daily accumulated interest in the amount of \$15,198.48, and on condition said funds are deposited within 20 days from the date of entry hereof.

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 October 20, 2016.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
David B. Saxe  
Karla Moskowitz  
Ellen Gesmer, Justices.

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

-----  
Ymelda A., Docket Nos. M-4288 V-2568-06/08D  
Petitioner-Appellant, V-08267-06/08D  
V-030961/11  
-against-

Darrell B.,  
Respondent-Respondent.  
-----

Seymour W. James, Jr., Esq.,  
The Legal Aid Society,  
Juvenile Rights Division.  
-----x

An order of this Court having been entered on February 23, 2016 (M-6297), inter alia, granting petitioner-appellant Ymelda A. leave to prosecute, as a poor person, the appeal taken from the order of the Family Court, Bronx County, entered on or about August 12, 2015, and assigning Steven N. Feinman, Esq., as counsel to prosecute the appeal,

And assigned counsel for petitioner-appellant having moved to withdraw the aforesaid appeal, and to be relieved as assigned counsel on the appeal,

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

It is ordered that the motion is granted to the extent of deeming the appeal withdrawn, and assigned counsel Steven N. Feinman, Esq., is relieved as counsel on the appeal.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 20, 2016.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
David B. Saxe  
Karla Moskowitz  
Ellen Gesmer, Justices.

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

-against-

M-4060  
Ind. No. 3678/13

Frank Goldstein, also known as Frank  
Genco,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about December 17, 2015, for leave to prosecute the appeal as a poor person, 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 granted only to the extent of deeming the notice of appeal as timely filed.

The motion, to the extent that it seeks poor person relief, is denied, with leave to renew upon defendant's submission of a notarized affidavit, pursuant to CPLR 1101, setting forth facts sufficient to establish that defendant has no funds or assets with which to prosecute the appeal, including the amount and sources of his income and a list of property with its value. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 20, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
David B. Saxe  
Karla Moskowitz  
Ellen Gesmer, Justices.

-----X  
Frank Boye,  
Plaintiff-Appellant,

-against-

Rubin & Bailin, LLP, formerly known  
as Rubin Bailin Ortoli Mayer and  
Baker LLP, et al.,  
Defendants-Respondents.  
-----X

**M-4297**  
**M-4389**  
Index No. 115987/09

An appeal having been taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about October 28, 2015,

And, plaintiff-appellant having moved for an enlargement of time to perfect the aforesaid appeal (M-4297),

And, defendants-respondents having cross-moved for the dismissal of the aforesaid appeal (M-4389),

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect plaintiff's appeal against Eric Vaughn-Flam, PC, to the March 2017 Term, with no further enlargements to be granted (M-4297). Defendants Rubin & Bailin's cross motion to dismiss the appeal against it is granted (M-4389).

ENTERED:

  
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 October 20, 2016.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
David B. Saxe  
Karla Moskowitz  
Ellen Gesmer, Justices.

-----x  
Probate Proceeding, Will of

Miriam Schwartz,

Deceased.

- - - - -  
Andrea Namanworth,  
Petitioner-Respondent,

Surrogate's Court  
M-4339  
File No. 2009-914

-against-

Gloria Schwarz,  
Objectant-Appellant.

-----x

Appeals having been taken to this Court from orders of the Surrogate's Court, Bronx County, entered on or about November 2, 2015 and July 25, 2016, respectively,

And objectant-appellant having moved for an enlargement of time to perfect the appeal taken from the order entered on or about November 2, 2015,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal from the order entered on or about November 2, 2015 to the March 2017 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 October 20, 2016.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
David B. Saxe  
Karla Moskowitz  
Ellen Gesmer, Justices.

-----X

Patricia Kenny,  
Plaintiff-Respondent-Appellant,

-against-

Turner Construction Company, et al.,  
Defendants-Respondents,

M-3465  
M-4056  
M-4124  
Index No. 603387/06

-and-

The Corporate Source, Inc., et al.,  
Defendants-Appellants-Respondents.

