

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2017.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Angela M. Mazzarelli  
Sallie Manzanet-Daniels, Justices.

-----X

Grand Pacific Finance Corp.,  
Plaintiff-Respondent,

-against-

M-5955  
Index No. 601164/09

97-111 Hale, LLC, et al.,  
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about October 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 May 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 January 24, 2017.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Angela M. Mazzarelli  
Sallie Manzanet-Daniels  
Paul G. Feinman, Justices.

-----X  
Jian-Guo Yu and Hui-Di Tu,  
Plaintiffs,

-against-

M-6085  
Index No. 116885/05

Greenway Mews Realty L.L.C., et al.,  
Defendants.

-----X  
Greenway Mews Realty L.L.C.  
and Little Rest Twelve, Inc.,  
Third-Party Plaintiffs-  
Respondents,

-against-

Third-Party  
Index No. 590639/10

UAD Group,  
Third-Party Defendant-Appellant.

-----X

Third-party defendant-appellant, UAD Group, having moved for an enlargement of time to perfect their appeal taken from an order of the Supreme Court, New York County, entered on or about October 30, 2015,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the May 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 January 24, 2017.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Angela M. Mazzarelli  
Sallie Manzanet-Daniels  
Paul G. Feinman, Justices.

-----X  
469 Holdings LLC,  
Plaintiff-Appellant,

-against-

M-6215  
Index No. 160342/14

Pie Face 469 LLC, doing business as  
Pie Face Holdings, Inc., and  
Pie Face Holdings Pty Ltd.,  
Defendants-Respondents.  
-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about March 22, 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 granted to the extent of enlarging the time to perfect the appeal to the June 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 January 24, 2017.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Diane T. Renwick  
Richard T. Andrias  
Marcy L. Kahn  
Ellen Gesmer, Justices.

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

George Washington Bridge Bus Station  
Development Venture, LLC.,  
Petitioner-Respondent,

M-6563A  
Index No. 150549/16

-against-

Associated Specialty Contracting,  
Respondent-Appellant.

- - - - -  
The Port Authority of New York and  
New Jersey,  
Amicus Curiae.

-----X

An appeal having been taken to this Court by the above-named respondent from an order of the Supreme Court, New York County, entered on or about August 8, 2016, and said appeal having been perfected,

And, The Port Authority of New York and New Jersey 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 and The Port Authority of New York and New Jersey are directed to file 9

(M-6563A)

-2-

January 24, 2016

copies of the proposed amicus curiae brief attached as Exhibit C to the motion papers within 7 days of the date of this order. The order entered by this Court on January 12, 2017 (M-6563) is 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 January 24, 2017.

Present: Hon. Rolando T. Acosta, Justice Presiding,  
Diane T. Renwick  
Karla Moskowitz  
Paul G. Feinman  
Marcy L. Kahn, Justices.

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

-against-

**M-5160**  
Ind. No. 1585/13

Brian Johnson,  
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 October 2, 2015, and for leave to prosecute the appeal as a poor person on 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 notice of appeal timely filed, 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 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 transcript to appellant's counsel, without charge, the transcript to be returned to this Court when appellant's brief is filed.

Rosemary Herbert, 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:

A handwritten signature in black ink, appearing to read "Susan R. Jones", written in a cursive 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 January 24, 2017.

Present - Hon. Rolando T. Acosta, Justice Presiding,  
Dianne T. Renwick  
Karla Moskowitz  
Paul G. Feinman  
Marcy L. Kahn, Justices.

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

-against-

M-5201  
Ind. No. 5816/12

Carlos Garcia,  
Defendant-Appellant.

-----X

An order of this Court having been entered on January 6, 2015 (M-5852), 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 July 15, 2014, under Indictment No. 5816/12, and assigning counsel therefor,

And defendant-appellant having moved for an order amending the notice of appeal and the aforementioned order of assignment to include the judgment of resentence of said Court, rendered on or about September 27, 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 judgment of resentence rendered on or about September 27, 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 January 24, 2017.

Present: Hon. Rolando T. Acosta, Justice Presiding,  
Diane T. Renwick  
Karla Moskowitz  
Paul G. Feinman  
Marcy L. Kahn, Justices.

