

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 4, 2019.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Marcy L. Kahn
Ellen Gesmer
Anil C. Singh, Justices.

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

- - - - -
Carmit D.,
Petitioner-Appellant,

CONFIDENTIAL

M-6757
M-715

Docket No. F-36231/12-13/C/D

-against-

Gil D.,
Respondent-Respondent.

-----x

An appeal having been taken to this Court by petitioner from the order of the Family Court, New York County, entered on or about November 21, 2017, and said appeal having been perfected,

And respondent having moved to dismiss the appeal for petitioner's failure to comply with an order of this Court entered on October 23, 2018 (M-4417), or in the alternative to adjourn the appeal to the April 2019 Term [M-6757],

And petitioner-appellant having moved for leave to file a supplemental record in compliance with the aforesaid order of this Court entered on October 23, 2018 (M-4417) [M-715],

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

It is ordered that respondent's motion to dismiss the appeal is denied, without prejudice to renew, if petitioner fails to file the remainder of the missing transcripts for the September, 2019 Term to which Term said appeal is adjourned [M-6757]. The

motion by petitioner-appellant is granted to the extent of permitting petitioner to file a supplemental record in compliance with the aforesaid order of this Court entered on or about October 23, 2019 (M-4417) for the September 2019 Term [M-715].

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 April 4, 2019.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Peter Tom
Marcy L. Kahn
Ellen Gesmer, Justices.

-----X
Joanne Ebron,
Plaintiff-Respondent,

-against-

M-370
Index No. 22199/12E

New York City Housing Authority,
Defendant-Appellant.
-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about March 16, 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 appeal to the September 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 April 4, 2019.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Peter Tom
Marcy L. Kahn
Ellen Gesmer, Justices.

-----X
Arkin Kaplan Rice LLP., Stanley S. Arkin
and Lisa C. Solbakken,
Plaintiffs-Appellants,

-against-

M-628
Index No.652316/12

Howard Kaplan, Michelle Rice and
Kaplan Rice LLP.,
Defendants-Respondents,

-and-

Arkin Kaplan Rice, LLP., a dissolved firm,
Nominal Defendant.

-----X

Plaintiffs having moved for a further enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about December 27, 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 September 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 April 4, 2019.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Peter Tom
Troy K. Webber
Peter H. Moulton, Justices.

-----X
Mary Ellen Von Ancken, et al.,
Plaintiffs-Appellants,

-against-

M-493
Index No. 156497/13

7 East 14 L.L.C., et al.,
Defendants-Respondents.
-----X

Plaintiffs-appellants having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on November 27, 2018 (Appeal No. 7728),

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

It is ordered that so much of the motion seeking reargument is granted and, upon reargument, the decision and order of this Court entered on November 27, 2018 (Appeal No. 7728) is recalled and vacated and a new decision and order substituted therefor. (See Appeal No. 7728, decided simultaneously herewith.) 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 April 4, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Peter Tom
Anil C. Singh
Peter H. Moulton, Justices.

-----x
Elizabeth A. Spielfogel,
Plaintiff-Respondent,

-against-

Larry R. Spielfogel,
Defendant-Appellant.
-----x

Confidential

M-32

Index No. 350249/07

Plaintiff-respondent having moved, pursuant to CPLR 5513(a), for an order dismissing defendant's appeal taken from an order of the Supreme Court, New York County, entered on or about October 4, 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, with leave to renew upon proof the notice of appeal was not timely filed.

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 April 4, 2019.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Peter Tom
Anil C. Singh
Peter H. Moulton, Justices.

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

-against- **M-41**
Ind. No. 1588/18

John Springs,
Defendant-Appellant.

-----X

Defendant having moved for leave to file a late notice of appeal, from a judgment of the Supreme Court, New York County, rendered on or about July 18, 2018, to prosecute said appeal as a poor person, 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 deeming the motion papers a timely filed notice of appeal and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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.

Janet E. Sabel, Esq., The Legal Aid Society, 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 180 days from the date of receipt of the complete 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 April 4, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Peter Tom
Anil C. Singh
Peter H. Moulton, Justices.

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

-against-

M-77

Ind. No. 4903/12

Christopher Wilson,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, New York County, rendered on or about July 31, 2015,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the September 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 April 4, 2019.