- - - - -  
[And another third-party action]

-----X

An appeal having been taken by plaintiff from an order of the Supreme Court, New York County, entered on or about October 14, 2015, and an appeal having been taken by defendant, The Corporate Source, Inc., from an order entered on or about March 17, 2015, and the latter appeal having been perfected,

And, plaintiff having moved for an enlargement to time to perfect her appeal taken from the order of said Court entered on or about October 14, 2015 (M-3465),

And, defendants, Turner Construction Company and Kings County Waterproofing, Inc., having cross-moved, by separate motions, for orders compelling plaintiff to perfect on a full printed record and for an enlargement of time to file their respondents' briefs (M-4056/M-4124),

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

It is ordered that plaintiff's motion is granted to the extent of enlarging the time to perfect her appeal to the March 2017 Term, with no further enlargements to be granted (M-3465). Sua sponte, the perfected appeal taken by The Corporate Source, Inc., from the order entered March 17, 2015, is adjourned to said March 2017 Term. So much of the cross motions seeking leave to compel plaintiff to perfect on the full-record method are denied, so much of the cross motions seeking an enlargement of time to file a respondents' brief is denied, without prejudice to applications to adjourn the perfected appeal, if so advised (M-4056/M-4124).

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 October 20, 2016.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
David B. Saxe  
Karla Moskowitz  
Ellen Gesmer, Justices.

-----x  
Lindsey Green,

Plaintiff-Respondent,

-against-

Megan Zarella, et al.,

Defendants-Appellants.  
-----x

M-4290  
Index No. 301184/12

Defendants-appellants having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about October 19, 2015,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the March 2017 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 October 20, 2016.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
David B. Saxe  
Karla Moskowitz  
Ellen Gesmer, Justices.

-----X  
Public Administrator of New York County  
as Administrator of the Estate of Pablo  
Carballo, also known as Pablo Carballo  
Flores, Deceased,  
Plaintiff,

M-4287  
Index No. 156414/13

-against-

Mercedes-Benz Manhattan, Inc. and Xavier  
Diaz,  
Defendants.

-----X  
Mercedes-Benz Manhattan, Inc.,  
Third-Party Plaintiff-Respondent,

Index No. 156414/13

-against-

Jose E. Martinez,  
Third-Party Defendant-Appellant.

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

Third-party defendant-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about May 1, 2015,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the April 2017 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 October 20, 2016.

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

-----X

In re The City of New York.  
Petitioner-Respondent,

-against-

2305-07 Third Avenue, LLC, et al.,  
Respondents-Appellants,

Haron Real Estate Corp.,  
Intervenor-Appellant.

-----X

M-3376  
M-3391  
Index No. 450370/14

Intervenor-appellant, Heron Real Estate Corp. and respondents/owners-appellants 2305-07 Third Avenue LLC, 207 East 125th Street LLC, 205 East 125th Street LLC and City Lights Properties Three LLC, having moved by separate motions, for leave to appeal to the Court of Appeals from the decision and order of this Court, entered on July 5, 2016 (Appeal Nos. 1260, 1261 and 1262) [M-3376/M-3391],

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 denied [M-3376/M-3391].

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 October 20, 2016.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
David B. Saxe  
Troy K. Webber  
Marcy L. Kahn, Justices.

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

-against-

M-916  
Ind. No. 1573/03

Jamal Grant,  
Defendant-Respondent.

-----X

A decision and order of this Court having been entered on September 27, 2007 (Appeal Nos. 1564-1564A), unanimously affirming a judgment of conviction of the Supreme Court, New York County (Charles Tejada, J.), rendered on November 18, 2004,

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 October 20, 2016.

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

-----X  
91 Real Estate Associates, LLC,  
Petitioner-Appellant,

-against-

M-3682  
Index No. 570990/13

Felice Eskin,  
Respondent-Respondent.

-----X

Petitioner-appellant having moved for leave to appeal to the Court of Appeals 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 December 1, 2014,

And, an order of this Court having been entered on June 7, 2016 (M-1634), denying petitioner-appellant leave to appeal to this Court from the aforesaid decision and order of the Appellate Term,

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

It is ordered that the motion is 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 October 20, 2016.

