

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 August 9, 2018.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Ellen Gesmer
Cynthia S. Kern, Justices.

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

-against-

M-2524
Ind. No. 143/17

Nickson Idahosa,
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 July 17, 2017, for leave to prosecute the appeal as a poor person, on the original record and upon a reproduced appellant's brief, and for related relief,

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

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

The motion, to the extent that it seeks poor person relief, is denied, with leave to renew, upon defendant's submission of a notarized affidavit, pursuant to CPLR 1101, setting forth his indigency, including the amount and sources of funds used to post the \$15,000 cash bail in the Supreme Court, the amounts and sources of funds used to retain trial counsel, the disposition thereof, and an explanation as to why similar funds are not available to prosecute this appeal.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Ellen Gesmer
Cynthia S. Kern, Justices.

-----X
In the Matter of the Application of
Master Purveyors, Inc.,
Petitioner-Appellant,

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

-against-

M-2426
Index No. 100037/15

NYC Department of Finance,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for an enlargement of time to perfect the appeal taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about June 5, 2017,

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 2018 Term.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Judith J. Gische
Richard T. Andrias
Barbara R. Kapnick
Anil C. Singh, Justices.

-----x

Robin B. Vaca,
Plaintiff-Respondent,

-against-

Village View Housing Corporation,
et al.,
Defendants,

-and-

M-2434
M-2489
Index No. 114747/09

Fowler Equipment Company,
Defendant-Appellant.

- - - - -

Fowler Equipment Company,
Third-Party Plaintiff-Appellant,

-against-

Whirlpool Corporation,
Third-Party Defendant-Respondent.

-----x

Defendant/third-party plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about July 25, 2017 (M-2434),

And plaintiff-respondent having cross-moved to dismiss the aforesaid appeal for failure to timely perfect (M-2489),

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the November 2018 Term. The cross motion to dismiss the appeal is granted unless the appeal is perfected for said November 2018 Term.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Peter Tom
Ellen Gesmer, Justices.

-----X
Francis Nemeth, individually and
as the personal representative of
the Estate of Florence Nemeth,
Plaintiff-Respondent,

-against-

M-2868
Index No. 190138/14

Brenntag North America, as a
successor-in-interest to Mineral
Pigment Solutions, Inc. as a
successor-in-interest to
Whittaker, Clark & Daniels,
Inc., et al.,
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from a judgment of the Supreme Court, New York County, entered on or about August 22, 2017,

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 January 2019 Term, with leave to seek further enlargements, if necessary.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

Present: Hon. Judith J. Gische, Justice Presiding,
Troy K. Webber
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

-----X
Rosen Livingston & Cholst, LLP,

Petitioner-Appellant,

-against-

M-3259

Index No. 159138/16

Alain Perez De Corcho, et al.,

Respondents-Respondents.

-----X

Petitioner-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 15, 2017,

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 2018 Term, with no further enlargements to be granted.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

Present - Hon. Judith J. Gische, Justice Presiding,
Troy K. Webber
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

-----x
Louis F. Burke PC,

Plaintiff-Respondent,

-against-

Ahmed Aezah, et al.,

Defendants-Appellants.
-----x

M-3235
M-3520
Index No. 654778/16

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about January 3, 2018,

And plaintiff-respondent having moved for dismissal of the aforesaid appeal (M-3235),

And defendants-appellants having moved for an enlargement of time to perfect the appeal (M-3520),

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 is granted unless the appeal is perfected on or before October 1, 2018 for the December 2018 Term (M-3235). The cross motion is granted to the extent of enlarging the time to perfect the appeal to said December 2018 Term (M-3520).

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. Judith J. Gische, Justice Presiding,
Troy K. Webber
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

-----X

Nelson Narvaez,
Plaintiff-Respondent,

-against-

M-3060
Index No. 301183/07

Ricky Wadsworth and George Quintana,
Defendants,

Arai Helmet Americas, Inc., Arai
Helmet, Ltd., Inc. Arai Helmet, Ltd.,
and Western Power Sports, Inc.,
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about March 14, 2018, and said appeal having been perfected,

And defendants-appellants having moved for a stay of trial pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is granted.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. Judith J. Gische, Justice Presiding,
Troy K. Webber
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

-----X

In the Matter of
Tiara Dora S., also known as Tiara
S., and Victor Manuel D., Jr.,
also known as Victor M. D., Jr.,
also known as Victor D., Jr.,

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

CONFIDENTIAL

M-3339

Docket No. B-13550-51/16

- - - - -
Saint Dominic's Family Services
formerly known as St. Dominic's Home
and the Commissioner of the
Administration of Social Services of
the City of New York,
Petitioners-Respondents,

Debbie S.,
Respondent-Appellant,

Victor Manuel D., also known as
Victor M. D., also known as
Victor D., also known as Jose C.,
Respondent-Appellant.

- - - - -
Dawne A. Mitchell, Esq., The Legal
Aid Society, Juvenile Rights Division,
Attorney for the Children

-----X

Separate appeals having been taken from an order and judgment (one paper) of the Family Court, Bronx County, entered on or about November 3, 2017,

And respondent mother having moved to consolidate her appeal with the father's appeal, for an enlargement of time to perfect same, and to correct an order of assignment issued on March 8, 2018 (M-6423) to include the father as an appellant,

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 appellants to prosecute the consolidated appeals upon 9 copies of one record and one set of appellant points covering the consolidated appeals. The attention of the parties is directed to 22 NYCRR § 600.11. The time to perfect the consolidated appeals is enlarged to the January 2019 Term, with no further enlargements to be granted. The stay of adoption issued by an order of this Court on March 8, 2018 (M-6423) is continued on condition the respondent mother's appeal is perfected for said January 2019 Term.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

Present - Hon. Judith J. Gische, Justice Presiding,
Troy K. Webber
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

-----x
In the Matter of

Matthew C.,
Xavier C.,
Mia L., and
Cecily J.,

CONFIDENTIAL
M-3301
Docket Nos.
NN-17182-85/15

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

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

Joshua L.,
Respondent-Appellant.