-----X  
Roxanne Gayle,

Plaintiff-Respondent,

-against-

**M-5094**  
Index No. 805105/14E

Janet C. Bodey, DDS, and Manhattan  
Oral Facial Surgery LLC,

Defendants-Appellants.  
-----X

Defendants-appellants having moved for an enlargement of time to perfect their appeal taken from an order of the Supreme Court, New York County, entered on or about December 11, 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 May 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 January 24, 2017.

Present: Hon. Rolando T. Acosta, Justice Presiding,  
Diane T. Renwick  
Karla Moskowitz  
Paul G. Feinman  
Marcy L. Kahn, Justices.

-----X  
In the Matter of the Application  
of the Executor of the Will of,

Steven V. Jakuboski,  
Deceased,

**M-5174**  
File No. 3542/14

For an Order Granting Possession  
of Property Withheld from the Estate.

-----  
John Jakuboski, Sr., and John  
Jakuboski, Jr.,  
Respondents-Appellants.

-----X  
Respondents-appellants having moved for an enlargement of time to perfect their appeal taken from an order of the Surrogate's Court, New York County, entered on or about December 28, 2015,

And, an order of this Court entered February 18, 2016 (M-145) having granted a stay of eviction proceedings pending determination of the appeal under certain terms and conditions detailed in said order,

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 May 2017 Term.

(M-5174)

-2-

January 24, 2017

The aforesaid stay granted by order of this Court on February 18, 2016 (M-145) is continued on the same terms and conditions and on the further condition that the appeal be perfected for said May 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 January 24, 2017.

Present: Hon. Rolando T. Acosta, Justice Presiding,  
Diane T. Renwick  
Karla Moskowitz  
Paul G. Feinman  
Marcy L. Kahn, Justices.

-----X  
Juan A. Ramirez,  
Plaintiff-Respondent,

-against-

**M-5300**  
Index No. 311198/11

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

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal taken from the judgment of the Supreme Court, Bronx County, entered on or about December 18, 2015,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the June 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 January 24, 2016.

Present: Hon. Rolando T. Acosta, Justice Presiding,  
Diane T. Renwick  
Karla Moskowitz  
Paul G. Feinman  
Marcy L. Kahn, Justices.

-----X  
Amir Meiri,  
Plaintiff-Appellant,

-against-

Sheila McNichols, et al.,  
Defendants-Respondents.

**M-5092**  
**M-5242**  
Index No. 650688/16

-----X

Defendants-respondents having moved for an order dismissing plaintiff-appellant's appeal taken from the order of the Supreme Court, New York County, entered on or about June 14, 2016 (M-5092),

And, plaintiff-appellant having cross-moved for an order enlarging the time to perfect the appeal (M-5242),

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 to dismiss the appeal is granted unless the appeal is perfected on or before March 20, 2017 for the June 2017 Term. Upon failure to so perfect, an order dismissing the appeal may be entered ex parte, provided defendants-respondents serve a copy of this order upon the plaintiff-appellant within 10 days after 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 January 24, 2017.

Present - Hon. Dianne T. Renwick, Justice Presiding,  
Rosalyn H. Richter  
Angela M. Mazzarelli  
Sallie Manzanet-Daniels  
Paul G. Feinman, Justices.

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

-against-

James Smith,  
Defendant-Appellant.

M-5270  
Ind. Nos. 4352/09  
36/10

-----X

An order of this Court having been entered on October 6, 2016 (M-3742), 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 July 15, 2015, under Indictment No. 4352/09, and assigning counsel therefor,

And defendant-appellant having moved for an order amending the notice of appeal and the aforementioned order to include the appeal from the judgment of said Court rendered on or about July 15, 2015 under Ind. No. 36/10,

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 rendered on or about July 15, 2015 under Indictment No. and 36/10, 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 January 24, 2017.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,  
David B. Saxe  
Judith J. Gische  
Troy K. Webber, Justices.

-----X  
Umberto Arpaia,  
Plaintiff-Respondent,

-against-

M-5553  
Index No. 15462/12

Jonah Engler Silberman,  
Defendant-Appellant.  
-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about November 18, 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 May 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 January 24, 2017.

Present - Hon. Rosalyn H. Richter, Justice Presiding,  
Angela M. Mazzairelli  
Sallie Manzanet-Daniels  
Paul G. Feinman, Justices.

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

-against-

M-4536  
Ind. No. 612/68

Herman Brisbane,  
Defendant-Appellant.