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

-----X

In re Patricia Gill,  
Petitioner-Appellant,

-against-

**M-3373**

Index No. 400855/14

Nyack College, et al.,  
Respondents-Respondents.

-----X

An order of this Court having been entered on June 14, 2016 (M-1352) denying petitioner-appellant's motion for reargument of the decision and order of this Court, entered on February 16, 2016 (Appeal No. 239),

And, petitioner having moved for (1) clarification of the aforesaid order of this Court, (2) for leave to appeal the underlying decision to the Court of Appeals, (3) for transcripts of all proceedings before the Supreme Court, and (4) for permission to proceed as a poor person,

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

Ordered that the motion, to the extent it seeks points 1 through 3, is denied. So much of the motion which seeks point 4 is denied as academic.

ENTERED:

  
\_\_\_\_\_  
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 October 20, 2016.

PRESENT - Hon: Angela M. Mazzairelli, 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-4198  
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, respondent the People having moved for an order revoking defendant's bail and for the execution of his sentence which was stayed by an order of a Justice of this Court, entered 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 denied in its entirety. The stay of bail and execution of sentence, granted by the aforesaid order of a Justice of this Court is continued, pending hearing and determination of the appeal.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 20, 2016.

Present: Hon. David Friedman, Justice Presiding,  
Richard T. Andrias  
Rosalyn H. Richter  
Judith J. Gische  
Marcy L. Kahn, Justices.

-----X  
Dashawn Hampton,  
Plaintiff-Respondent,

-against-

**M-4244**  
Index No. 24366/13E

Thomas C. Bradley and Regina N.  
Bradley,  
Defendants-Appellants.

-----X

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

And defendants-appellants having moved for an order enlarging the time to perfect their appeal,

Now, upon reading and filing the papers with respect to the motion, and the correspondence of counsel for defendants-appellants filed on September 6, 2016, and due deliberation having been had thereon, it is

Ordered that the motion and the appeal are deemed withdrawn.

ENTERED:

  
\_\_\_\_\_  
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 October 20, 2016.

PRESENT: Hon. David Friedman, Justice Presiding,  
David B. Saxe  
Karla Moskowitz  
Judith J. Gische  
Marcy L. Kahn, Justices.

-----X

Domingo Mouta and Maria Jose Mouta,  
Plaintiffs-Respondents,

-against-

M-4463  
Index No. 307749/08

Essex Market Development, LLC and J.F.  
Contracting Corp.,  
Defendants-Appellants,

-and-

MSS Construction Corp.,  
Defendant.

-----X

Essex Market Development, LLC,  
Third-Party Plaintiff-Appellant,

-against-

Third-Party  
Index No. 83824/09

Marangos Construction Corp.,  
Third-Party Defendant-Appellant.

-----X

J.F. Contracting Corp.,  
Third-Party Plaintiff-Appellant,

-against-

Second Third-Party  
Index No. 83768/09

Marangos Construction Corp.,  
Third-Party Defendant-Appellant.

-----X

Appeals having been taken from an order and an amended judgment of the Supreme Court, Bronx County, entered on or about June 16, 2015 and July 8, 2015, respectively,

And, said appeals having been consolidated by an order of this Court entered on June 14, 2016 (M-2108/M-2177/M-2234),

And, defendant/third-party defendant-appellant Marangos Construction Corp. having moved for an enlargement of time to perfect its 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 consolidated appeals to the February 2017 Term.

ENTER:

A handwritten signature in black ink, appearing to read "Susan R. Jones". The signature is written in a cursive, flowing style.

---

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 October 20, 2016.

PRESENT: Hon. David Friedman, Justice Presiding,  
Richard T. Andrias  
Rosalyn H. Richter  
Judith J. Gische  
Marcy L. Kahn, Justices.

-----X  
Richard Coon,  
Plaintiff-Respondent,

-against-

M-4246  
Index No. 151674/12

Hotel Gansevoort Group, LLC,  
Defendant-Respondent,

Security Services Inc., and  
Jason McAdoo,  
Defendants-Appellants.  
-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about November 23, 2015 and June 29, 2016,

And, defendants-appellants having moved for an enlargement of time to perfect the appeal taken from the order entered on or about November 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 enlarging the time to perfect the appeal to the March 2017 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 October 20, 2016.

