

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 March 7, 2017.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Karla Moskowitz
Paul G. Feinman
Ellen Gesmer, Justices.

-----X
Samaad Bishop,
Plaintiff-Appellant,

-against-

M-199
Index No. 251419/13

Katz Delicatessen of Houston Street,
Inc., et al.,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about January 15, 2016,

And defendants-respondents having moved to dismiss the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motion, including the correspondence from Joseph W. Sands, Esq., counsel to defendants-respondents, dated January 6, 2017, and due deliberation having been had thereon, it is

Ordered that the motion is deemed withdrawn.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 7, 2017.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Karla Moskowitz
Paul G. Feinman
Ellen Gesmer, Justices.

-----X
In the Matter of the Application of
Personal Service Insurance Company,
Petitioner-Appellant,

-against-

M-85
Index No. 151831/16

New York State Insurance Fund,
as subrogee of Jean Bogard,
Respondent-Respondent.
-----X

Petitioner-appellant having moved for a stay of all proceedings, and certain injunctive relief, pending hearing and determination of the appeal, taken from the judgment of the Supreme Court, New York County, entered on or about August 5, 2016,

Now, upon reading and filing the papers with respect to the motion, including the stipulation of the parties dated January 30, 2017, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 7, 2017.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Angela M. Mazzarelli
Paul G. Feinman
Troy K. Webber, Justices.

-----X
Teshieda Williams, et al.,
Plaintiffs-Respondents,

-against-

M-6641
Index No. 24232/13E

Williamsbridge Restaurant, Inc.,
doing business as New Hawaii Sea
Restaurant,
Defendants,

New York City Department of Health
and Mental Hygiene,
Non-Party Appellant.

-----X

Non-Party appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about March 31, 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 September 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 March 7, 2017.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Angela M. Mazzarelli
Paul G. Feinman
Troy K. Webber, Justices.

-----X
Rosalie Johnson,
Plaintiff-Respondent,

-against-

M-6305
Index No. 23420/13

Pacla Apartments, Inc., Park Lane
Residence Co. and Grenadier Realty
Corp.,
Defendants-Appellants.
-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about April 7, 2016,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the September 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 March 7, 2017.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Judith J. Gische
Troy K. Webber, Justices.

-----X
Frances Lawrence A.,
Plaintiff-Appellant,

-against-

Steven Andrew S.,
Defendant-Respondent.

CONFIDENTIAL

M-729

Index No. 101345/11

-----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 April 6, 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 September 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 March 7, 2017.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Angela M. Mazzarelli
Paul G. Feinman
Troy K. Webber, Justices.

-----X
Maglital, S.R.L.,
Plaintiff-Respondent,

-against-

M-6209
Index No. 156544/13

Domenico Vacca, Vacca Corp., DV
Stores LLC, formerly known as
Chicissimo, LLC and ABC 1 through 10,
Defendants-Appellants.
-----X

Defendants-appellants 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 April 10, 2015,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the September 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 March 7, 2017.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Rosalyn H. Richter
Angela M. Mazzarelli
Barbara R. Kapnick
Ellen Gesmer, Justices.

-----X

Aozora Bank, Ltd.,
Plaintiff-Appellant,

-against-

M-6156
Index No. 652159/13

J.P. Morgan Securities 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 November 3, 2016 (Appeal No. 1974),

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 in the County of New York on March 7, 2017.

Present: Hon. Rolando T. Acosta, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Judith J. Gische
Troy K. Webber, Justices.

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

Marybeth De-F.,
Petitioner-Respondent,

M-296
Docket No.
F-9295-13/13A,B

-against-

Herbert C.,
Respondent-Appellant.
-----X

Respondent-appellant having moved for a stay of the orders of the Family Court, New York County, entered on or about January 7, 2017, as well as the order, said Court, entered on or about January 16, 2016 and the judgment, same Court, entered on or about October 18, 2016, pending 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.

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 March 7, 2017.

Present: Hon. Dianne T. Renwick, Justice Presiding,
Angela M. Mazzarelli
Karla Moskowitz
Barbara R. Kapnick
Troy K. Webber, Justices.