-----X

An order of this Court having been entered on October 7, 2014 (M-3608), inter alia, granting defendant leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County, entered on or about June 11, 2014,

And counsel having moved for an order abating the appeal by reason of appellant's death, remanding the matter to the trial court to vacate the judgment of conviction, and dismissing the indictment,

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 dismissing the appeal due to appellant's death on October 23, 2014, and is otherwise denied.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2017.

Present - Hon. Rosalyn H. Richter, Justice Presiding,  
Angela M. Mazzarelli  
Sallie Manzanet-Daniels  
Paul G. Feinman, Justices.

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

-against-

M-5276  
Ind. No. 1946/12

Richard Paul,  
Defendant-Appellant.

-----X

An order of this Court having been entered on August 21, 2014 (M-2111), granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about March 6, 2014, and assigning Seymour W. James, Jr., Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Seymour W. James, Jr., Esq., as counsel to prosecute defendant's appeal, and substituting, 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 10006, Telephone No. 212-577-2523, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2017.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Sallie Manzanet-Daniels  
Paul G. Feinman  
Troy K. Webber  
Ellen Gesmer, Justices.

-----X

In the Matter of the Application of  
James A. Kane and A & A Private  
Investigations & Security Ltd.,  
Petitioners,

**M-6310**  
Index No. 101222/15

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

-against-

The Industrial Board of Appeals and  
The Commissioner of Labor,  
Respondents.

-----X

An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about October 5, 2015, to review a determination of respondent,

And, petitioners having moved for an enlargement of time to perfect the aforesaid proceeding,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the June 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 January 24, 2017.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Sallie Manzanet-Daniels  
Paul G. Feinman  
Troy K. Webber  
Ellen Gesmer, Justices.

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

-against-

**M-6567**  
Ind. No. 4569/10

Kalonji Mahon,  
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, rendered on or about September 24, 2012,

And, an order of this Court having been entered on December 13, 2012 (M-5234) granting defendant poor person relief and assigning Steven Banks, Esq., The Legal Aid Society, since succeeded by Seymour W. James, Jr., Esq., as counsel for the purpose of prosecuting the aforesaid appeal,

And, an order of a Justice of this Court having been entered on July 14, 2016 (M-1231), granting defendant leave to appeal to this Court from an order of the Supreme Court, Bronx County, entered on or about January 5, 2016,

And, Seymour W. James, Jr., Esq., having moved for an order to be relieved as counsel for defendant and to substitute other counsel to prosecute defendant's 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 striking the designation of assigned counsel Seymour W. James, Jr., Esq., as counsel to prosecute defendant's appeals, and substituting, pursuant to Section 722 of the County Law, Robert S. Dean, Esq., Center For Appellate Litigation, 120 Wall Street, 28th Floor, New York, NY 10005, Telephone No. (212)577-2523, as such counsel. The poor person relief previously granted is continued, and appellant's time to perfect the appeals from the judgment rendered on September 24, 2012 and the order entered, same Court, on January 5, 2016, is enlarged to the June 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 January 24, 2017.

Present - Hon. David B. Saxe, Justice Presiding,  
Karla Moskowitz  
Judith J. Gische  
Marcy L. Kahn  
Ellen Gesmer, Justices.

-----x

East Fordham De LLC,

Plaintiff-Respondent,

-against-

M-5867

M-5991

Index No. 260551/14

U.S. Bank National Association, as  
Trustee, as Successor in Interest to  
Bank of America, N.A., etc., et al.,

Defendants-Appellants.

-----x

Defendants-appellants having moved for a stay of enforcement of the order of the Supreme Court, Bronx County, entered on or about November 3, 2016, pending hearing and determination of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about July 13, 2015 (M-5867),

And plaintiff-respondent having cross-moved for sanctions against counsel for defendants-appellants (M-5991),

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 to stay enforcement of the Supreme Court's November 3, 2016 is denied, as moot. The cross 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 January 24, 2017.

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

-----X

Anonymous,  
Plaintiff-Appellant,

**CONFIDENTIAL**

M-5819

-against-

Index No. 100711/13

Anonymous,  
Defendants-Respondents,

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about November 16, 2015,

Now, upon reading and filing the stipulation of the parties hereto, filed on November 14, 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 January 24, 2017.

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

-----X  
Harout Nalbandian an Erin Nalbandian,  
Plaintiffs-Respondents,

-against-

M-6220  
Index No. 157828/14

Citigroup, Inc., and Citicorp North America, Inc., both individually and doing business as Citibank, N.A., Defendants-Appellants.  
-----X

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

Now, upon reading and filing the stipulation of the parties hereto, dated December 8, 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 January 24, 2017.