PRESENT: Hon. David Friedman, Justice Presiding,  
David B. Saxe  
Karla Moskowitz  
Judith J. Gische  
Marcy L. Kahn, Justices.

-----X  
Peter Telesco and Leza Telesco,  
Plaintiffs-Respondents,

-against-

M-4345  
Index No. 304043/13

City Limits Group Inc.,  
Defendant-Appellant,

-and-

St. Nich 655 Realty LLC, et al.,  
Defendants-Respondents.  
-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about November 20, 2015,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the March 2017 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 October 20, 2016.

PRESENT: Hon. David Friedman, Justice Presiding,  
Richard T. Andrias  
Rosalyn H. Richter  
Judith J. Gische  
Marcy L. Kahn, Justices.

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

-against-

Andre Dennis, also known as Denise  
Dennis,

Defendant-Respondent.

M-4094  
M-4095  
Ind. Nos. 1087/12  
1/13

-----X

Defendant-respondent having moved, by separate orders, for leave to respond, as a poor person, to the People's appeal from an order of the Supreme Court, New York County, entered on or about July 18, 2016, and from an order of the same Court entered on or about July 28, 2016, respectively (M-4094/M-4095),

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) 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 the People and 8 copies thereof are filed with this Court, and (2) assigning, pursuant to Section 722 of the County Law, Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28<sup>th</sup> Floor, New York, New York 10005, Telephone No. 212-577-2523, as counsel for purposes of responding to the appeal (See M-4047 and M-4233, 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 October 20, 2016.

PRESENT: Hon. David Friedman, Justice Presiding,  
Richard T. Andrias  
Rosalyn H. Richter  
Judith J. Gische  
Marcy L. Kahn, Justices.

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

-against-

M-4047  
Ind. No. 1087/12

Andre Dennis, also known as Denise  
Dennis,  
Defendant-Appellant.

-----X

An order of this Court having been entered on November 17, 2015 (M-3566), *inter alia*, granting defendant's motion for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about May 22, 2013, under Indictment No. 1087/12, and assigning counsel therefor,

And defendant-appellant having moved for an order amending the notice of appeal and the aforementioned order of this Court to include a judgment of **resentence**, rendered on or about July 28, 2016, under Indictment No. 1087/12,

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

It is ordered that said motion is granted to the extent of amending defendant's notice of appeal and the aforementioned order to include the judgment of **resentence**, rendered on or about July 28, 2016, and extending the poor person relief previously granted to cover same. (See M-4094, M-4095 and M-4233, 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 October 20, 2016.

PRESENT: Hon. David Friedman, Justice Presiding,  
Richard T. Andrias  
Rosalyn H. Richter  
Judith J. Gische  
Marcy L. Kahn, Justices.

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

-against-

Andre Dennis, also known as Denise  
Dennis,  
Defendant-Appellant.

M-4233  
Ind. Nos. 1/13  
1087/12

-----X

An order of this Court having been entered on March 1, 2016 (M-148), *inter alia*, granting defendant's motion for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about November 25, 2013, under Indictment No. 1/13, and assigning counsel therefor,

And defendant-appellant having moved for an order amending the notice of appeal and the aforementioned order of this Court to include the appeal from a judgment of **resentence**, rendered on or about August 19, 2016, under Indictment No. 1/13,

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

It is ordered that said motion is granted to the extent of amending defendant's notice of appeal and the aforementioned order to include the appeal from the judgment of **resentence**, rendered on or about August 19, 2016, and extending the poor person relief previously granted to cover same (See M-4094, M-4095 and M-4047, 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 October 20, 2016.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,  
Sallie Manzanet-Daniels  
Paul G. Feinman  
Barbara R. Kapnick  
Troy K. Webber, Justices.

-----X

The People of the State of New York  
ex rel. Angela Chuang, Esq., on behalf  
of Apina Graves,  
Petitioner-Appellant,

-against-

**M-4347**

Index No. 451229/16  
Ind. No. 1800/11

Joseph Ponte, Commissioner of NYC  
Department of Correction,  
Respondent-Respondent.