Present - Hon. Rosalyn H. Richter, Presiding Justice,
Sallie Manzanet-Daniels
Barbara R. Kapnick
Ellen Gesmer
Jeffrey K. Oing, Justices.

-----x

Walla Mohamed,
Plaintiff-Respondent.

-against-

M-216
Index No. 159585/16

Abdallah Mohamed,
Defendant-Appellant.

-----x

Defendant-appellant having moved to vacate the dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about January 2, 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 vacating the dismissal of the appeal and enlarging the time to perfect said appeal to the September 2019 Term (see, 22 NYCRR 1250.10).

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 April 4, 2019.

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
Johanna Fernandez,
Petitioner-Appellant,

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

M-236
Index No. 100820/14

-against-

The New York City Police Department
and William Bratton, NYPD Commissioner,
in his official capacity,
Respondents-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 31, 2016,

Now, upon reading and filing the stipulation of the parties hereto, dated June 28, 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 April 4, 2019.

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.

Cindy F.,
Petitioner-Respondent,

-against-

CONFIDENTIAL

M-420
Docket Nos. V-20147-12/16A
V-31797-12/16A

Aswad Bomani S.,
Respondent-Appellant.

Leslie S. Lowenstein, Esq.,
Attorney for the Child.

-----X
Ramonita Cordero, Esq., court attorney for the subject child, having moved on said child's behalf, for leave to respond, as a poor person, to the appeal taken from an order of the Family Court, Bronx County, entered on or about September 21, 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 the certification of Ramonita Cordero, Esq., dated December 5, 2018, 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

(M-420)

-2-

April 4, 2019

one copy of such brief be served upon the attorney for each party to the appeal, and an original and five hard copies, and if represented by counsel, one digital copy of such brief, are filed with this court, pursuant to 22 NYCRR Section 1250.9.

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 April 4, 2019.

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

-----X
Emile Hill and Stanley Coote,
Plaintiffs-Respondents,

-against-

Rohan Grant,
Defendant-Appellant,

M-639
Index No. 24307/15E

Luttrell Bellamy and Lease Plan
USA Inc.,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about April 19, 2018,

Now, upon reading and filing the stipulation of the parties hereto, dated December 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 April 4, 2019.

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

-----X
LBW Enterprises, LLC and
Kam Chueng Construction, Inc.,
Plaintiffs-Appellants,

-against-

M-711
Index No. 653912/13

CEMB Elevator Corp.,
doing business as The City Elevator Co.,
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 30, 2018,

Now, upon reading and filing the stipulation of the parties hereto, dated January 30, 2019, 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 April 4, 2019.

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-55

Ind. No. 324/18

Jose Roman,
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, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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.

Janet E. Sabel, Esq., The Legal Aid Society, 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 180 days from the date of receipt of the complete 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 April 4, 2019.

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-106
Ind. Nos. 1072/18
11178C/18

Michael Thomas,
Defendant-Appellant.

-----X

Defendant-appellant 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 October 15, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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.

Janet E. Sabel, Esq., The Legal Aid Society, 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 180 days from the date of receipt of the complete 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 April 4, 2019.

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-212
Ind. No. 1315/17

Sandra Lawson,
Defendant-Appellant.

-----X

Defendant-appellant 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 26, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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.

Janet E. Sabel, Esq., The Legal Aid Society, 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 180 days from the date of receipt of the complete 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 April 4, 2019.

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-215
Ind. No. 1661/17

Gregory Washington,
Defendant-Appellant.

-----X

Defendant-appellant 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 October 23, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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 180 days from the date of receipt of the complete 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 April 4, 2019.

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-246

Ind. No. 2480/06

Shannon Stephenson,
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 October 31, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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 180 days from the date of receipt of the complete 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 April 4, 2019.

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-281

Ind. No. 3827/17

Kevin Richardson,
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 20, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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 180 days from the date of receipt of the complete 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 April 4, 2019.

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-301

Ind. No. 1515/18
108/17

Alberto Sanchez,
Defendant-Appellant.

-----X

Two orders of the Supreme Court, Bronx County, having been entered on or about October 18, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgments of the Supreme Court, Bronx County, rendered on or about October 18, 2018,

Now, upon reading and filing the orders 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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.