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

-----X  
Irving Cohen, Glenn Garber and  
Leslie Risiniger,  
Plaintiffs-Respondents,

-against-

M-5623  
Index No. 154594/15

Michael S. Lamonsoff, and The Law  
Office of Michael S. Lamonsoff, PLLC,  
Defendants-Appellants.

-----X

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

Now, upon reading and filing the stipulation of the parties hereto, dated October 24, 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 January 24, 2017.

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

-----X  
Y.C. an infant by her mother and  
natural guardian Fancisca Estevez  
and Francisca Estevez, individually,  
Plaintiffs-Respondents,

-against-

M-6543  
Index No. 350152/13

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

-----X

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

Now, upon reading and filing the stipulation of the parties hereto, dated December 12, 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 January 24, 2017.

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

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

-against-

Bernadette Robinson,  
Defendant-Appellant.

M-5574  
Ind. Nos. 4010/14  
4948/14

-----X

Appeals having been taken from judgments of the Supreme Court, New York County, rendered on or about July 2, 2016 and February 2, 2016,

Now, upon reading and filing the stipulation of the parties hereto, dated December 9, 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 January 24, 2017.

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

-----X  
Waldemar Czaja and Justyna Krolicka,  
Plaintiffs-Respondents,

-against-

M-5605X  
Index No. 157715/12

N & M Taxi Inc., and Sharanjit Kaur,  
Defendants-Appellants.

-----X

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

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" October 27, 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 January 24, 2017.

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

-----X  
Francis Desrosiers,  
Plaintiff-Respondent,

-against-

M-5609X  
Index No. 302069/15

City of New York, et al.,  
Defendants-Appellants.  
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about May 19, 2016,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" October 31, 2016, and due deliberation having been had thereon,

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

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2017.

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

-----X  
Anayeli Carreto-Diaz, et al.,  
Plaintiffs-Respondents,

-against-

M-5611X  
Index No. 310145/08

Anthony Osondu, Arbee Management  
Ltd. and Ramon E. Tavarez,  
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about August 19, 2015,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" October 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 January 24, 2017.

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

-----X  
In the Matter of the Application of  
Jennifer Danner,  
Petitioner-Respondent,

-against-

M-5901  
Index No. 91695/15

For the Appointment of a Guardian of  
the Personal Needs and Property  
Management of

Deborah Danner,

A Person Alleged to be Incapacitated,  
Respondent-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about March 9, 2016, and said appeal having been perfected,

Now, upon reading and filing the stipulation of the parties hereto, dated November 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 January 24, 2017.

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

-----X  
Amir Toos,  
Plaintiff-Respondent,

-against-

M-5983X  
Index No. 111390/10

Leggiadro International, Inc.,  
and Ann Ross,  
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about January 7, 2016,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" November 22, 2017, 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 January 24, 2017.

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

-----X  
Metropolitan Group Property & Casualty  
Insurance Company,  
Plaintiff-Respondent,

-against-

M-6039  
Index No. 151619/12

Edwin Gonzalez, et al.,  
Defendants,

-and-

Active Care Medical Supply Corporation,  
Defendant-Appellant.  
-----X

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

Now, upon reading and filing the stipulation of the parties hereto, dated October 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 January 24, 2017.

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

-----X  
Maria Tai, Property 251 LLC and  
Property 51 LLC,  
Plaintiffs-Appellants,

-against-

M-6211X  
Index No. 652769/11

Daniel R. Broche,  
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about August 18, 2016,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" December 8, 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 January 24, 2017.

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

-----X  
Robert E. Wilson, III,  
Plaintiff-Respondent,

-against-

M-6212X  
Index No. 650915/12

Daniel Valente Dantas, et al.,  
Defendants-Appellants.  
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about September 21, 2016,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" December 8, 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 January 24, 2017.

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

-----X  
Christine Melendez,  
Plaintiff-Respondent,

-against-

M-6270X  
Index No. 306175/13

Longfellow Avenue Housing Development  
Fund Company, Inc., et al.,  
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about July 27, 2016,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" December 8, 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 January 24, 2017.

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

-----X  
Patricia M. Tunick,  
Plaintiff-Respondent,

-against-

M-6410X  
Index No. 110587/10

Wedding Channel.com, Inc.,  
Defendant-Appellant.  
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about August 10, 2016,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" December 7, 2016, and due deliberation having been had thereon,

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

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2017.