- - - - -
Randall Carmel, Esq.,
Attorney for the Children.

-----x

An appeal having been taken to this Court from the order of the Family Court, Bronx County, entered on or about March 7, 2017, and said appeal having been perfected,

And counsel for the subject children, Dawne A. Mitchell, Esq., The Legal Aid Society, having moved to be relieved as counsel and to substitute other counsel for the subject children to respond to the appeal,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Dawne A. Mitchell, Esq., as counsel for the children, and substituting, pursuant to Section 722 of the County Law, Randall Carmel, Esq., 410 Jericho Turnpike, Suite 302, Jericho, NY 11753, Telephone No. 603-313-1951, as such counsel. Sua sponte, the appeal is adjourned to the January 2019 Term.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

-against-

Mehmood Dhanji,
Defendant-Appellant.

CONFIDENTIAL

M-2928
SCI. Nos. 30057/17
30058/17
30059/17

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about November 12, 2014,

Now, upon reading and filing the stipulation of the parties hereto, dated June 6, 2018, and due deliberation having been had thereon,

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

In the Matter of

Candice C.,
Caitlyn L.,
Christian C., and
Clarissa C.,

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

- - - - -

Administration for Children's Services,
Petitioner-Respondent,

CONFIDENTIAL

M-3000

Docket Nos. NA-6541-44/17

Sophia C.,
Respondent-Appellant,

Nivarrio M.,
Respondent-Respondent.

- - - - -

Dawne A. Mitchell, Esq.,
The Legal Aid Society
Juvenile Rights Division,
Attorney for the Children.

-----X

An appeal having been taken from an order of the Family Court, Bronx County, entered on or about April 26, 2017, and said appeal having been perfected,

Now, upon reading and filing the stipulation of the parties hereto, dated March 21, 2018, and due deliberation having been had thereon,

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

-against-

M-3007
Ind. No. 716/16

Che Quentin Irving,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about December 15, 2016,

Now, upon reading and filing the stipulation of the parties hereto, dated June 4, 2018, and due deliberation having been had thereon,

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
In the Matter of

Nigel N.,
Tawana S., and
Skyla N.,

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

CONFIDENTIAL
M-3021
Docket Nos. NN-1081-83/15

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

Erica G.,
Respondent-Appellant.

- - - - -
Dawne A. Mitchell, Esq.,
The Legal Aid Society,
Juvenile Rights Division,
Attorney for the Children.

-----X
An appeal having been taken from an order of the Family Court, Bronx County, entered on or about August 25, 2017, and said appeal having been perfected,

Now, upon reading and filing the stipulation of the parties hereto, dated March 26, 2018, and due deliberation having been had thereon,

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
Miriam Segarra,
Plaintiff-Respondent,

-against-

M-3097X
Index No. 301550/12

Sedgwick 8 LLC, et al.,
Defendants-Appellants.
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about November 21, 2017,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 13, 2018, and due deliberation having been had thereon,

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
Mark D'Andrea,
Plaintiff-Appellant,

-against-

M-3098X
Index No. 651348/16

Incapture Investments LLC, et al.,
Defendants-Respondents.
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about September 13, 2017,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 13, 2018, and due deliberation having been had thereon,

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
Roseanna Incantalupo, as Guardian of
the Person and Property of Annamarie
Incantalupo, an Incapacitated Person,
Plaintiff-Appellant,

-against-

M-3099X
Index No. 100779/05

Jonathan S. Maggio, et al.,
Defendants-Respondents.

-----X
Sgarlato & Sgarlato, PLLC,
Non-Party Appellant,

-against-

Kelner & Kelner,
Non-Party Respondent.

-----X

Appeals having been taken from an order of the Supreme Court, New York County, entered on or about March 14, 2018,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 14, 2018, and due deliberation having been had thereon,

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

-against-

M-3116
Ind. No. 4588/14

Jonathan Beam,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about March 3, 2016,

Now, upon reading and filing the stipulation of the parties hereto, dated June 14, 2018, and due deliberation having been had thereon,

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

-against-

M-3117
Ind. No. 3774/16

Yeyson Disla,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about December 20, 2016,

Now, upon reading and filing the stipulation of the parties hereto, dated June 12 2018, and due deliberation having been had thereon,

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,
Appellant,

-against-

M-2922
Ind. No. 5117/08

Jason Lara,
Defendant-Respondent.

-----X

Appeals having been taken from two orders of the Supreme Court, New York County, entered on or about October 26, 2015 and December 1, 2015,

Now, upon reading and filing the stipulation of the parties hereto, dated June 5, 2018, and due deliberation having been had thereon,

It is ordered that the appeals only from the orders entered on or about October 26, 2015 and December 1, 2015 are withdrawn in accordance with the aforesaid stipulation.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Rosalyn H. Richter, Justices.

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

-against-

M-2923
Ind. No. 1409/13

Marvis Rivers,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, rendered on or about May 8, 2014,

Now, upon reading and filing the stipulation of the parties hereto, dated May 31, 2018, and due deliberation having been had thereon,

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
In the Matter of the Application of
L&M Bus Corp., et al.,
Petitioners-Respondents,

For an Order Pursuant to Article 78
of the Civil Practice Law and Rules

-against-

M-1852
Index No. 152673/18

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

-----X

Defendants-appellants having moved for leave to appeal from an order of the Supreme Court, New York County, entered on or about April 5, 2018, for a stay of a restraining order issued against respondents-appellants by the aforesaid order, and related relief,

Now, upon reading and filing the papers with respect to the motion, including the stipulation of the parties hereto, dated June 19, 2018, and due deliberation having been had thereon,

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
In the Matter

William H.,

CONFIDENTIAL

M-2761

Docket No. D-30061/17

A Person Alleged to be a
Juvenile Delinquent,

Appellant.

-----X

Counsel for appellant having moved for leave to appeal from the an order of the Family Court, Bronx County, entered on or about March 16, 2018, pending hearing and determination of such appeal, and for a stay of all proceedings,

Now, upon reading and filing the papers with respect to the motion, including the stipulation of the parties hereto dated May 21, 2018, and due deliberation having been had thereon,

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-2911
Ind. No. 5351/15

Jonathan Manning,
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 November 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 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.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-2912
Ind. No. 938/17

Robert Marti,
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 2, 2017, 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.

Justine M. Luongo, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone 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.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-2913
Ind. No. 2850/16

Samy Martinez-Jaquez,
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 19, 2017, 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.

Justine M. Luongo, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone 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.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-2914
Ind. No. 2829/16

Gudberto Melendez,
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 May 1, 2017, 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.

Justine M. Luongo, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone 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.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-2915
Ind. No. 2284/17

Matthew Mixson,
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 13, 2017, 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.

Justine M. Luongo, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone 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.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Rosalyn H. Richter, Justices.

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

-against-

M-2916
Ind. No. 2841/15

Miguel Montalvo,
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 May 8, 2017, 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.

Justine M. Luongo, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone 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.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Rosalyn H. Richter, Justices.

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

-against-

M-2917
Ind. No. 942/15

Jose Morel,
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 February 3, 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.

Christina Swarns, Esq., Office of the Appellate Defender, 11 Park Place, Suite 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.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-2918
Ind. No. 3258/16

Shamar Nelson,
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 July 24, 2017, 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.

Christina Swarns, Esq., Office of the Appellate Defender, 11 Park Place, Suite 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.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-2919
Ind. No. 3226/16

Adele Ofei,
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 March 23, 2017, 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.

Justine M. Luongo, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone 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.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-2920
Ind. Nos. 3129N/16
998N/17

Gerald Patterson,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgments of the Supreme Court, New York County, rendered on or about June 14, 2017, 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.

Justine M. Luongo, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone 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.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-2921

Ind. Nos. 3091/14
578/14

Cesar Pimentel,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgments of the Supreme Court, New York County, rendered on or about January 29, 2015, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

Justine M. Luongo, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone 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.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

Respondent,

-against-

Kelvin R.,

Defendant-Appellant.
-----X

SEALED
M-2924
Ind. No. 2180/15

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about September 7, 2017, 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.

Justine M. Luongo, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone 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.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,

Respondent,

M-2931

-against-

Ind. No. 2841/14

Erik Reyes,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about March 27, 2017, 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.

Justine M. Luongo, Esq., 199 Water Street, 5th Floor,
New York, New York 10038, Telephone 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.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

Respondent,

-against-

M-2941

SCI No. 3612N/17

Elizabeth Rios,

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 20, 2017, 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.

Justine M. Luongo, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone 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.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-2943

Ind. No. 2205/14

Raymond Rodriguez-Medina,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about August 3, 2017, 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.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

Respondent,

-against-

M-2985

Ind. No. 1662/16

Hugo Sabillion,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about May 8, 2017, 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.

Justine M. Luongo, Esq., 199 Water Street, 5th Floor,
New York, New York 10038, Telephone 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.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

Respondent,

-against-

M-2987

Ind. Nos. 5753/12
3223/13

Aadim Said,

Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about September 13, 2017, 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.

Justine M. Luongo, Esq., 199 Water Street, 5th Floor,
New York, New York 10038, Telephone 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.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-2988

Ind. No. 3349/12

Amauri Santana,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about November 17, 2015, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

Christina Swarns, 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.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

Respondent,

-against-

M-2989

Ind. No. 4821/14

Juan Scott,

Defendant-Appellant.

-----X

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
 David Friedman
 John W. Sweeny, Jr.
 Dianne T. Renwick
 Rosalyn H. Richter, Justices.

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

Respondent,

-against-

M-2990
Ind. No. 3013N/16

Artemio Soto-Becerril,

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 18, 2017, 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.

Justine M. Luongo, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone 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.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

Respondent,

-against-

M-2991
Ind. No. 514/17

Jihad Shabazz,

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 14, 2017, 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.

Justine M. Luongo, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone 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.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

Respondent,

-against-

M-2992
Ind. No. 4600/16

Steven Spellman,

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 14, 2017, 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.

Justine M. Luongo, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone 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.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

Respondent,

-against-

M-2994
SCI No. 1830/11

Irving Wilson,

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 October 19, 2017, 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.

Justine M. Luongo, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone 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.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
 David Friedman
 John W. Sweeny, Jr.
 Dianne T. Renwick
 Rosalyn H. Richter, Justices.

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

Respondent,

-against-

Michelle Wright,

Defendant-Appellant.

-----X

M-2995

Ind. Nos. 4448/15

1495/16

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgments of the Supreme Court, New York County, rendered on or about July 20, 2017, 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.

Justine M. Luongo, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone 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.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

Respondent,

-against-

Shakur Young,

Defendant-Appellant.
-----X

M-2996
Ind. Nos. 4128/16
97/17
1631/17

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 20, 2017, 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.

Justine M. Luongo, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone 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.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

Respondent,

-against-

M-2997
Ind. No. 1932/15

John Kojo Zi,

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 6, 2017, 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.

ENTERED:


CLERK

CORRECTED ORDER - August 21, 2018

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 August 9, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.,
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

Richard I., Jr.,
Petitioner-Respondent,

-against-

Darcel I.,
Respondent-Appellant.

CONFIDENTIAL

M-2703

Docket Nos. V-32572/15
V-24458-09/14G
V-43573/15

-----X

Rosmary Rivieccio, Esq., court attorney for the subject child, having moved on the child's behalf for leave to respond, as a poor person, to the appeal from the order of the Family Court, New York County, entered on or about April 5, 2018, 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 §1120 of the Family Court Act, Steven P. Forbes, Esq., 155-03 Jamaica Avenue, Jamaica, NY 11432, Telephone No. 718-791-8444, 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,

ENTERED:


CLERK

CORRECTED ORDER – August 21, 2018

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 August 9, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

Richard I., Jr.,
Petitioner-Respondent,

-against-

CONFIDENTIAL

M-3105
Docket Nos. V-32572/15
V-24458-09/14G
V-43573/15

Darcel I.,
Respondent-Appellant.

-----X
Petitioner-respondent having moved for leave to respond, as a poor person, to the appeal from the order of the Family Court, New York County, entered on or about April 5, 2018, 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 §1120 of the Family Court Act, Anne Reiniger, Esq., 801 Second Avenue, 10th Floor, New York, NY 10017, Telephone No. 646-627-8875, 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.

ENTERED:



CLERK

CORRECTED ORDER - August 21, 2018

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 August 9, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

Richard I., Jr.,
Petitioner-Respondent,

-against-

CONFIDENTIAL
M-2508
Docket Nos. V-32572/15
V-24458-09/14G
V-43572/15

Darcel I.,
Respondent-Appellant.

-----X
Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about April 5, 2018, 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, 8th Floor, New York, NY 10016, Telephone No. 212-819-9019, 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 **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3)

Service of appellant's brief upon respondent(s) shall include assigned counsel's copy of the transcript.

CORRECTED ORDER - August 21, 2018

(M-2508)

-2-

August 9, 2018

permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:



CLERK

CORRECTED ORDER - April 29, 2019

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 August 9, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

CONFIDENTIAL

M-1636A

- - - - -
Hector Manuel P.,
Petitioner-Respondent,

Docket Nos. V-20414-13/18G
V-29626-13/18F

-against-

Jennifer C.,
Respondent-Appellant.

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

- - - - -
Jennifer C.,
Petitioner-Appellant,

Docket Nos. **V-29626-13/16E**
V-29626-13/16F
V-20414-13/16E
V-20414-13/16G
V-20414-13/15D
V-29626-13/15D
V-20414-13/14A
V-20414-13/16F
V-29626-13/14A

-against-

Hector Manuel P.,
Respondent-Respondent.

-----X

Respondent/petitioner-appellant Jennifer C. having moved for leave to prosecute, as a poor person, the appeals taken from orders of the Family Court, New York County, entered on or about March 1, 2018, 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, Michael F. Dailey, Esq., One Riverdale Avenue, Suite One, Mailbox 11, Bronx, New York, 10463, Telephone No. (718) 543-0100, 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 **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court** (The order of this Court entered on June 7, 2018 [M-1636] is hereby recalled and vacated).

ENTERED:



CLERK

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 August 9, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,
Sallie Manzanet-Daniels
Peter Tom
Angela M. Mazzarelli
Peter H. Moulton, Justices.

-----X
In the Matter of

Nicolas Keith G.,
also known as
Nicolas G.,
also known as
Nicolas H.,

CONFIDENTIAL
M-2366
M-2531

Docket No. B-33823/15

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

- - - - -
Lutheran Social Services of New York,
et al.,
Petitioners-Respondents,

Mark G.,
Respondent-Appellant.

- - - - -
Dawne A. Mitchell, Esq.,
The Legal Aid Society,
Juvenile Rights Division,
Attorney for the Child.

-----X

An appeal having been taken from an order and judgment (one paper) of the Family Court, New York County, entered on or about September 5, 2017,

And respondent-appellant father having moved to stay the adoption (M-2366),

And petitioners-respondents having cross-moved to dismiss the aforesaid appeal (M-2531),

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 respondent-appellant's motion is denied (M-2366). Petitioners-respondents' cross motion is granted and the appeal is dismissed (M-2531).

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

Present - Hon. David Friedman, Justice Presiding,
Peter Tom
Angela M. Mazzarelli
Anil C. Singh, Justices.

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

-against-

M-2175
Ind. No. 2694/00

Gonzalo Aguilar,

Defendant-Appellant.
-----x

An order of this Court having been entered on February 2, 2017 (M-4901/M-5179), denying defendant-appellant's application for a writ of error coram nobis, and granting respondent's cross motion to dismiss the appeal only to the extent of assigning counsel for defendant for the purpose of addressing the People's arguments on the motion for dismissal of the appeal from a judgment rendered in the Supreme Court, New York County, on or about March 25, 2002, and otherwise denying said cross motion,

And respondent People having renewed their request to dismiss the aforesaid appeal for failure to prosecute,

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.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,
Judith J. Gische
Marcy L. Kahn
Anil C. Singh
Peter H. Moulton, Justices.

-----X
Carlton Gadsden,
Plaintiff-Respondent,

-against-

M-2779
Index No. 102819/11

The City of New York and FJC
Security Services, Inc.,
Defendants-Appellants,

John Does, et al.,
Defendants.

-----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 July 31, 2017,

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 2018 Term.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Peter Tom
Richard T. Andrias
Ellen Gesmer, Justices.

-----X

Harlem Contracting LLC,
Plaintiff-Respondent,

-against-

2201 7th Avenue Realty, LLC,
Defendant-Appellant,

Banco Popular North America,
et al.,
Defendants.

-----X

1180 President Funding, LLC,
Plaintiff-Respondent,

-against-

2201 7th Avenue Realty, LLC,
Defendant-Appellant,

Trevor Whittingham, et al.,
Defendants.

-----X

Appeals having been taken by defendant-appellant 2201 7th Avenue Realty, LLC from an order of the Supreme Court, New York County, entered on or about September 9, 2017 (M-2659, Index No. 650956/10), and from an order of the same Court and Justice, entered on or about July 17, 2017 (M-2646, Index No. 102131/10),

And defendant-appellant 2201 7th Avenue Realty, LLC, having moved, by separate motions, for an enlargement of time to perfect the respective appeals, and for an order enjoining the aforesaid actions (M-2646/M-2659)

M-2646

M-2659

Index No. 102131/10

Index No. 650956/10

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

It is ordered that the motions are granted to the extent of enlarging the time to perfect the respective appeals to the December 2018 Term. The Clerk of the Court is directed to calendar the appeals, if so perfected, on the same day of said Term. The motions are otherwise denied.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,
Dianne T. Renwick
Barbara R. Kapnick
Marcy L. Kahn
Cynthia S. Kern, Justices.

-----X
Peter Pan Bus Lines, Inc.,
Plaintiff-Appellant,

Lexington Insurance Company,
Plaintiff,

M-1166
Index No. 300288/15

-against-

The Hanover Insurance Company,
Defendant-Respondent.

-----X

Defendant-respondent having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on January 25, 2018 (Appeal No. 5547),

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.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Rosalyn H. Richter
Barbara R. Kapnick
Cynthia S. Kern
Ellen Gesmer, Justices.

-----X
Alexandros Demetriades,

Plaintiff-Respondent,

-against-

M-1945
Index No. 156478/12

Royal Abstract Deferred, LLC,

Defendant-Appellant.
-----X

Plaintiff-respondent having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on March 15, 2018 (Appeal No. 5987),

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.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,
Judith J. Gische
Marcy L. Kahn
Anil C. Singh
Peter H. Moulton, Justices.

-----X
Joseph Scott, Sr.,
Plaintiff-Appellant,

-against-

M-2804
Index No. 155362/16

September 24th Street, LLC,
et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about August 29, 2017, and to supplement the record on appeal with a certain affidavit,

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 2018 Term and directing plaintiff-appellant to supplement the record with the affidavit attached to the moving papers as Exhibit G, along with a copy of this order.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,
Peter Tom
Troy K. Webber
Cynthia S. Kern, Justices.

-----X
In re Paula Assimakopoulos,
Deceased.

- - - - -
Eva Lana,
Petitioner-Appellant,

M-2357
SCI No. 1154/12

-against-

Nicolle Assimakopoulos-Panuthos,
Respondent-Respondent.

-----X

Respondent-respondent having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on March 6, 2018 (Appeal No. 5906),

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.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

Present: Hon. David Friedman, Justice Presiding,
Peter Tom
Barbara R. Kapnick
Anil C. Singh, Justices.

-----X
The Empire Room, LLC,

Plaintiff-Appellant-Respondent,

M-2607

Index No. 652017/13

-against-

Empire State Building Company LLC,

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

Plaintiff-appellant-respondent having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on March 29, 2018 (Appeal Nos. 6138 and 6139),

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.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Troy K. Webber
Cynthia S. Kern
Jeffrey K. Oing, Justices.

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

Respondent,

-against-

M-2735
Ind. No. 2020/16

Lee Almonte,

Defendant-Appellant.
-----X

The People having moved for an order dismissing defendant's appeal taken from a judgment of the Supreme Court, New York County, rendered on or about July 20, 2017, for failure to timely perfect,

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.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Troy K. Webber
Cynthia S. Kern
Jeffrey K. Oing, Justices.

-----X
Dick Allen Dolan,
Plaintiff-Respondent,

-against-

M-2836
Index No. 151388/15

251 West 51 Hospitality Corp.,
doing business as Michale's
Bar & Grill,
Defendant-Appellant.

-----X

Plaintiff-respondent having moved for dismissal of the appeal taken from a judgment of the Supreme Court, New York County, entered on or about February 5, 2018 or, in the alternative, for an order directing defendant-appellant to perfect the appeal for the September 2018 Term and deeming the appeal abandoned if not perfected for said Term,

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

It is ordered that the motion is granted to the extent of dismissing the appeal unless perfected for the December 2018 Term.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018,

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Troy K. Webber
Cynthia S. Kern
Jeffrey K. Oing, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-2718
Ind. No. 2286/13

Rodney Samuel,

Defendant-Appellant.

-----X

Counsel for defendant-appellant having moved to be relieved as counsel in connection with the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about April 16, 2015 or, in the alternative, dismissing the aforesaid appeal, without prejudice to reinstatement, at such time appellant 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, and the motion is otherwise denied.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018,

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Troy K. Webber
Cynthia S. Kern
Jeffrey K. Oing, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

Michael Toliver,

Defendant-Appellant.

-----X

M-2720
Ind. Nos. 2638/05
5373/05

Counsel for defendant-appellant having moved to be relieved as counsel in connection with the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about May 15, 2007 or, in the alternative, dismissing the aforesaid appeal, without prejudice to reinstatement at such time appellant 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, and the motion is otherwise denied.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Troy K. Webber
Cynthia S. Kern
Jeffrey K. Oing, Justices.

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

-against-

M-2731
Ind. No. 382/15

Jason Polanco,
Defendant-Appellant.

-----X

Defendant-appellant, pro se, 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 April 18, 2018, 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.

Justine M. Luongo, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone 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.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Richard T. Andrias, Justices.

-----X
The People of the State of New York
ex. rel. Darren Smith,
Petitioner-Appellant,

-against-

M-2817
Index No. 340008/18

Warden, Rikers Island Correctional
Facility and New York State Department
of Corrections and Community Supervision,
Respondents-Respondents.
-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Supreme Court, Bronx County, entered on or about April 12, 2018, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for leave to proceed pro se,

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

It is ordered that said 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 attorney for respondent and file 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Troy K. Webber
Cynthia S. Kern
Jeffrey K. Oing, Justices.

-----X
Diana Pezzello,
Plaintiff-Appellant,

-against-

M-2641
Index No. 160023/14

Pierre Congress Apartments, LLC
and Urban Associates, LLC,
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 August 16, 2017,

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 2018 Term.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Richard T. Andrias, Justices.

-----X
811 Walton Rescue, LLC,
Plaintiff-Respondent,

-against-

M-2777
Index No. 20578/17E

811 Walton Tenants Corp.,
Defendant-Appellant.
-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeals taken from orders of the Supreme Court, Bronx County, entered on or about August 4, 2017 and January 5, 2018,

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 appeals to the December 2018 Term.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Richard T. Andrias, Justices.

-----X
Anthony Zappin,
Plaintiff-Appellant,

-against-

Claire Comfort,
Defendant-Respondent.
-----X

CONFIDENTIAL

M-3090

Index No. 301568/14

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 July 3, 2017,

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 November 2018 Term.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Richard T. Andrias, Justices.

-----X
In the Matter of

Ariyanna C., and
Parish, C.,

CONFIDENTIAL

M-3092

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

Docket Nos. NN-32988-89/16

Administration for Children's Services,
Petitioner-Respondent,

Ariel S.,
Respondent-Appellant.

-----X

Respondent-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Family Court, Bronx County, entered on or about June 30, 2017,

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 2018 Term.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Richard T. Andrias, Justices.

-----X
Noreen E. Ford, as Executrix of
the Estate of Frank M. Gondar, Jr.,
deceased,
Plaintiff-Respondent,

-against-

M-3031
Index No. 190079/15

Burnham LLC,
Defendant-Appellant,

A.O. Smith Water Products Co., et al.,
Defendants.

-----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 February 21, 2017, and from a judgment, same Court, entered on or about August 21, 2017,

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 2018 Term.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Richard T. Andrias, Justices.

-----X
U.S. Bank National Association, etc.,
Plaintiff-Appellant,

-against-

DLJ Mortgage Capital, Inc., M-3040
Defendant-Respondent. Index Nos. 652344/12
----- 652644/12
U.S. Bank National Association, etc., 653467/12
Plaintiff-Appellant,

-against-

DLJ Mortgage Capital, Inc.,
Defendant-Respondent.

U.S. Bank National Association, etc.,
Plaintiff-Appellant,

-against-

DLJ Mortgage Capital, Inc.,
Defendant-Respondent.
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about April 25, 2017,

And, plaintiff-appellant, U.S. Bank National Association, etc., having moved for an enlargement of time to perfect its appeal,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the January 2019 Term, with leave to seek additional enlargements if necessary.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Richard T. Andrias, Justices.

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

-against-

M-2783A
Ind. No. 2043/14

Shaun Martin,
Defendant-Appellant.

-----x

Defendant-appellant having moved for consolidation of the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about November 4, 2016 and from an order entered on or about May 4, 2018, and for an enlargement of time to perfect same,

And leave having been granted to appeal from the May 4, 2018 order (see M-2783, decided simultaneously herewith),

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

It is ordered that the motion to consolidate is granted, and appellant is permitted to prosecute the consolidated appeals upon 9 copies of one record and one set of points covering the appellant's consolidated appeals. The attention of the parties is directed to 22 NYCRR § 600.11. The time to perfect the consolidated appeals is enlarged to the December 2018 Term.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Richard T. Andrias, Justices.

-----X
Anthony S.,

Petitioner-Respondent,

-against-

Monique T. B.,

Respondent-Appellant.
-----X

CONFIDENTIAL

M-2770

Docket No. F-06820/14

Respondent-appellant having moved to stay further proceedings, pending hearing and determination of the appeal taken from the order of the Family Court, Bronx County, entered on or about April 30, 2018,

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.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,
Rosalyn H. Richter
Troy K. Webber
Ellen Gesmer
Peter H. Moulton, Justices.

-----X
Louis Bacon,
Plaintiff-Appellant,

-against-

M-2635
Index No. 150400/15

Peter Nygard, et al.,
Defendants-Respondents,

Does 1-20,
Defendants.

-----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 April 24, 2018 (Appeal Nos. 6356 and 6357),

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.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Rosalyn H. Richter
Richard T. Andrias
Troy K. Webber
Peter H. Moulton, Justices.

-----X
Accounting by Dominick Eugene,
as the Executor of the Estate of
Marco Eugene,
Deceased.

- - - - -
Denise Schumacher, et al.,
Potential Objectants-Respondents,

M-2486
File No. 93C/10

-against-

Dominick Eugene, as the Executor
of the Estate of Marco Eugene,
Respondent-Appellant.

-----X

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 April 12, 2018 (Appeal No. 6274N),

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.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

Present: Hon. Dianne T. Renwick, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Ellen Gesmer
Cynthia S. Kern, Justices.

-----X
Alicia Hurtado,

Plaintiff-Appellant,

-against-

Musa Jabateth and American United
Transportation, Inc.,

Defendants-Respondents.
-----X

M-2663
Index No. 24256/14E

Defendants-respondents having moved to dismiss the appeal taken from an order of the Supreme Court, Bronx County, entered on or about June 6, 2017,

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

It is ordered that the motion is granted and the appeal is dismissed.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

Present: Hon. Dianne T. Renwick, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Ellen Gesmer
Cynthia S. Kern, Justices.

-----X

Thomas Stewart,

Plaintiff-Appellant,

-against-

Taijpaal D. Surujlal, et al.,

Defendants-Respondents.

-----X

M-2664

Index No. 301022/15

Defendants-respondents having moved to dismiss the appeal taken from an order of the Supreme Court, Bronx County, entered on or about June 10, 2017,

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

It is ordered that the motion is granted and the appeal is dismissed.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Richard T. Andrias, Justices.

-----X

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

Natalia M.,
Petitioner-Respondent,

-against-

Odane S.,
Respondent-Appellant.

-----X

CONFIDENTIAL

M-2861

Docket Nos. V-02572/16
V-31578/15

Petitioner-respondent having moved for dismissal of the appeal taken from the order of the Family Court, Bronx County, entered on or about July 24, 2017, for failure to timely perfect,

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, as moot (see M-5731A, decided August 2, 2018).

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 9, 2018.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Judith J. Gische
Richard T. Andrias
Barbara R. Kapnick
Anil C. Singh, Justices.

-----X
The People of the State of New York
ex rel. Robert Briere on behalf of
Andrew Abdullah,
Petitioner-Appellant,

-against-

M-2190
Index No. 100434/18

Cynthia Braun, Commissioner, New
York City Department of Corrections,
Respondent.

-----X

Petitioner-appellant having moved for bail reduction or to be released on his own recognizance pending appeal, and for leave to prosecute, as a poor person, the appeal from an order of the Supreme Court, New York County, entered on or about April 13, 2018, which denied and dismissed petitioner's writ of habeas corpus, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for the 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 said motion is granted to the extent of assigning, pursuant to Section 35 of the Judiciary Law, Steven A. Feldman, Esq., 626 EAB Plaza, West Tower, 6th Floor, Uniondale, New York 11556, Telephone No. 516-522-2828, as counsel for appellant for purposes of prosecuting the aforesaid appeal. Counsel is directed to perfect the appeal in accordance with Rule 600.18 of this Court. The motion is otherwise denied.

ENTERED:


CLERK

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

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

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

Respondent,

-against-

Shaun Martin,

Defendant-Appellant.
-----X

M-2783

Ind. No. 2043/14

CERTIFICATE
GRANTING LEAVE

I, Richard T. Andrias, a Justice of the Appellate Division, First Judicial Department, do hereby certify that in the proceedings herein questions of law or fact are involved which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is hereby granted to the above-named defendant to appeal to the Appellate Division, First Judicial Department, from the order of the Supreme Court, New York County (Melissa C. Jackson, J.), entered on or about May 4, 2018, which, denied his motion pursuant to CPL 440.10.)

Dated: New York, New York
June 28, 2018

AUG 09 2018


Justice of the Appellate Division

NOTICE: Within 15 days from the date hereon, an appeal must be taken, and this certificate must be filed with the notice of appeal. An appeal is taken by filing, in the Clerk's office of the criminal court in which the order sought to be appealed was rendered, a written notice in duplicate that appellant appeals to the Appellate Division, First Judicial Department (Section 460.10, subd. 4, CPL), together with proof that another copy of the notice of appeal has been served upon opposing counsel. The appeal (or consolidated appeals; see footnote) must be argued within 120 days from the date of the notice of appeal, unless the time to perfect the appeal(s) is enlarged by the court or a justice thereof.

In the event defendant has an existing (direct) appeal from a judgment, such appeal shall be consolidated with the appeal from the aforesaid order; and any poor person relief granted with respect to the appeal from the judgment shall be extended to cover the appeals so consolidated.

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

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

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

M-3145
Ind. No. 3618/08

-against-

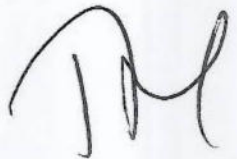
CERTIFICATE
DENYING LEAVE

Lillian Rivera,
Defendant.

-----X

I, Troy K. Webber, 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 (Gregory Carro, J.) entered on or about October 4, 2017 is hereby denied.

Dated: July 23, 2018
New York, New York



Hon. Troy K. Webber
Associate Justice

ENTERED: AUG 09 2013

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

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

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

M-3212
Ind. No. 1402/13

-against-

CERTIFICATE
GRANTING LEAVE

Anthony Blue,
Defendant-Appellant.

-----X

I, Troy K. Webber, a Justice of the Appellate Division, First Judicial Department, do hereby certify that in the proceedings herein questions of law or fact are involved which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is hereby granted to the above-named defendant to appeal to the Appellate Division, First Judicial Department, from the order of the Supreme Court, New York County (Ellen J. Biben, J.), entered on or about April 20, 2018.¹

Dated: July 23, 2018
New York, New York

AUG 09 2018

Hon. Troy K. Webber
Associate Justice

NOTICE: Within 15 days from the date hereon, an appeal must be taken, and this certificate must be filed with the notice of appeal. An appeal is taken by filing, in the Clerk's office of the criminal court in which the order sought to be appealed was rendered, a written notice in duplicate that appellant appeals to the Appellate Division, First Judicial Department (Section 460.10, subd. 4, CPL), together with proof that another copy of the notice of appeal has been served upon opposing counsel. The appeal (or consolidated appeals; see footnote) must be argued within 120 days from the date of the notice of appeal, unless the time to perfect the appeal(s) is enlarged by the court or a justice thereof.

¹In the event defendant has an existing (direct) appeal from a judgment, such appeal shall be consolidated with the appeal from the aforesaid order; and any poor person relief granted with respect to the appeal from the judgment shall be extended to cover the appeals so consolidated.

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

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

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

M-3213
Ind. No. 7180/00


-against-

ORDER DENYING LEAVE
UPON REARGUMENT

Rafael Reynoso Adames,
Defendant.

-----X
I, Troy K. Webber, a Justice of the Appellate Division, First
Judicial Department, do hereby certify that, upon application made
by the above-named defendant for reargument of the order of a
Justice of this Court (M-1753), entered on May 29, 2018, which
denied his motion for a certificate pursuant to Criminal Procedure
Law, sections 450.15 and 460.15, and no question of law or fact
having been misapprehended or overlooked, permission to reargue the
denial of leave to appeal from the order of the order of the
Supreme Court, New York County (Ann E. Scherzer, J.) entered on or
about February 8, 2018 is hereby denied.

Dated: July 24, 2018
New York, New York



Hon. Troy K.
Associate Justice

ENTERED: AUS 0 9 2018

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

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

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

M-3393
Ind. No. 7226/95

-against-

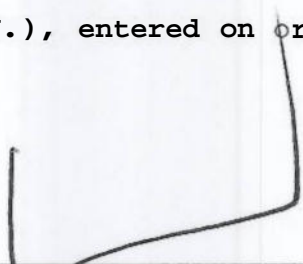
CERTIFICATE
GRANTING LEAVE

Henry Brown,
Defendant-Appellant.
-----X

I, Troy K. Webber, a Justice of the Appellate Division, First Judicial Department, do hereby certify that in the proceedings herein questions of law or fact are involved which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is hereby granted to the above-named defendant to appeal to the Appellate Division, First Judicial Department, from the order of the Supreme Court, New York County (Ruth Pickholz, J.), entered on or about June 11, 2018.¹

Dated: July 24, 2018
New York, New York

AUG 09 2013



Hon. Troy
Associate Justice

NOTICE: Within 15 days from the date hereon, an appeal must be taken, and this certificate must be filed with the notice of appeal. An appeal is taken by filing, in the Clerk's office of the criminal court in which the order sought to be appealed was rendered, a written notice in duplicate that appellant appeals to the Appellate Division, First Judicial Department (Section 460.10, subd. 4, CPL), together with proof that another copy of the notice of appeal has been served upon opposing counsel. The appeal (or consolidated appeals; see footnote) must be argued within 120 days from the date of the notice of appeal, unless the time to perfect the appeal(s) is enlarged by the court or a justice thereof.

¹In the event defendant has an existing (direct) appeal from a judgment, such appeal shall be consolidated with the appeal from the aforesaid order; and any poor person relief granted with respect to the appeal from the judgment shall be extended to cover the appeals so consolidated.

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

BEFORE: Peter H. Moulton
Justice of the Appellate Division

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

M-2353
Ind. No. 2874/09

-against-

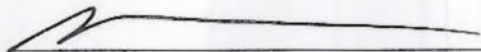
CERTIFICATE
DENYING LEAVE

Dionisio Crespo,
Defendant.

-----X

I, Peter H. Moulton, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application 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, Bronx County (April Newbauer, J.) entered on or about April 25, 2018 is hereby denied.

Dated: July 24, 2018
New York, New York



Hon. Peter H. Moulton
Associate Justice

ENTERED: AUG 09 2018

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

BEFORE: Peter H. Moulton
Justice of the Appellate Division

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

CONFIDENTIAL
M-2661
SCI No. 714/2014


-against-

CERTIFICATE
DENYING LEAVE

Henry Barrera,
Defendant.

-----X
I, Peter H. Moulton, a Justice of the Appellate Division,
First Judicial Department, do hereby certify that, upon application
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, Bronx County (Miriam R. Best, J.) entered on
or about April 27, 2018 is hereby denied.

Dated: July 24, 2018
New York, New York


Hon. Peter H. Moulton
Associate Justice

ENTERED: AUG 09 2013

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

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

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

M-3454
Ind. No. 4460/11

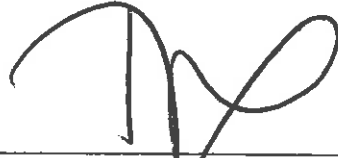
-against-

CORRECTED
CERTIFICATE
GRANTING LEAVE TO APPEAL
TO THE COURT OF APPEALS

Travis Breckenridge,
Defendant-Appellant.

-----X
I, Troy K. Webber, Justice of the Appellate Division, Supreme Court, First Department, do hereby certify that in the record and proceedings herein¹ questions of law are involved which ought to be reviewed by the Court of Appeals and pursuant to CPL 460.20, it is ORDERED, that permission be, and it hereby is granted to the above-named respondent to appeal to the Court of Appeals.

Dated: August 30, 2018
New York, New York



Hon. Troy K. Webber
Associate Justice

ENTERED

AUG 09 2018

Notice: Within 10 days from the issuance of this certificate, a jurisdictional statement must be filed with the Clerk of the Court of Appeals pursuant to Rule 500.2 of the Court of Appeals rules.

¹Description of Order:

9/3/14 Sup. Ct. New York Co.

Modified 6/7/18
App. Div. 1st Dept.
Appeal No. 6347