-----X

The above-named petitioner having moved for, inter alia, release pending his appeal of the denial of a writ of habeas corpus, or in the alternative, bail in the amount of \$10,000 insurance company bond,

Now, upon reading and filing the papers with respect to the motion, and the correspondence filed September 19, 2016 with this Court, and due deliberation having been had thereon,

It is ordered that the motion and petition are deemed withdrawn in accordance with the aforesaid correspondence.

ENTERED:

  
\_\_\_\_\_  
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 October 20, 2016.

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

-----x  
Norddeutsche Landesbank Girozentrale  
and Hannover Funding Company, LLC,  
Plaintiffs-Respondents-Appellants,

-against-

M-4723A  
Index No. 651695/15

Lynn Tilton, Patriarch Partners, LLC,  
Patriarch Partners XIV, LLC, and  
Patriarch Partners XV, LLC,

Defendants-Appellants-Respondents.  
-----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 March 17, 2016, and said appeal having been perfected,

And plaintiffs-respondents having moved for leave to file a supplemental record on appeal,

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

It is ordered that the motion is denied. The order of this Court entered on October 11, 2016 (M-4723) 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 October 20, 2016.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,  
Rolando T. Acosta  
Richard T. Andrias  
Sallie Manzanet-Daniels  
Troy K. Webber, Justices.

-----x  
In the Matter of the Application of  
Tory Burch LLC.,  
Petitioner-Respondent,

For an order pursuant to RPAPL §881,  
etc.,

M-4555  
Index No. 154246/16

-against-

Herbert Moskowitz, doing business as  
Manhattan Realty Company,  
Respondent-Appellant.  
-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about July 11, 2016, and said appeal having been perfected,

And, respondent-appellant having moved for expedited hearing of the aforesaid perfected 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 only to the extent of directing that the appeal shall not be adjourned from the December 2016 Term, and otherwise denied.

ENTER:

  
CLERK

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

BEFORE: Hon. Richard T. Andrias  
Justice of the Appellate Division

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

Respondent,

-against-

Kyrell Hicks, also known as  
Al-Quaadir Green,

Defendant-Appellant.  
-----X

M-3644 & M-3231  
Ind No. 3261/01

CERTIFICATE/ORDER  
DENYING REARGUMENT

I, Richard T. Andrias, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application made by the People of the State of New York (M-3644) for reargument of my order (M-2737), entered June 28, 2016, which granted defendant's motion for a certificate pursuant to Criminal Procedure Law section 460.15, and no question of law or fact having been misapprehended or overlooked, permission to reargue the grant of leave to appeal from the order of the Supreme Court, New York County, (Abraham L. Clott, J.) entered on or about January 20, 2016 is hereby denied.

And it is further,

Ordered that the application of defendant (M-3231) for a certificate granting leave to appeal from the order of the Supreme Court, New York County, (Abraham L. Clott, J.) entered on or about January 20, 2016 is denied as academic, petitioner having been previously granted that relief by my order entered June 28, 2016.

Dated: New York, New York  
September 6, 2016

Justice of the Appellate Division

**ENTERED**

OCT 20 2016



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

BEFORE: Hon. Karla Moskowitz  
Justice of the Appellate Division

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

Respondent,

-against-

Ceferino Perez,

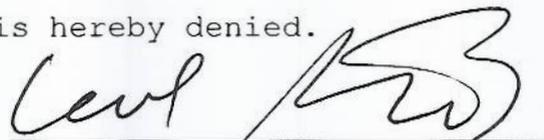
Defendant.  
-----X

M-3837

Ind. No. 3209/2011

CERTIFICATE  
DENYING LEAVE

I, Karla Moskowitz, 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, §§ 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 June 22, 2016 is hereby denied.