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

-----X  
Maria S. Matos,  
Plaintiff-Respondent,

-against-

M-6528X  
Index No. 303764/13

Iron Horse Transport Inc. and  
Clifford Alberto,  
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about July 25, 2016,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" December 19, 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 January 24, 2017.

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

-----X  
Liberty Insurance Underwriters, Inc.,  
Plaintiff-Respondent,

-against-

M-6529X  
Index No. 650675/12E

Outdoor Installations, LLC, et al.,  
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about April 18, 2016,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" December 1, 2016, and due deliberation having been had thereon,

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

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 2, 2017.

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

-----X

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

**CONFIDENTIAL**

**M-4604**

Tiffany H.-C.,  
Petitioner-Respondent,

Docket Nos. V-27585/08  
V-27586/08

-against-

Martin B.,  
Respondent-Appellant.

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

-----X

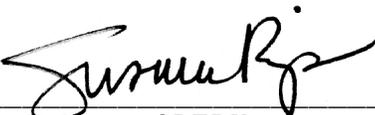
Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, Bronx County, entered on or about August 29, 2016, and for assignment of counsel, a free copy of the transcript, and for related relief,

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., 19 Court Plaza, Suite 201, 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 (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 January 24, 2017.

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

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

Respondent,

-against-

M-5000

Ind. No. 4674N/15

Luis M. Ramon,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about September 22, 2016, 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 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.

Rosemary Herbert, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. 212-402-4112, 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 January 24, 2017.

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

-----X

The People of the State of New York,  
Respondent,

**CONFIDENTIAL**

**M-5237**

-against-

Ind. No. 2855/07

Robert Pollack,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, New York County (Solomon, J.), entered on or about September 19, 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 Solomon as yet not transcribed. The

Clerk shall furnish a copy of such transcripts to appellant's counsel, Robert S. Dean, 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 January 24, 2017.

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

-----X

The People of the State of New York,  
Respondent,

**CONFIDENTIAL**  
**M-5257**

-against-

Ind. No. 867/14

Robert M.,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County (Clancy, J.), entered on or about September 9, 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 Clancy 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 January 24, 2017.

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

-----X

The People of the State of New York,  
Respondent,

**CONFIDENTIAL**

**M-5265**

-against-

Ind. No. 1164/14

Esteban R.,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County (Clancy, J.), entered on or about September 23, 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 Clancy as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's

(M-5265)

-2-

January 24, 2017

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 January 24, 2017.

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

-----X

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

- - - - -

**CONFIDENTIAL**

**M-6381**

Pamela N.,  
Petitioner-Respondent,

Docket Nos. V-06334-15/155  
O-06026/15

-against-

Aaron A.,  
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 taken from an order of the Family Court, Bronx County, entered on or about November 28, 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 No. (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.**

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 January 24, 2017.

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

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

- - - - -  
Carmen G. A.,  
Petitioner-Respondent,

**CONFIDENTIAL**

**M-6496**  
Docket No. V-32304/13

-against-

Marvin F. E.,  
Respondent-Appellant.

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

-----X  
Marvin F. E.,  
Petitioner,

Docket Nos. V-41441/13  
V-41441-13/16A  
V-32304-13/16A  
O-30680/16

-against-

Carmen G. A.,  
Respondent.

-----X

Petitioner-respondent having moved for leave to respond, as a poor person, to the appeal taken from the order of the Family Court, New York County, entered on or about February 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, Larry S. Bachner, Esq., 153-01 Jamaica Avenue, Suite #201, Jamaica, NY 11432, Telephone No. (917) 674-9516, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for respondent-appellant and 8 copies thereof are filed with this Court.

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 24, 2017.

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

-----X  
Cesar A. Benitez,  
Plaintiff-Respondent,

-against-

M-6019  
Index No. 300659/11

Church of St. Valentine Williamsbridge  
New York,  
Defendant-Appellant.

-----X  
Church of St. Valentine Williamsbridge  
New York,  
Third-Party Plaintiff,

-against-

Third-Party  
Index No. 84104/11

St. Thomas Syro-Malabar Catholic Diocese  
of Chicago in New York, et al.,  
Third-Party Defendants.

-----X

Defendant-appellant third-party plaintiff having moved for an enlargement of time to perfect the appeal taken from the order of the Supreme Court, Bronx County, entered on or about September 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 May 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 January 24, 2017.