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

-against-

M-226
Ind. No. 2145/13

Devaughn Hall,
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about April 22, 2014, and said appeal having been perfected,

And, the People having moved to dismiss the appeal as abandoned,

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

It is ordered that the motion is granted to the extent of deeming the appeal withdrawn.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the first Judicial Department in the County of New York on March 7, 2017.

Present: Hon. Dianne T. Renwick, Justice Presiding,
Angela M. Mazzarelli
Karla Moskowitz
Barbara R. Kapnick
Troy K. Webber, Justices.

-----X

The People of the State of New York
ex rel. Alana Roth on behalf of
Miles Payton,
Petitioner-Appellant,

M-6498

Index No. 452444/16
Ind. No. 4812/15

-against-

Joseph Ponte, Commissioner, New York
City Department of Corrections,
Respondent-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 19, 2016, which denied and dismissed petitioner's application for a writ of habeas corpus,

And, an order of a Justice of this Court, dated December 21, 2016, having granted petitioner's request to fix bail in the sum of \$20,000 insurance company bond or \$2,000 cash,

And, petitioner having moved for the approval of a bail bond issued by Alison Bail Bonds pending determination of the habeas corpus appeal, for leave to prosecute the appeal as a poor person, 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 granted to the extent of continuing the relief granted by the order of a Justice of this Court, dated December 21, 2016, on the condition that the appeal is perfected on or before July 10, 2017 for the September 2017 Term.

Petitioner is permitted to prosecute the appeal upon 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 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

Seymour W. James, Jr., Esq., Legal Aid Society, 199 Water Street, 5th Floor, New York, New York 10004, Telephone No. 212-577-3688, is assigned as counsel for petitioner-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 7, 2017.

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

-----X
Russell H. Pollack and Lydia I.
Pollack,
Plaintiffs-Appellants,

-against-

46 East 82nd Street LLC, et al.,
Defendants-Respondents.

M-6510
Index No. 152227/15

-----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 February 29, 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 September 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 March 7, 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

Joseph J. Johnson,
Petitioner-Appellant,

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

M-6616
Index No. 100342/15

-against-

The Westin New York at Times Square,
Division of Human Rights,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for an enlargement of time to perfect the appeal from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about September 28, 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 September 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 March 7, 2017.

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

-----X

Rui Qin Chen and AA Ichiban, Inc.,
Plaintiffs-Appellants,

-against-

M-731
Index No. 152958/16

213 West 28 LLC,
Defendant-Respondent.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about July 19, 2016,

And an order of this Court having been entered on September 15, 2016 (M-3722) granting plaintiffs-appellants a preliminary appellate injunction, enjoining defendant-respondent from terminating the commercial lease in question, pending hearing and determination of the aforesaid appeal,

And defendant-respondent having moved for an order vacating the stay granted by the September 15, 2016 order (M-3722),

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 vacating the stay unless, within 15 days of the entry of this order, plaintiffs-appellants pay the present arrears to defendant's counsel to be held in escrow pending hearing and determination of the appeal, and on condition that plaintiffs-appellants remain current with the rent/use and occupancy provided in the lease by delivering each month's payment to defendant-respondent's counsel, to be held in escrow pending the 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 March 7, 2017.

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-390
Case No. 63835C/10

Jordan Benites,
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, Bronx County, rendered on or about March 9, 2011,

Now, upon reading and filing the stipulation of the parties hereto, dated January 10, 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 March 7, 2017.

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

-----X
IKB International S.A. in Liquidation
and IKB Deutsche IndustrieBank AG,
Plaintiffs-Respondents-Appellants,

-against-

M-438

Index No. 653101/12

The Goldman Sachs Group, Inc., et al.,
Defendants-Appellants-Respondents.

-----X

An appeal and cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about July 23, 2015,

Now, upon reading and filing the stipulation of the parties hereto, dated January 6, 2017, and due deliberation having been had thereon,

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 7, 2017.

PRESENT - Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.,
Dianne T. Renwick
Karla Moskowitz
Barbara R. Kapnick, Justices.

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

-against-

M-6671
Ind. No. 220N/07

Israel Diaz, also known as
Isreal Diaz,
Defendant-Appellant.

-----X

Assigned counsel having moved for an order dismissing defendant's appeal from the judgment of the Supreme Court, New York County, rendered on or about August 16, 2013, without prejudice to reinstatement at such time appellant again becomes amenable to the jurisdiction of this Court,

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

It is ordered that the motion is granted to the extent of deeming the appeal withdrawn.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 7, 2017.

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-39
Ind. No. 2095/14

Julius Segar,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about June 7, 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 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, of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

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 March 7, 2017.

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-40
Ind. No. 1219/16

Josse Polanco,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about September 8, 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 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, of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

A handwritten signature in black ink, appearing to read "Susan R. Jones", written over a horizontal line.

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 March 7, 2017.

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-42
Ind. No. 3708/14

Derrick Reliford,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about November 16, 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 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, of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

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 March 7, 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-161
Ind. No. 5449/14

Carlos Rodriguez,
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 August 1, 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 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.

Rosemary Herbert, 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:

A handwritten signature in cursive script, appearing to read "Susan R. Jones", is written above a horizontal line.

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 March 7, 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-6549
Ind. No. 2409/16

Jose Guillen,
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 June 14, 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 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, of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

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 March 7, 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,

CONFIDENTIAL

M-43

-against-

Ind. No. 1295/15

Yelinton C.,
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 November 29, 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 8 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 filed 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 March 7, 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,

CONFIDENTIAL

M-160

-against-

Ind. No. 12011/92

Ramon P.,
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 (Clott, J.) entered on or about December 22, 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 8 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 filed with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Clott 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 March 7, 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-383
Ind. No. 5178/10

Mario Rodriguez,

Defendant-Appellant.
-----X

An order of this Court having been entered on March 10, 2015 (M-5399), inter alia, assigning Richard M. Greenberg, Esq. as counsel to prosecute defendant's appeal from the judgment of the Supreme Court, New York County, rendered on or about November 7, 2013,

Now, upon the Court's own motion,

It is ordered that the designation of successor assigned counsel Rosemary Herbert, Esq., as counsel to prosecute defendant's appeal is stricken and, pursuant to Section 722 of the County Law, Stanley Neustadter, Esq., Cardozo School of Law, 55 Fifth Avenue, Room 1110, New York, New York 10003, Telephone No. 212-790-0410, is substituted as counsel to prosecute the appeal. The poor person relief previously granted is continued, and the 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 March 7, 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-

Paul G.,

Defendant-Appellant.
-----X

CONFIDENTIAL

M-381

Ind. No. 1855/14

An order of this Court having been entered on May 10, 2016 (M-1292), inter alia, assigning Richard M. Greenberg, Esq. as counsel to prosecute defendant's appeal from the judgment of the Supreme Court, New York County, rendered on or about March 4, 2015, and post-conviction order, same Court, entered on October 1, 2015,

Now, upon the Court's own motion,

It is ordered that the designation of successor assigned counsel Rosemary Herbert, Esq., as counsel to prosecute defendant's appeal is stricken and, pursuant to Section 722 of the County Law, Stanley Neustadter, Esq., Cardozo School of Law, 55 Fifth Avenue, Room 1110, New York, New York 10003, Telephone No. 212-790-0410, is substituted as counsel to prosecute the appeal. The poor person relief previously granted is continued, and the 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 March 7, 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 a Custody/Visitation Proceeding Under Article 10 of the Family Court Act.

CONFIDENTIAL
M-342

- - - - -

Tiffany H.-C.,

Docket Nos.
V-27584-6/08-15F
V-27585-6/08-15D
V-27585-06/08-15E
V-22045-7/08-15D
V-22045-7/08-15E
V-22045-7/08-15F
V-27584-09/15D-E

Petitioner-Respondent,

-against-

Martin B.,

Respondent-Appellant.

-----X

Pierre M. Janvier, Esq., Family Court attorney for the subject children, having moved on said childrens' behalf for leave to respond, as a poor person, to the appeal taken from the order of the Family Court, Bronx County, entered on or about August 29, 2016, for the 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, Kenneth M. Tuccillo, Esq., 591 Warburton Avenue #576, Hastings on Hudson, New York, NY 10706, Telephone No. (914) 439-4843, as counsel for purposes of responding to the appeal on the subject children's behalf; (2) permitting movants to respond to the appeal upon a reproduced respondents' 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 March 7, 2017.

PRESENT: Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Karla Moskowitz
Barbara R. Kapnick, Justices.

-----X
Kimberly Caro, as Administrator of the Estate of Sergio Rodriguez, Kimberly Caro, as the Mother and Natural Guardian of Mason Richard Rodriguez, an infant under the Age of 15 and Melissa Mendez, as Mother and Natural Guardian of Sergio Daniel Rodriguez, an infant under the Age of 15, Plaintiff-Appellant,

-against-

M-5831
Index No. 308876/12

Edward Chesnick, et al.,
Defendants-Respondents.

-----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 January 11, 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 September 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 March 7, 2017.

PRESENT: Hon. Peter Tom, Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
Karla Moskowitz
Marcy L. Kahn, Justices.

-----X

RLR Realty Corp.,
Plaintiff-Appellant,

-against-

M-6587
Index No. 159509/14

Duane Reade, Inc., et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on December 1, 2016 (Appeal No. 2369),

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 March 7, 2017.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
Paul G. Feinman
Marcy L. Kahn, Justices.

-----X
Segundo Quishpi,
Plaintiff-Respondent-Appellant,

-against-

80 WEA Owner, LLC, et al.,
Defendants-Appellants-Respondents,
- - - - -

M-215
Index No. 150289/12

80 WEA Owner, LLC,
Third-Party Plaintiff-Appellant,

-against-

Air Export Mechanical,
Third-Party Defendant-Respondent.

-----X

Plaintiff-respondent-appellant having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on December 13, 2016 (Appeal No. 2445),

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 March 7, 2017.

PRESENT: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Sallie Manzanet-Daniels
Barbara R. Kapnick
Ellen Gesmer, Justices.

-----X
New Greenwich Litigation Trustee,
LLC, as Successor Trustee of
Greenwich Sentry, L.P.,
Plaintiff-Appellant,

-against-

Citco Fund Services (Europe) B.V.,
et al.,
Defendants-Respondents,

Globeop Financial Services LLC,
Defendant.

M-5892
Index Nos. 600469/09
600498/09

- - - - -
New Greenwich Litigation Trustee, LLC,
as Successor Trustee of Greenwich Sentry
Partners, L.P.,
Plaintiff-Appellant,

-against-

Citco Fund Services (Europe) B.V.,
et al.,
Defendants-Respondents,

Globeop Financial Services LLC,
Defendant.

-----X

Plaintiff-appellant having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on October 18, 2016 (Appeal No. 816),

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 March 7, 2017.

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

-----X
Alfonso Marin,
Plaintiff-Respondent,

-against-

M-186
Index No. 105616/06

New York City Health and Hospitals Corporation, et al.,
Defendants-Appellants,

Reginald E. Manning, M.D.,
Defendant.

-----X

Defendants-appellants having moved for leave to appeal to the Court of Appeals from the decision and order of this Court, entered on December 8, 2016 (Appeal No. 1915),

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.

All concur except Tom, J.P., who dissents and would grant leave to appeal to the Court of 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 March 7, 2017.

PRESENT: Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Marcy L. Kahn
Ellen Gesmer, Justices.

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

-against-

M-2958
Ind. No. 2533/02

Rohan Brown, also known as Rohan
Johnson,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on June 21, 2007 (Appeal No. 8117), unanimously modifying a judgment of the Supreme Court, Bronx County (Ira Globerman, J.), rendered on December 17, 2003,

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 March 7, 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 a Family Offense Proceeding Under Article 8 of the Family Court Act.

M-419

Docket No. O-42102/15

- - - - -
Juana R.,
Petitioner-Respondent,

-against-

Chelsea R.,
Respondent-Appellant.

-----X

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

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Steven N. Feinman, Esq., One North Broadway, Suite #412, White Plains, NY 10601, Telephone No. (914) 949-8214, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced

(M-419)

-2-

March 7, 2017

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. The perfected appeal is adjourned to the September 2017 Term of 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 March 7, 2017.

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

-----X
Keron Dinkins,
Plaintiff-Appellant,

-against-

M-6272A
Index No. 305567/11

Kansas Fried Chicken, Inc., doing
business as Soundview Chicken, Inc.,
et al.,
Defendants-Respondents.
-----X

Defendant-respondent EZ Runner Construction Corp. having moved to dismiss the appeal from the order of the Supreme Court, Bronx County, entered on or about September 21, 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 dismissing plaintiff's appeal as against EZ Runner Construction Corp. The appeal as against Kansas Fried Chicken, Inc. remains extant. The order of this Court entered on February 16, 2017 (M-6272) 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 March 7, 2017.

PRESENT: Hon. David Friedman, Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Judith J. Gische
Ellen Gesmer, Justices.

-----X
Barbara Oldham and David Oldham,
Plaintiffs-Appellants,

-against-

M-6355
Index No. 150578/13

Waterworks A Joint Venture, LLC,
et al.,
Defendants-Respondents,

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

-----X

Plaintiffs-appellants 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 March 4, 2016,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the September 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 March 7, 2017.

PRESENT: Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Paul G. Feinman
Judith J. Gische, Justices.

-----X
Victor Manuel Santiago,
Plaintiff-Respondent,

-against-

M-6515
Index No. 302298/14

Pioneer Transportation Corp. and
Carmelo Guadalupe,
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about March 4, 2016,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the September 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 March 7, 2017.

Present: Hon. David Friedman, Justice Presiding,
Richard T. Andrias
Paul G. Feinman
Barbara R. Kapnick
Ellen Gesmer, Justices.

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

-against-

M-397
Ind. No. 44560C/05

Lawrence Perez,
Defendant-Appellant.

-----X

An order of a Justice of this Court having been entered on July 7, 2016 (M-2709), granting leave to appeal to this Court from the order of the Supreme Court, Bronx County, entered on or about April 14, 2016, and said appeal having been perfected,

And, the People having moved to dismiss the appeal,

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

It is ordered that the motion is denied and, sua sponte, defendant's perfected appeal is adjourned to the September 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 March 7, 2017.

PRESENT - Hon: David Friedman, Justice Presiding,
Rosalyn H. Richter
Paul G. Feinman
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X
Sergei Khramstov,
Plaintiff-Appellant,

-against-

M-91
Index No. 102982/05

New York City Transit Authority,
Defendant-Respondent.
-----X

A purported appeal having been taken from a jury verdict sheet of the Supreme Court, New York County, entered on or about September 14, 2015,

And an order of this Court having been entered November 10, 2016 (M-4480), inter alia, dismissing said purported appeal,

And plaintiff having moved for reargument of the aforesaid order, and for other relief,

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

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 7, 2017.

Present: Hon. David Friedman, Justice Presiding,
Richard T. Andrias
Paul G. Feinman
Barbara R. Kapnick
Ellen Gesmer, Justices.

-----X

James Couri,
Plaintiff-Appellant,

-against-

John Siebert, et al.,
Defendants-Respondents.

-----X

M-645

Index Nos. 107240/04
113512/08

A decision and order of this Court having been entered on February 28, 2017 (Appeal No. 3233), affirming the order of Supreme Court, New York County (Under Index No. 113512/08), entered on January 27, 2016,

And appeals having been taken to this Court from the judgment, same Court and Justice, entered on or about February 3, 2016, and from an order entered on or about January 27, 2016, and said appeals having been consolidated by order of this Court, entered on November 15, 2016 (M-4910),

And, plaintiff having moved for relief in the nature of an injunction against counsel for defendants-respondents,

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 March 7, 2017.

PRESENT - Hon. John W. Sweeny, Jr., Justice Presiding,
Rolando T. Acosta
Angela M. Mazzarelli
Sallie Manzanet-Daniels
Troy K. Webber, Justices.

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

-against-

M-146
Ind. Nos. 2316/16
1955/16

Henry Webb,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgments of the Supreme Court, Bronx County, rendered on or about November 10, 2016, for leave to prosecute the appeal as a poor person upon the original record and upon a reproduced appellant's brief, and for assignment of counsel,

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

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

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

Seymour W. James, Jr., Esq., 199 Water Street, 5th Floor, New York, New York 10038, Tel. No. (212) 577-3688, 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 March 7, 2017.