  
Hon. Karla Moskowitz  
Associate Justice

Dated:

September 20, 2016  
New York, New York

ENTERED:

**OCT 20 2016**

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

BEFORE: Hon. Karla Moskowitz  
Justice of the Appellate Division

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

M-3847  
Ind. No. 10663/95

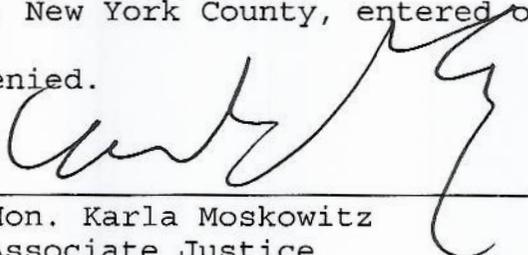
-against-

CERTIFICATE  
DENYING LEAVE

Lamar Sanchez,

Defendant.  
-----X

I, Karla Moskowitz, 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, § 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 July 12, 2016, is hereby denied.

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

Dated: September 20, 2016  
New York, New York

**OCT 20 2016**

ENTERED:

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

BEFORE: Hon. Rosalyn H. Richter  
Justice of the Appellate Division

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

M-3897  
Ind. No. 2507/03

-against-

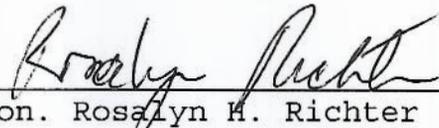
CERTIFICATE  
DENYING LEAVE

Angelo Grace,

Defendant.

-----X

I, Rosalyn H. Richter, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon the application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law Section 460.15, and upon the record and proceedings herein, there is no question of law or fact presented 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 July 1, 2016 is hereby denied.

  
\_\_\_\_\_  
Hon. Rosalyn H. Richter

Dated: September 13, 2016  
New York, New York

ENTERED: **OCT 20 2016**

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

BEFORE: Hon. Troy K. Webber  
Justice of the Appellate Division

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

M-4439  
Ind. No. 2512/14

-against-

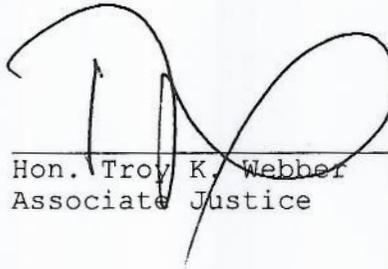
CERTIFICATE  
DENYING LEAVE

Jesus M. Lopez-Carrion,  
Defendant.

-----X

I, Troy K. Webber, a Justice of the Appellate Division, First Judicial Department, do hereby certify that in the proceedings herein there are no questions of law or fact involved which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is hereby denied to the above-named defendant to appeal to the Appellate Division, First Judicial Department, from the order of the Supreme Court, New York County (Richard M. Weinberg, J.), entered on or about August 5, 2015.

Dated: September 12, 2016  
New York, New York



Hon. Troy K. Webber  
Associate Justice

**ENTERED**

**OCT 20 2016**

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

BEFORE: Hon. Ellen Gesmer  
Justice of the Appellate Division

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

M-4011  
Ind. No. 6201/08  
5968/09

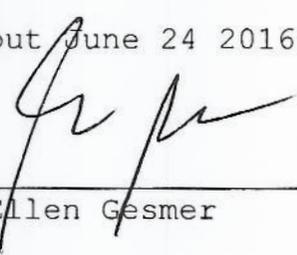
-against-

CERTIFICATE  
DENYING LEAVE

Anthony Lindsey

Defendant.  
-----X

I, Ellen Gesmer, a Justice of the Appellate Division, First Judicial Department, do hereby certify that the application of the above-named defendant for a certificate pursuant to Criminal Procedure Law sections 450.15 and 460.15 fails to properly present any question of law or fact which ought to be reviewed by the Appellate Division, First Judicial Department. Defendant's claims have either already been reached by this Court, (see *People v Lindsay*, 124 AD3d 511, 512 [1<sup>st</sup> Dept 2015]), or are without merit. Permission to appeal from the order of the Supreme Court, New York County, entered on or about June 24 2016, is hereby denied.

  
\_\_\_\_\_  
Hon. Ellen Gesmer

Dated: September 21, 2016  
New York, New York

**OCT 20 2016**

ENTERED: