

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 5, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Rosalyn H. Richter
Richard T. Andrias
Marcy L. Kahn
Peter H. Moulton, Justices.

-----X
Lyssett M.,

Petitioner-Respondent,

-against-

Raphael Antonio C.,
Respondent-Appellant.

-----X

CONFIDENTIAL

M-2063

Docket No. F-29957-13/14C

An appeal having been taken from an order of the Family Court, New York County, entered on or about September 27, 2017,

And respondent-appellant having moved to stay enforcement of the aforesaid order, for leave to prosecute the appeal as a poor person, and for related relief,

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

It is ordered that the motion is denied in its entirety.

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 June 5, 2018.

Present: Hon. Dianne T. Renwick, Justice Presiding,
Peter Tom
Richard T. Andrias
Troy K. Webber
Marcy L. Kahn, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

Miguel Martinez,

Defendant-Appellant.

-----X

M-1470
Ind. Nos. 4315/03
588/03

Assigned counsel for defendant-appellant having moved to be relieved as counsel in connection with the appeal from the judgment of the Supreme Court, New York County, rendered on or about October 11, 2012 or, in the alternative, for dismissal 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It is ordered that the motion is granted to the extent of deeming the appeal withdrawn, and the motion is otherwise denied.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 June 5, 2018.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Peter Tom
Richard T. Andrias
Troy K. Webber
Marcy L. Kahn, Justices.

-----X
Makeba Carpenter,
Plaintiff-Appellant,

-against-

M-1544
Index No. 101270/17

New York City Police Department,
Respondent-Respondent.
-----X

Plaintiff-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, entered on or about February 23, 2018, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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 denied, with leave to renew upon plaintiff's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), establishing that plaintiff has no funds or assets with which to prosecute the appeal, and setting forth sufficient facts so that the merit of the contentions made by plaintiff can be ascertained.

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 June 5, 2018.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Peter Tom
Richard T. Andrias
Troy K. Webber
Marcy L. Kahn, Justices.

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

Respondent,

-against-

M-1537
Ind. No. 1734/12

Terrance Hale,

Defendant-Appellant.
-----X

An order of this Court having been entered on February 10, 2017 (M-6426) granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about May 4, 2015, and assigning Rosemary Herbert, Esq., predecessor counsel to Christina Swarns, Esq., the Office of the Appellate Defender, as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is 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 June 5, 2018.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Peter Tom
Richard T. Andrias
Troy K. Webber
Marcy L. Kahn, Justices.

-----X

Amgad M. Abdou,

Plaintiff-Appellant,

-against-

M-1476

Index No. 156570/14

A.T. Cab Corp., et al.,

Defendants-Respondents.

-----X

Consolidated appeals having been taken to this Court from orders of the Supreme Court, New York County, entered on or about September 8, 2016 and January 5, 2017,

And plaintiff-appellant having moved for an enlargement of time to perfect the consolidated appeals,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the consolidated appeals to the October 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 June 5, 2018.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Peter Tom
Richard T. Andrias
Troy K. Webber
Marcy L. Kahn, Justices.

-----X
Leticia Sanchez,

Plaintiff-Respondent,

-against-

M-1510
Index No. 26263/16E

Jesal V. Shah, M.D., D.M.D., et al.,

Defendants-Appellants.
-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal taken from the order of the Supreme Court, Bronx County, entered on or about August 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 to the extent of enlarging the time to perfect the appeal to the October 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 June 5, 2018.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Troy K. Webber
Cynthia S. Kern
Peter H. Moulton, Justices.

-----x

JPMorgan Mortgage Acquisition Corp.,
Plaintiff-Respondent,

-against-

Cheryl Smith,
Defendant-Appellant,

M-2374
Index No. 108064/09

-and-

Board of Managers of 10 Mount Morris
Park Condominium, et al.,
Defendants.

-----x

An appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about April 18, 2018,

And defendant-appellant having moved for a stay of proceedings, and to enjoin plaintiff, the sheriff, or referee from taking any action to convey, encumber or dispose of the subject real property, and for related relief,

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

It is ordered that the motion is denied.

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 June 5, 2018.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Troy K. Webber
Cynthia S. Kern
Peter H. Moulton, Justices.

-----x
In the Matter of the Application of

Adele Gallo, as President of
Petitioner Il Commendatore Restaurant,
Inc., doing business as Casa Bella
Ristorante,

Petitioners-Appellants,

M-2143

Index No. 100678/13

For a Judgment Under Article 78 of
the CPLR,

-against-

The New York City Department of
Consumer Affairs,
Respondent-Respondent.

-----x

An appeal having been taken to this Court from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about April 12, 2018,

And petitioners-appellants having moved for a stay of enforcement of the order and judgment, 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 on condition the appeal is perfected for the September 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 June 5, 2018.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Ellen Gesmer
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

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

Respondent,

-against-

M-1712
Ind. No. 3815/01

Manuel Dominguez,

Defendant-Appellant.
-----x

Respondent having moved for dismissal of the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about June 19, 2002, 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, without prejudice to respondent raising the issue on the 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 June 5, 2018.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Ellen Gesmer
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

-----X
NCG Real Estate LLC, doing business
as Nathaniel Christian Group,

Plaintiff-Appellant,

-against-

Richard Rumpf, et al.,

Defendants-Respondents.
-----X

M-1498
Index No. 651973/16

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 January 24, 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 October 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 June 5, 2018.

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

-----X
Biz2Credit Inc.,

Plaintiff-Appellant,

-against-

M-1984
Index No. 656636/16

Arjun Kathuria,

Defendant-Respondent.
-----X

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

Now, upon reading and filing the stipulation of the parties hereto, dated April 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 June 5, 2018.

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

-----X

The People of the State of New York,

Respondent,

-against-

M-1985

Ind. No. 3868/16

Babacar Ndior,

Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about October 25, 2016,

Now, upon reading and filing the stipulation of the parties hereto, dated April 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 June 5, 2018.

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

-----X

The People of the State of New York,

Respondent,

-against-

M-1987

Ind. No. 840/10

Odanis Gregory,

Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, Bronx County, rendered on or about April 5, 2013,

Now, upon reading and filing the stipulation of the parties hereto, dated January 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 June 5, 2018.

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

-----X
Hildene Opportunities Master Fund II,
Ltd., et al.,
Plaintiffs-Appellants,

-against-

M-1990
Index No. 654268/16

First Banks, Inc.,
Defendant-Respondent,

-and-

James F. Dierberg, et al.,
Defendants.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about October 26, 2017,

Now, upon reading and filing the stipulation of the parties hereto, dated April 17, 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 June 5, 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-1997
Ind. No. 4882/12

David Elias,

Defendant-Appellant.
-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about May 8, 2015,

Now, upon reading and filing the stipulation of the parties hereto, dated April 17, 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 June 5, 2018.

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

-----X

Folasade Odedina Ojo,
Plaintiff-Respondent-Appellant,

-against-

Friends of Jacob K. Javits Convention
Center, Inc.,
Defendant,

M-1978
Index No. 159104/15

-and-

New York Convention Center Operating
Corporation, etc.,
Defendant-Appellant-Respondent.

-----X

An appeal and cross appeal having been taken from an order of the Supreme Court, New York County, entered on or about February 7, 2018,

Now, upon reading and filing the stipulation of the parties hereto, dated April 16, 2018, and due deliberation having been had thereon,

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

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 June 5, 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-

SEALED

M-1952

Ind. No. 1184/16

Antoine B.,

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 September 15, 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.

Seymour W. James, Jr., 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 June 5, 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-1955
Ind. No. 2408/15

Pearl Dickson,

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 June 26, 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.

Seymour W. James, Jr., 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 June 5, 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-1956
Ind. No. 2129/16

Marc Elias,

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 August 17, 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.

Seymour W. James, Jr., 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 June 5, 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-1957
Ind. No. 4501/16

Jamie Guerrero,

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

Seymour W. James, Jr., Esq., 199 Water Street, 5th Floor, New York, New York 10038, 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 June 5, 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-1958
Ind. No. 2157/14

Arthur Hernandez,

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 October 25, 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 June 5, 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-1959

Ind. No. 2218/15

Lewys Lugo,

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 December 8, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

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 June 5, 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-1960
Ind. No. 1873/17

Henderson Martinez,

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 29, 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.

Seymour W. James, Jr., 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.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 5, 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-1961

Ind. No. 1948/14

Luis Martinez,

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 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.

Seymour W. James, Jr., 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 June 5, 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-1962
Ind. No. 2452/16

Jonathan McRae,

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 September 11, 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.

Seymour W. James, Jr., 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 June 5, 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-

SEALED
M-1964
Ind. No. 4240/16

Tyron P.,

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 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.

Seymour W. James, Jr., 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 June 5, 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-1965
Ind. No. 2915/15

Marcell Porter,

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 July 11, 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.

Seymour W. James, Jr., 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 June 5, 2018.

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

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

Respondent,

-against-

M-1966
Ind. No. 855/17

Rinat Sabirov,

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 July 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.

Seymour W. James, Jr., 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 June 5, 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-1968
Ind. No. 1208/16

Laucen Torjani,

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 July 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.

Seymour W. James, Jr., 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 June 5, 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,

CONFIDENTIAL

M-1969

-against-

Ind. No. 2875/15

Lloyd Watson,

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 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, 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 June 5, 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-1989
Ind. Nos. 2824/15
7/15

Alliance Warburg Capital Management,

Defendant-Appellant.
-----X

An order of the Supreme Court, New York County, having been entered on or about October 17, 2017, inter alia, granting defendant poor person relief with respect to the appeal from the order of the Supreme Court, New York County, rendered on or about October 17, 2017,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and the notice of appeal filed on defendant's behalf,

It is ordered that the appeal is permitted 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.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 5, 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.

Maria K.,
Petitioner-Appellant,

-against-

CONFIDENTIAL

M-1092

Docket Nos. V-00183-13/14B&15C
V-00184-13/14B&15C
V-34266-11/14D&15E
V-34267-11/14D&15E

Dimitra L.,
Christopher B.,
Respondents-Respondents.

Tennille M. Tatum-Evans, Esq.
Attorney for the Child, Matthew B.

Ellen Sigal, Esq., Attorney for
the Child, Kristyna B.

-----X

Respondent-respondent father, Christopher B., having moved for leave to respond, as a poor person, to the appeal from an order of the Family Court, New York County, entered on or about February 7, 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, Douglas H. Reiniger, Esq., 801 Second Avenue, 10th Floor, New York, New York 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

(M-1092)

-2-

June 5, 2018

condition that one copy of such brief be served upon the attorney for appellant and 8 copies thereof are filed with this Court. (See M-1077, M-1099 and M-1085, dated June 5, 2018, released simultaneously herewith).

ENTERED:


CLERK

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 June 5, 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.

Maria K.,
Petitioner-Appellant,

-against-

CONFIDENTIAL

M-1077

Docket Nos. V-00183-13/14B&15C
V-00184-13/14B&15C
V-34266-11/14D&15E
V-34267-11/14D&15E

Dimitra L.,
Christopher B.,
Respondents-Respondents.

Tennille M. Tatum-Evans, Esq.
Attorney for the Child, Matthew B.

Ellen Sigal, Esq., Attorney for
the Child, Kristyna B.

-----X
Petitioner-appellant mother, having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, New York County, entered on or about February 7, 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, Carol L. Kahn, Esq., 225 Broadway, Suite 1510, New York, New York 10007, Telephone No. 212-227-0206, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of

New York from funds available therefor¹ **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.** (See M-1099, M-1092 and M-1085, dated June 5, 2018, released simultaneously herewith).

ENTERED:


CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 5, 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.

Maria K.,
Petitioner-Appellant,

-against-

CONFIDENTIAL

M-1099

Docket Nos. V-00183-13/14B&15C
V-00184-13/14B&15C
V-34266-11/14D&15E
V-34267-11/14D&15E

Dimitra L.,
Christopher B.,
Respondents-Respondents.

Tennille M. Tatum-Evans, Esq.
Attorney for the Child, Matthew B.

Ellen Sigal, Esq., Attorney for
the Child, Kristyna B.

-----X
Respondent-Respondent great grandmother, Dimitra L., having moved for leave to respond, as a poor person, to the appeal from an order of the Family Court, New York County, entered on or about February 7, 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, Leslie S. Lowenstein, Esq., 567 Sunset Drive, Woodmere, New York 11598, Telephone No. 516-374-1962, 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 appellant and 8 copies thereof are filed with this Court. (See M-1077, M-1092 and 1085, dated June 5, 2018, released simultaneously herewith).

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 June 5, 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.

- - - - -
Maria K.,
Petitioner-Appellant,

-against-

CONFIDENTIAL

M-1085

Docket Nos. V-00183-13/14B&15C
V-00184-13/14B&15C
V-34266-11/14D&15E
V-34267-11/14D&15E

Dimitra L.,
Christopher B.,
Respondents-Respondents.

- - - - -
Tennille M. Tatum-Evans, Esq.
Attorney for the Child, Matthew B.

- - - - -
Ellen Sigal, Esq., Attorney for
the Child, Kristyna B.

-----X

Lauren M. Friend, Esq., court attorney for the subject child Matthew B., having moved for leave to respond, as a poor person, to the appeal from an order of the Family Court, New York County, entered on or about February 7, 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, Tennille M. Tatum-Evans, Esq., 260 Convent Avenue, Suite #34, New York, New York 10031, Telephone No. 347-645-6660, as counsel for purposes of responding to the appeal; (2) permitting movant to

respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for appellant and 8 copies thereof are filed with this Court. (See M-1077, M-1099 and M-1092, dated June 5, 2018, released simultaneously herewith).

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 June 5, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Sallie Manzanet-Daniels
Peter Tom
Jeffrey K. Oing
Anil C. Singh, Justices.

-----X

In the Matter of

Camille L.,

CONFIDENTIAL

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

M-1301
Docket No. NN-19849/17

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

Dawn F.,
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about December 20, 2017, 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, Daniel R. Katz, Esq., 339 West 88th Street, Apt. #3, New York, NY 10024, Telephone No. 917-886-5620, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the

record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ **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.**

ENTERED:


CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 5, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Sallie Manzanet-Daniels
Barbara R. Kapnick
Cynthia S. Kern, Justices.

-----X
East River Mortgage Corp.,
Plaintiff-Appellant,

-against-

M-1602
Index No. 112574/11

Onewest Bank, N.A.,
Defendant-Respondent,

Americorp Funding Inc., also known as
Americorp Funding, et al.,
Defendants.

-----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 May 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 October 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 June 5, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Sallie Manzanet-Daniels
Barbara R. Kapnick
Cynthia S. Kern, Justices.

-----X
Jonathan Bloostein, et al.,
Plaintiffs,

-against-

Morrison Cohen, LLP, et al.,
Defendants.

- - - - -

Morrison Cohen, LLP, et al.,
Third-Party Plaintiffs,

M-1640
Index No. 651242/12

-against-

Brown Rudnick, LLP,
Third-Party Defendant-Appellant.

- - - - -

Brown Rudnick LLP,
Fourth-Party Plaintiff-Appellant,

-against-

Stroock Stroock & Lavan LLP,
Fourth-Party Defendant-Respondent.

-----X

Third-party defendant/fourth-party plaintiff-appellant,
Brown Rudnick LLP, 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 June 8, 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 October 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 June 5, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Sallie Manzanet-Daniels
Barbara R. Kapnick
Cynthia S. Kern, Justices.

-----x

Dina Mangiafridda, et al.,

Plaintiffs-Appellants,

-against-

M-1461

Index No. 21098/15E

Masker Fruit Farms, Inc., et al.,

Defendants-Respondents.

-----x

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal taken from the order of the Supreme Court, Bronx County, entered on or about December 2, 2016,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the October 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 June 5, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Sallie Manzanet-Daniels
Barbara R. Kapnick
Cynthia S. Kern, Justices.

-----X

Sparta Insurance Company,

Plaintiff-Appellant,

-against-

M-1778

Index No. 156234/15

Catlin Specialty Insurance Company,
etc.,

Defendant-Respondent,

Liberty Insurance Underwriters, Inc.,
et al.,

Defendants.

-----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 May 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 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 June 5, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Sallie Manzanet-Daniels
Barbara R. Kapnick
Cynthia S. Kern, Justices.

-----X

In the Matter of the Application of
Moshe Kelman, as Administrator of Bay
Park Center for Nursing & Rehabilitation,
Petitioner-Respondent,

Pursuant to Article 81 of the Mental
Hygiene Law for the Appointment of a
Guardian of the Person and Property of,

M-1474
Index No. 91700/15

Marit Ekeland,

An Incapacitated Person, Now Deceased

Richard Ekeland,
Respondent-Appellant.

-----X

Appeals having been taken from orders of the Supreme Court, Bronx County, entered on or about June 5, 2015, March 7, 2016, March 7, 2016, November 10, 2016 and January 11, 2017,

And an order of this Court having been entered on February 8, 2018 (M-5597, M-5762), consolidating the aforesaid appeals, and enlarging the time to perfect same to the June 2018 Term,

And respondent-appellant having moved for an enlargement of time to perfect the consolidated appeals,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the consolidated appeals to the October 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 June 5, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,
Judith J. Gische
Peter Tom
Cynthia S. Kern
Anil C. Singh, Justices.

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

-against-

M-2114
Ind. No. 4318/14

Joseph Calderon,
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to file a pro se supplemental brief in connection with an appeal from a judgment of the Supreme Court, New York County, rendered on or about October 23, 2015, and for an enlargement of time in which to file said pro se supplemental brief,

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

It is ordered that the motion is granted to the extent of directing defendant to serve and file 8 copies of his pro se supplemental brief on or before September 4, 2018 for the October 2018 Term, to which Term the appeal is adjourned. The Clerk of the Court is directed to forward to the Warden at the State correctional facility wherein defendant is incarcerated a transcript of the proceedings relating to defendant's appeal, said transcript to be made available to appellant and returned by appellant to this Court when submitting the pro se supplemental brief hereto. The appeal will not be heard unless and until all material furnished to appellant has been returned.

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 June 5, 2018.

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

-----X
Julio Bermeo,

Plaintiff-Respondent,

-against-

M-1757
Index No. 305754/12

Time Warner Entertainment Co., L.P.,
et al.,

Defendants-Appellants.
-----X

Plaintiff-respondent having moved for reargument and/or reconsideration of the decision and order of this Court, entered on March 6, 2018 (Appeal No. 5898),

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, upon reargument, the decision and order of this Court, entered on March 6, 2018 (Appeal No. 5898), is recalled and vacated and a new decision and order substituted therefor. (See Appeal No. 5898, decided simultaneously herewith.)

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 June 5, 2018.

Present - Hon. John W. Sweeny, Jr.,	Justice Presiding,
Rosalyn H. Richter	
Richard T. Andrias	
Marcy L. Kahn	
Peter H. Moulton,	Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-2203
Ind. No. 2401/15

Ivan Perez,
Defendant-Appellant.

-----X

An order of this Court having been entered on April 24, 2018 (M-1302), inter alia, granting defendant's motion for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about February 8, 2017, under Indictment No. 2401/15, and assigning counsel therefor,

And defendant-appellant having moved for an order amending the aforementioned order of assignment to include the judgment of **resentence** of said Court, rendered on or about April 12, 2017, under the same indictment number, to deem the notice of appeal from the judgment of **resentence** timely filed, and for an enlargement of time to perfect the appeals,

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 deeming the notice of appeal from the judgment of **resentence** as timely filed, amending the order of this Court entered on April 24, 2018 (M-1302) to include said judgment of **resentence**. The time to perfect the appeal is enlarged to the October 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 June 5, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
 Rosalyn H. Richter
 Richard T. Andrias
 Marcy L. Kahn
 Peter H. Moulton, Justices.

-----X
RJR Mechanical Inc.,

Plaintiff-Appellant,

-against-

M-2041
Index No. 158764/15

Harold J. Ruvoldt, et al.,

Defendants-Respondents.

-----X

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 June 9, 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 October 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 June 5, 2018.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Peter Tom
Angela M. Mazzarelli
Ellen Gesmer
Peter H. Moulton, Justices.

-----x

Arthur Kevin Berry,
Plaintiff-Appellant,

-against-

M-2689

Index No. 158919/16

The New York State Department of
Taxation and Finance, et al.,
Defendants-Respondents.

-----x

An appeal having been taken to this Court by the above-named plaintiff from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about June 21, 2017, and said appeal having been perfected and calendared,

And an order of this Court having been entered on April 10, 2018 (M-1385), inter alia, granting movants Brooklyn Legal Services, et al. leave to file a brief and appear amici curiae in connection with the aforesaid appeal,

And the New York State Attorney General having moved for leave to file a brief amicus curiae in response to the amici curiae brief filed by Brooklyn Legal Services, et al. with respect to the order of this Court entered on April 10, 2018 (M-1385),

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 June 5, 2018.

Present - Hon. David Friedman, Justice Presiding,
Judith J. Gische
Peter Tom
Cynthia S. Kern
Anil C. Singh, Justices.

-----x
In the Matter of the Application of
Mark Graham, et al.,
Petitioners-Appellants,

For an order Pursuant to CPLR 2304 M-2105
Quashing the Post-Judgment Subpoena, Index No. 151977/18
Duces Tecum and Ad Testificandum,

-against-

Great Western Insurance Company,
Respondent-Respondent.
-----x

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

And petitioners-appellants having moved for a stay of all proceedings 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 denied.

ENTERED:


CLERK

✓

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

BEFORE: Hon. Cynthia S. Kern
Associate Justice of the Appellate Division

-----X

The People of the State of New York,

M - 1159

Ind. No. 9241/99

-against-

Ubaldo Romero,

CERTIFICATE

DENYING LEAVE

Defendant.

-----X

I, Cynthia S. Kern, 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, section 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County (Ruth Pickholz, J.), dated January 10, 2018, is hereby denied.

Dated: May 7, 2018
New York, New York

e

Hon. Cynthia S. Kern
Associate Justice

ENTERED:

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

BEFORE: Hon. Peter Tom
Justice of the Appellate Division

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

M-1706
Ind. No. 110/16

Respondent,
-against-

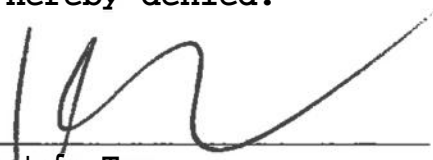
Edward Dawkins,

CERTIFICATE
DENYING LEAVE

Defendant.

-----X

I, Peter Tom, a Justice of the Appellate Division, First
Judicial Department, do hereby certify that, upon application
timely made by the above-named defendant for a certificate
pursuant to Criminal Procedure Law, sections 450.15 and 460.15,
and upon the record and proceedings herein, there is no question
of law or fact presented which ought to be reviewed by the
Appellate Division, First Judicial Department, and permission to
appeal from the order of the Supreme Court, New York County,
entered on or about December 21, 2017 is hereby denied.



Hon. Peter Tom
Associate Justice

Dated: May 30, 2018
New York, New York