Janet E. Sabel, Esq., The Legal Aid Society, 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 180 days from the date of receipt of the complete 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 April 4, 2019.

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-331

Ind. No. 3405/15

William Whitfield,
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 April 17, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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 180 days from the date of receipt of the complete 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 April 4, 2019.

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-618
Ind. No. 2585/17

Shary Morales,
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 October 26, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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.

Janet E. Sabel, Esq., The Legal Aid Society, 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 180 days from the date of receipt of the complete 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 April 4, 2019.

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-619
Ind. No. 962/18

Tyler Alvarez,
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 27, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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.

Janet E. Sabel, Esq., The Legal Aid Society, 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 180 days from the date of receipt of the complete 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 April 4, 2019.

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-657
Ind. No. 2461/18

Anthony Garcia,
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 30, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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.

Janet E. Sabel, Esq., The Legal Aid Society, 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 180 days from the date of receipt of the complete 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 April 4, 2019.

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-660
Ind. No. 434/18

Ronald King,
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 6, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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 180 days from the date of receipt of the complete 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 April 4, 2019.

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-661
Ind. No. 3240/17

Ibrahima Diallo,
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 26, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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.

Janet E. Sabel, Esq., The Legal Aid Society, 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 180 days from the date of receipt of the complete 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 April 4, 2019.

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-663
Ind. No. 5331/15

Cody Braxton,
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 12, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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.

Janet E. Sabel, Esq., The Legal Aid Society, 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 180 days from the date of receipt of the complete 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 April 4, 2019.

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-666
Ind. No. 1132/16

Omar Ahmed,
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 April 4, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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.

Janet E. Sabel, Esq., The Legal Aid Society, 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 180 days from the date of receipt of the complete 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 April 4, 2019.

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-670
Ind. No. 3209/16

Dexter Murray,
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 17, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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 180 days from the date of receipt of the complete 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 April 4, 2019.

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-752
Ind. No. 3150/15

Lamar Davenport,
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 January 17, 2019, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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 180 days from the date of receipt of the complete 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 April 4, 2019.

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-772
Ind. No. 994/17

Napoleon Monroe,
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 16, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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.

Janet E. Sabel, Esq., The Legal Aid Society, 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 180 days from the date of receipt of the complete 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 April 4, 2019.

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-775
Ind. No. 3409/12

Christopher Principato,
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 June 7, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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.

Janet E. Sabel, Esq., The Legal Aid Society, 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 180 days from the date of receipt of the complete 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 April 4, 2019.

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-6758
Ind. No. 3512/11

Israel Perez,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about August 10, 2018,

Now, upon reading and filing the stipulation of the parties hereto, dated December 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 April 4, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
John W. Sweeny, Jr.
Angela M. Mazzarelli
Cynthia S. Kern, Justices.

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

-against-

Jeffrey E. Epstein,
Defendant-Appellant.

Confidential

M-439

Ind. No. 30129/10

-----x

A decision and order of this Court having been entered on November 17, 2011 (Appeal No. 6081), unanimously affirming the order of the Supreme Court, New York County, entered on or about January 18, 2011,

And non-party movant, NYP Holdings, Inc. having moved for an order pursuant to 22 NYCRR 1250.1(e)(3) unsealing the briefs filed in the aforementioned appeal, and directing the New York County District Attorney's office to provide non-party movant with copies of those briefs, with the names of the victims of the sex crimes redacted (see NY Civil Rights Law § 50-b[2][b]),

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 unsealing the briefs and directing the New York County District Attorney's Office to provide non-party movant with copies of those briefs, which the names and/or initials and all identifying information related to the victims of the sex crimes redacted, within 30 days of the entry 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 April 4, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Peter Tom
Peter H. Moulton, Justices.

-----X
Tokunbo Onilude

Plaintiff-Respondent,

-against-

M-504

Index No. 309622/09

The City of New York, Jorge Chico,
Keith Kucerak and Gregory Hernandez,
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal taken from a judgment of the Supreme Court, Bronx County, entered on or about April 6, 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 appeal to the September 2019 Term, with no further enlargements to be granted.

ENTERED:


CLERK

Court held in and for the First Judicial Department in
the County of New York on April 4, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Peter Tom
Peter H. Moulton, Justices.

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

-against-

M-505
Ind. No. 2888/12

Alex Jean,
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time
to perfect the appeal taken from the judgment of the Supreme
Court, New York County, rendered on or about March 27, 2014,

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

It is ordered that the motion is granted to the extent of
enlarging the time to perfect the appeal to the September 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 April 4, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Judith J. Gische
Barbara R. Kapnick
Ellen Gesmer
Anil C. Singh, Justices.

-----x
Country-Wide Ins. Co., Country-Wide
Insurance Company, doing business as,
Country-Wide Management Services,
Plaintiffs-Respondents.

-against-

M-30
Index No. 106110/11

Power Supply, Inc.,
Defendant-Appellant.

-----x

Respondent-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 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 deemed one seeking to vacate the dismissal of the appeal and, as such, is granted, and the time to perfect the appeal is enlarged to the September 2019 Term (see, 22 NYCRR 1250.10).

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 April 4, 2019.

Present - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Troy K. Webber
Marcy L. Kahn
Cynthia S. Kern, Justices.

-----X

Elizabeth Bartle and Marion Bartle
Packs, Individually and as General
Partners of Bartle Family Limited
Partnership, Christopher Bartle,
and Bartle Family Limited Partnership,
Petitioners-Appellants,

M-142
Index No. 655077/17

-against-

Andrew Bartle,
Respondent-Respondent.

-----X

An appeal having been taken by petitioners from an order of the Supreme Court, New York County, entered on or about February 1, 2018, and an order and judgment (one paper) of the same court, entered on or about May 17, 2018,

And petitioners-appellants having moved for leave to supplement the record on appeal and for an enlargement of time to perfect 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 enlarging the time to perfect the appeal to the September 2019 Term, and 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 April 4, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Troy K. Webber
Ellen Gesmer, Justices.

-----X
Gary Ganzi, Claire Breen, et al.,
Plaintiffs-Respondents,

-against-

Walter Ganzi, Jr., and Bruce Bozzi,
Sr.,
Defendants-Appellants,

SEALED
M-858
Index Nos. 5759/18
565/19
653074/12

-and-

Just One More Restaurant Corporation,
A New York corporation, and Just One
More Holding Corporation, a New York
corporation,
Nominal Defendants-Appellants.

-----X

Appeals having been taken from a decision after non-jury trial of the Supreme Court, New York County, entered on or about November 13, 2018, from a judgment of the same court entered on or about January 28, 2019 and from an order of the same court entered on or about February 11, 2019,

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

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

It is ordered that the motion is denied and the interim relief granted by an order of a Justice of this Court, dated February 13, 2019, is hereby vacated.

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 April 4, 2019.

Present - Hon. David Friedman, 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-144
Ind. No. 3921/16

Drew Guadalupe,
Defendant-Appellant.

-----X

Defendant-appellant having moved, pro-se, for leave to file a late notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about March 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 deeming the notice of appeal timely filed.

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 April 4, 2019.

Present - Hon. David Friedman, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Ellen Gesmer
Cynthia S. Kern, Justices.

-----X
Robert Gordon,
Plaintiff-Respondent,

-against-

Donna Schaeffer,
Defendant-Appellant.

-----X

M-457
Index No. 651077/16

Defendant-appellant having moved pursuant to 22 NYCRR 1250.10(c) to vacate the dismissal of her appeal, and upon vacatur, for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about June 21, 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 vacating the dismissal of appeal and enlarging the time to perfect said appeal to the September 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 April 4, 2019.

Present - Hon. David Friedman, Justice Presiding,
Barbara R. Kapnick
Troy K. Webber
Jeffrey K. Oing
Anil C. Singh, Justices.

-----X
James Koretz,
Plaintiff-Respondent-Respondent,

-against-

363 East 76th Street Corp.,
Defendant-Respondent-Appellant.

M-609
Index No. 656255/17

-----X

Defendant-respondent-appellant having moved for an enlargement of time to perfect the cross appeal taken from an order of the Supreme Court, New York County, entered on or about April 23, 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 appeal and cross appeal to the September 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 April 4, 2019.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Judith J. Gische
Marcy L. Kahn
Cynthia S. Kern, Justices.

-----X
Kelvin Rodriguez, as Administrator
of the Estate of Fiordaliza Pichardo,
Deceased, and Fiordaliza Pichardo,
Individually,
Plaintiff-Respondent-Appellant,

M-194
Index No. 21033/11

-against-

Elsa M. Then,
Defendant,

Bronx Lebanon Hospital Center, Sahitya
Mallipeddi, M.D., Isaac Dapkins, M.D.
and Jessica Fleisher-Black, M.D.,
Defendants-Appellants-Respondents,

Jane Doe Nurses, et al.,
Defendants.

-----X

An appeal and a cross appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about November 18, 2016,

And defendants-appellants-respondents having moved for a further enlargement of time to perfect their appeal taken from the aforesaid order,

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

(M-194)

-2-

April 4, 2019

It is ordered that the time to perfect the appeal and cross appeal is enlarged to the September 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 April 4, 2019.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Judith J. Gische
Marcy L. Kahn
Cynthia S. Kern, Justices.

-----X
Steven D. Sladkus,
Plaintiff-Respondent-Appellant,

-against-

M-388
Index No. 151712/16

Melanie Englese, also known as
Melanie Sisskind,
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 April 25, 2018,

And defendant-appellant-respondent having moved for an enlargement of time to perfect her appeal from the aforesaid order,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal and cross appeal to the September 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 April 4, 2019.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Judith J. Gische
Marcy L. Kahn
Cynthia S. Kern, Justices.

-----X

In the Matter of the Application of
John Regan,
Petitioner-Respondent,

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

M-511
Index No. 104117/10

-against-

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

-----X

Respondents-appellants having moved for a further enlargement of time to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about December 24, 2013, and to continue the stay extended by order of this Court on September 13, 2018 (M-3879),

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the September 2019 Term. The aforesaid stay is continued on the condition that the appeal is perfected for said September 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 April 4, 2019.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Sallie Manzanet-Daniels
Cynthia S. Kern
Jeffrey K. Oing
Anil C. Singh, Justices.

-----X
Edward A. Amley, J.R.,

Plaintiff-Appellant,

-against-

Xixi Yim Amley,
Defendant-Respondent.

-----X

CONFIDENTIAL

M-251

M-6363

Index No. 307907/13

An appeal having been taken from a judgment of divorce of the Supreme Court, New York County, entered on or about January 4, 2019 and from an order of the same court entered on or about October 12, 2018,

And plaintiff-appellant, pro se, by separate motions, having moved for a stay of enforcement of the child support provisions of the aforesaid judgment of divorce and order (M-251/M-6363) pending hearing and determination of the appeal,

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

It is ordered that the motions are denied (M-251/M-6363) and the interim relief granted by orders of a Justice of this Court, dated December 6, 2018 and January 15, 2019, are hereby vacated.

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 April 4, 2019.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Sallie Manzanet-Daniels
Cynthia S. Kern
Jeffrey K. Oing
Anil C. Singh, Justices.

-----x
In the Matter of the Custody and/or
Visitation Proceeding Under Article 8
of the Family Court Act.

Romey Story M.,
Petitioner-Appellant,

CONFIDENTIAL

M-525

Docket Nos. V-28084/12
V-27887/12

-against-

Stephanie Laurence L.,
Respondent-Respondent.

Serina Rosenbaum, Esq.,
Attorney for the Child.

-----x
An appeal having been taken to this Court from the order of the Family Court, New York County, entered on or about May 11, 2018, and said appeal having been perfected,

And petitioner-appellant, pro se, having moved to stay enforcement of the aforesaid order pending hearing and determination of the appeal,

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

It is ordered that the motion is denied.

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 April 4, 2019.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Sallie Manzanet-Daniels
Cynthia S. Kern
Jeffrey K. Oing
Anil C. Singh, Justices.

-----X
Richard N. Djeddah,
Plaintiff-Appellant,

-against-

Rachel Djeddah,
Defendant-Respondent.

M-1002
Index No. 350094/00

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 24, 2017 and October 1, 2018, and said appeal having been perfected,

And plaintiff-appellant having moved to stay the transfer or sale of certain property located in Israel pending hearing and determination of the appeal,

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

It is ordered that the motion is denied.

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 April 4, 2019.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Sallie Manzanet-Daniels
Cynthia S. Kern
Jeffrey K. Oing
Anil C. Singh, Justices.

-----x
Jesus Lema and Maria Lema,
Plaintiffs-Appellants-Respondents,

-against-

The 1148 Corporation,
Defendant-Respondent.

M-1187
Index No. 31184/17E
Action No. 1

-----x
Jorge Bedoya,
Plaintiff,

-against-

The 1148 Corporation,
Defendant.

Index No. 12228/17
Action No. 2

-----x
Maria Isabel Urquizo Flores,
Plaintiff,

-against-

The 1148 Corporation,
Defendant.

Index No. 150221/18E
Action No. 3

-----x
Fireman's Fund Insurance Company, as
subrogee of The 1148 Corporation,
Plaintiff-Respondent,

-against-

Montano Wood Care,
Defendant-Respondent-Appellant.

Index No. 150316/18
Action No. 4

-----x

Appeals having been taken to this Court from an order of the Supreme Court, Bronx County, entered on or about April 6, 2018,

which denied the motion of plaintiffs-appellants-respondents (Action No. 1), Jesus Lema and Maria Lema, to consolidate Actions No. 1, No. 2 and No. 3 for the purpose of discovery only and granted the motion of defendant The 1148 Corporation to consolidate all four actions for all purposes and transferred venue to New York County, and the appeal of plaintiffs-appellants-respondents, Jesus Lema and Maria Lema, having been perfected,

And plaintiffs-appellants-respondents, Jesus Lema and Maria Lema, having moved this Court for an order 1) amending the caption of the appeal and correcting the covers on the record and briefs previously filed with this Court; and 2) granting leave to file a supplemental record containing a notice of appeal taken from the aforementioned order of the Supreme Court, New York County, entered on or about April 6, 2019, filed by defendant (Action No. 4) Montano Wood Care Corporation, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the stipulation by the parties hereto, dated February 21, 2019, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of amending the caption, as indicated, and permitting plaintiffs-appellants-respondents, Jesus Lema and Maria Lema to file the supplemental record, a copy of which is attached to the moving papers as "Exhibit D", in accordance with the requirements of 22 NYCRR 1250.9, and to correct the covers of the record and briefs previously filed, to reflect the amended caption.

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 April 4, 2019.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Peter Tom
Marcy L. Kahn
Jeffrey K. Oing
Anil C. Singh, Justices.

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

-against-

Carleto A.,
Defendant-Appellant.

SEALED
M-6496
Ind. Nos. 234/15
3238/11

-----X

Defendant-appellant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, Bronx County, rendered on or about March 22, 2018, for leave to prosecute the appeal as a poor person, on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted only to the extent of deeming the notice of appeal as timely filed. The motion is otherwise denied, with leave to renew, upon defendant's submission of a detailed notarized affidavit, in compliance with CPLR 1101(a), and 22 NYCRR 1250.4(d)(1) and (4) setting forth his indigency and the amount and sources of funds used to retain trial counsel, Patrick Watts, Esq., 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 April 4, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Peter Tom
Marcy L. Kahn
Peter H. Moulton, Justices.

-----X
Cynthia Warren,
Plaintiff-Appellant,

-against-

Rudolph Silas, Esq.,
Defendant-Respondent.

M-34
Index No. 153368/12

-----X

Plaintiff-appellant having moved pursuant to 22 NYCRR 1250.10(c) to vacate the dismissal of appeal, and upon vacatur, for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about October 23, 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 vacating the dismissal of appeal and enlarging the time to perfect said appeal to the September 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 April 4, 2019.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Peter Tom
Marcy L. Kahn
Peter H. Moulton, Justices.

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

-against-

Jeffrey Lashley, also known as,
Willie Murray,
Defendant-Appellant.

M-70
Ind. Nos. 81/17
82/17
753/18

-----X

Defendant-appellant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about September 24, 2018, for leave to prosecute the appeal as a poor person 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 deeming the notice of appeal as timely filed, and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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.

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 180 days from the date of receipt of the complete 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 April 4, 2019.

Present - Hon. Dianne T. Renwick,
Rosalyn H. Richter
Peter Tom
Marcy L. Kahn
Peter H. Moulton,
Justice Presiding,
Justices.

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

-against-

Antonio Lugo,
Defendant-Appellant.

Confidential
M-145
Ind. No. 899/18

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about October 23, 2018,

And defendant-appellant having moved, pro-se, for an order deeming his notice of appeal as timely filed,

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 unnecessary, the amended notice of appeal, dated November 8, 2018, having been timely filed.

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 April 4, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Peter Tom
Marcy L. Kahn
Peter H. Moulton, Justices.

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

-against-

M-174

Ind. No. 246/16

Justin Morales,
Defendant-Appellant.

-----X

Defendant having moved, pro se, for an order granting leave to file a late notice of appeal from the judgment of the Supreme Court, Bronx County, rendered on or about June 7, 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 deeming the moving papers a timely filed notice of 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 April 4, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Peter Tom
Marcy L. Kahn
Peter H. Moulton, Justices.

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

-against-

M-198

Ind. No. 2048/17

Derrick Henriques,
Defendant-Appellant.

-----X

Defendant seeks to appeal from the judgment of the Supreme Court, New York County, rendered on or about July 19, 2018,

And defendant-appellant having moved, pro-se, for an order deeming his notice of appeal as timely filed,

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

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

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 April 4, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Peter Tom
Marcy L. Kahn
Peter H. Moulton, Justices.

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

-against-

John Lugo,
Defendant-Appellant.

CONFIDENTIAL
M-199
Ind. No. 4181/17

-----X

Defendant-appellant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about July 19, 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 deeming the notice of appeal timely filed.

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 April 4, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Peter Tom
Marcy L. Kahn
Peter H. Moulton, Justices.

-----X
Dale Polakoff and Ellen Polakoff,
Plaintiffs-Appellants,

-against-

M-249
Index No. 805029/16

NYU Hospitals Center, NYU Medical Center, NYU Langone Medical Center, NYU School of Medicine and Aubrey C. Galloway, M.D.,
Defendants-Respondents.

-----X

Plaintiffs-appellants having moved pursuant to 22 NYCRR 1250.10(c) to vacate the dismissal of appeal, and upon vacatur, for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about March 16, 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 vacating the dismissal of appeal and enlarging the time to perfect said appeal to the September 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 April 4, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Peter Tom
Marcy L. Kahn
Peter H. Moulton, Justices.

-----x

The People of the State of New York
ex rel. Luke Schram, Esq., on behalf
of Barry Kendrick,
Petitioner-Appellant,

-against-

M-6689

Index No. 452043/18

Ind. No. 3329/18

Cynthia Brann, Commissioner, New York
City Department of Correction,
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 October 26, 2018, which denied and dismissed petitioner's application for a writ of habeas corpus,

And petitioner-appellant having moved for a reduction in bail from \$10,000 to release under supervision, for expedited hearing of his appeal, and for leave to prosecute the aforesaid appeal as a poor person, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for the assignment of counsel,

And interim relief having been granted by an order of a Justice of this Court dated December 19, 2018, releasing defendant under supervision by the CASES Supervised Release Program,

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 that the interim relief granted by a Justice of this Court on December 19, 2018 is continued upon the condition that the appeal is perfected for the September 2019 Term of this Court. It is further directed that the appeal 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 General of the State of New York and files an original, five hard copies and, and if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

Pursuant to Section 35 of the Judiciary Law, Janet E. Sabel, Esq., The Legal Aid Society, 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for appellant for purposes of the appeal. Movant is directed to perfect the appeal for the September 2019 Term and, if so perfected, the appeal is to be maintained on the calendar for said September 2019 Term. Counsel is directed to perfect the appeal in accordance with Section 1250.5 of the Rules of the Appellate Division.

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 April 4, 2019.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Barbara R. Kapnick
Marcy L. Kahn
Jeffrey K. Oing, Justices.

-----X

BML Properties Ltd.,
Plaintiff-Respondent,

-against-

M-871
Index No. 657550/17

China Construction America Inc.,
now known as CCA Construction Inc.,
CSCEC Bahamas, Ltd., CCA Bahamas
Ltd., and Does 1-10,
Defendants-Appellants.

-----X

Defendants-appellants China Construction America Inc., now known as CCA Construction Inc., CSCEC Bahamas, Ltd. and CCA Bahamas Ltd., having moved for a stay of all proceedings in the trial court pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about January 24, 2019,

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

It is ordered that the motion is denied and the interim stay granted by an order of a Justice of this Court, dated February 13, 2019, is hereby vacated.

ENTERED:


CLERK