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

-----X
Hussein E. Hassan,
Claimant-Appellant,

-against-

M-6144
Claim No. 120898

State of New York, et al.,
Defendants-Respondents.
-----X

Claimant-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Court of Claims, New York County, entered on or about February 29, 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 November 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 March 7, 2017.

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

-----x
Alan S. Ripka,
Plaintiff-Appellant,

-against-

M-6302
Index No. 157823/14

Seth R. Rotter,
Defendant-Respondent.

-----x

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 March 16, 2015,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the September 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 March 7, 2017.

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

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

-against

M-6303
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 September 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 March 7, 2017.

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

-----X
Elsa Rivera,
Plaintiff-Appellant,

-against-

M-6424
Index No. 160055/13

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

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about March 9, 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 September 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 March 7, 2017.

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

-----X
David E. Gomes,
Plaintiff-Appellant,

-against-

M-6445
Index No. 115435/10

Boy Scouts of America, et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about March 11, 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 September 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 March 7, 2017.

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

-----X
Phyliss Yvonne-Stickney,
Plaintiff-Appellant,

-against-

Muhammad Akhar, et al.,
Defendants-Respondents.

M-6565
Index No. 158912/12

-----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 24, 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 September 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 March 7, 2017.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Rolando T. Acosta
Karla Moskowitz
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X
Joel Raden and Odette Raden,
Plaintiffs-Appellants,

-against-

W7879, LLC, et al.,
Defendants-Respondents.

M-19
Index No. 111725/10

-----X

Plaintiffs-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 March 7, 2016,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the September 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 March 7, 2017.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Rolando T. Acosta
Karla Moskowitz
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X
Ronald Grassel,
Petitioner-Appellant,

For a Judgment Pursuant to Article 75
of the Civil Practice Law and Rules

M-6588
Index No. 600009/14

-against-

Department of Education of the City
of New York, et al.,
Respondents-Respondents.

-----X

Petitioner-appellant having moved for an enlargement of time to perfect the appeal taken from the judgment of the Supreme Court, New York County, entered on or about September 18, 2015,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the September 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 March 7, 2017.

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

-----X
Crabapple Corp., et al.,
Plaintiffs-Respondents,

-against-

M-865
Index No. 650492/15

Royal One Real Estate, LLC, et al.,
Defendants-Appellants.

-----X

Defendant-appellant, Ruben Elberg, 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 9, 2015,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the September 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 March 7, 2017.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Rolando T. Acosta
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----x
Charles Cusumano, et al.,
Plaintiffs-Appellants,

-against-

M-6600
Index No. 158736/14

Riley Land Surveyors, LLP,
Defendant-Respondent.
-----x

Plaintiffs-appellants 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 17, 2015,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the September 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 March 7, 2017.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Rolando T. Acosta
Karla Moskowitz
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X
CT Holdings, Ltd.,
Plaintiff-Respondent,

-against-

M-130
Index No. 152765/14

The Schreiber Family Charitable
Foundation, Inc., et al.,
Defendants,

Meir Aaron Schreiber, also known as
Marc Aaron Schreiber, Personally,
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal from a "renewal judgment" of the Supreme Court, New York County, entered on or about February 10, 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 September 2017 Term, with no further enlargements.

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 March 7, 2017.

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

-----X

Elizabeth Spielfogel,
Plaintiff-Respondent,

-against-

Larry Spielfogel,
Defendant-Appellant.

M-260
M-384
Index Nos. 307717/16
350249/07

-----X

Defendant-appellant having moved for consolidation of the appeals taken from the orders of the Supreme Court, New York County, both entered on or about December 20, 2016, and for a stay of plaintiff's fraud case (Index No. 307717/16) [M-260],

And plaintiff-respondent having cross-moved for an order supplementing defendant's appeals from the two orders dated December 19, 2016 with the order dated December 9, 2016 and its associated papers (M-384),

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 permitting appellant to prosecute the appeals upon 9 copies of one record and of one set of appellant's points covering the appeals. The motion is otherwise denied (M-260). The cross motion is denied (M-384).

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 March 7, 2017.

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

-----X

Donnell Baines,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78 M-6444
of the Civil Practice Law and Rules, Index No. 400465/14

-against-

The Port Authority of New York and
New Jersey,
Respondent-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about August 4, 2014,

And an order of this Court having been entered on November 10, 2016, dismissing the aforesaid appeal and denying an enlargement of time to perfect same, as academic (M-4433/M-4673),

And, petitioner-appellant having moved for reargument and renewal of the aforesaid order of this Court,

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

It is ordered that the motion is 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 March 7, 2017.

PRESENT - Hon: John W. Sweeny, Jr., Justice Presiding,
Angela M. Mazzarelli
Karla Moskowitz
Marcy L. Kahn, Justices.

-----X
Ella Reid, et al.,
Plaintiffs-Respondents,

-against-

Real Estate International, Ltd. and
Ronald Losner, M-605
Defendants-Appellants, Index No. 7844/07

-and-

Frank Giordano,
Defendant.

(And another action) Index No. 381176/07

-----X

Appeals having been taken by defendants, Real Estate International, Ltd. and Ronald Losner, from an order of the Supreme Court, Bronx County, entered on or about September 9, 2015, and from the amended order of said Court, entered on or about November 18, 2015, respectively, and said appeals having been consolidated by an order of this Court, entered on September 22, 2016 (M-3328), and having been perfected,

And plaintiffs-respondents having moved for an order correcting an error in the record on appeal and for leave to supplement the record on appeal,

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

It is ordered that the motion is granted to the extent of deeming the record on appeal amended: at P. "i" of the Table of Contents, the text accompanying the reference to P. 19 shall read: "Plaintiffs' Order to Show Cause to Stay Eviction Proceedings". Plaintiffs are granted leave to file a supplemental record, within 7 days of this order, containing the order to show cause and supporting exhibits, such supplemental record shall also include the letter of the Surrogate's Court, Bronx County, dated October 16, 2015, of which this Court hereby takes judicial notice.

ENTER:



A handwritten signature in black ink, appearing to read "Susan R. Jones", is written over a horizontal line.

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 March 7, 2017.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,
Angela M. Mazzarelli
Karla Moskowitz
Marcy L. Kahn, Justices.

-----X
Alvin Dworman, individually, and
derivatively on behalf of Capital
Properties Co.,

M-633

Plaintiff-Respondent,

Index No. 651802/16

-against-

Carard Management Corp., Dean Palin,
and Gary Adelman,

Defendants-Appellants.
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about January 12, 2017,

And, defendants-appellants having moved to stay enforcement of the aforesaid order pending determination of the appeal,

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

Ordered that the motion is denied.

ENTER:


CLERK

✓

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

BEFORE: **Hon. Angela M. Mazzarelli,**
Justice of the Appellate Division

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

M-6238
Ind. No. 3088/96

-against-

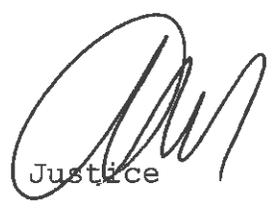
CERTIFICATE
DENYING LEAVE

David Way,

Defendant.

-----X

I, Angela M. Mazzarelli, 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 (Anthony J. Ferrara, J.), entered on or about October 6, 2016, is hereby denied.


Justice

Dated: New York, New York

ENTERED

MAR 07 2017

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

Justice Presiding,
Justices.

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

Respondent,

-against-

Derrick B.,

Defendant-Appellant.
-----X

SEALED
M-382
Ind. No. 3277/10
Supersedes 54888C/10

An order of this Court having been entered on July 21, 2015 (M-1734), inter alia, assigning Richard M. Greenberg, Esq. as counsel to prosecute defendant's appeal from the judgment of the Supreme Court, Bronx County, rendered on or about September 19, 2014,

Now, upon the Court's own motion,

It is ordered that the designation of successor assigned counsel Rosemary Herbert, Esq., as counsel to prosecute defendant's appeal is stricken and, pursuant to Section 722 of the County Law, Stanley Neustadter, Esq., Cardozo School of Law, 55 Fifth Avenue, Room 1110, New York, New York 10003, Telephone No. 212-790-0410, is substituted as counsel to prosecute the appeal. The poor person relief previously granted is continued, and the 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.

ENTERED: March 7, 2017


CLERK