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

-----X  
In the Matter of

Jayden Nasir H.,

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

**CONFIDENTIAL**  
**M-5109**  
Docket No. B-25970/14

-----  
Catholic Guardian Services,  
Petitioner-Respondent,

Alex H.,  
Respondent-Appellant.

-----  
Seymour W. James, Jr., Esq.,  
The 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 taken from an order of the Family Court, Bronx County, entered on or about September 2, 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 January 24, 2017.

Present: Hon. David B. Saxe, Justice Presiding,  
Karla Moskowitz  
Judith J. Gische  
Marcy L. Kahn  
Ellen Gesmer, Justices.

-----X  
In the Matter of

Jayden Nasir H.,

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

**CONFIDENTIAL**  
**M-5943**

Docket No. B-25970/14

- - - - -  
Catholic Guardian Services,  
Petitioner-Respondent,

Alex H.,  
Respondent-Appellant.  
- - - - -

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

-----X

Subject child, Jayden Nasir H., having moved for leave to respond, as a poor person, to the appeal from the order of the Family Court, Bronx County, entered on or about September 2, 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, Tennille M. Tatum-Evans, Esq., 260 Convent Avenue, Suite #34, New York, NY 10031, Telephone No. (347) 645-6660, as counsel for purposes of responding to the

appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for respondent-appellant and 8 copies thereof are filed with this Court.

ENTER:

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".

---

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 January 24, 2017.

Present - Hon. David Friedman, Justice Presiding,  
Rosalyn H. Richter  
David B. Saxe  
Karla Moskowitz  
Barbara R. Kapnick, Justices.

-----x  
Daniel Venture, et al.,

Plaintiff-Appellant,

-against-

M-12  
Index No. 155587/14

Preferred Mutual Insurance Company,

Defendant-Respondent.  
-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about January 21, 2016,

And an order of this Court having been entered on December 6, 2016 (M-4998), granting a stay of all discovery on condition the appeal be perfected for the April 2017 Term, and denying that portion seeking the production of certain in camera documents for review, without prejudice to plaintiffs-appellants seeking relief with respect to the submission of documents by defendant-respondent, under seal, as a supplemental record on appeal,

And plaintiffs-appellants having moved for a further enlargement of time to perfect the appeal, for a continued stay of discovery pending hearing and determination of the aforesaid appeal, and for an order directing defendant-respondent to produce in camera documents, under seal, in 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 granted, the time to perfect the appeal is enlarged to the June 2017 Term, the stay granted by the order of this Court entered December 6, 2016 (M-4998) is continued, and defendant-respondent is directed to produce the in camera documents, under seal, in a supplemental 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 January 24, 2017.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Angela M. Mazzarelli  
Sallie Manzanet-Daniels  
Paul G. Feinman, Justices.

-----X  
500 Broome Associates,  
Plaintiff-Respondent,

-against-

M-5238  
Index No. 111183/10

DV Stores, LLC, formerly known as  
Chicissimo LLC, and Domenico Vacca,  
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about October 29, 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 May 2017 Term.

ENTER:

  
\_\_\_\_\_  
CLERK

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

BEFORE: Hon. Judith J. Gische  
Justice of the Appellate Division

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

M-5673  
Ind. No. 1811/14

-against-

Titus McBride,

CERTIFICATE  
DENYING LEAVE

Defendant.

-----X

I, Judith J. Gische, 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 related relief 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 Orders dated December 15, 2015 and April 19, 2016 of the Supreme Court, New York County (Jill Konviser, J), are hereby denied.

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

Dated: December 22, 2016  
New York, New York

ENTERED: **JAN 24 2017**

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-6203  
Ind. No. 8397/91

-against-

CERTIFICATE  
DENYING LEAVE

Antonio DeJesus,

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 10, 2016, is hereby denied.

  
Associate Justice

Dated: January 10, 2017  
New York, New York

ENTERED: JAN 24 2017



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

BEFORE: Hon. Dianne T. Renwick  
Justice of the Appellate Division

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

M-6122  
Ind. No. 6928/04

-against-

CERTIFICATE  
DENYING LEAVE

Gregory Wright,  
Defendant.

-----X

I, Hon. Dianne T. Renwick, 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 October 28, 2016, is hereby denied.

Associate Justice

Dated: January 4, 2017  
New York, New York

ENTERED: **JAN 24 2017**