

At a 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 18, 2019.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Ellen Gesmer
Peter H. Moulton, Justices.

-----X

High Value Trading, LLC, et al.,
Plaintiffs-Respondents,

-against-

M-908
Index No. 651788/11

Jack Shaoul, et al.,
Defendants-Appellants.

-----X

Defendants-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 January 31, 2019 (Appeal Nos. 8295-8296),

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 18, 2019.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Judith J. Gische
Troy K. Webber
Anil C. Singh, Justices.

-----X
Retained Realty, Inc.,
Plaintiff-Respondent,

-against-

M-1268
Index No. 154760/18

Selvyn Seidel and Deborah Seidel,
Defendants-Appellants.

John Doe and Jane Doe,
Defendants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 4, 2019,

And defendants-appellants, pro se, having moved for a stay of eviction 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 18, 2019.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Troy K. Webber
Anil C. Singh, Justices.

-----X
Preecha Nuntnarumit, et al.,
Plaintiffs-Appellants,

-against-

M-5834
Index No. 651829/17

Lyceum Partners, LLC, 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 October 23, 2018 (Appeal Nos. 7263-7264),

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 18, 2019.

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

-----X

New 110 Cipriani Units, LLC,
Plaintiff-Appellant,

-against-

M-73

Index No. 652595/18

Board of Managers of 110 E 42nd Street
Condominium, et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on November 27, 2018 (Appeal No. 7727),

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 18, 2019.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Peter Tom
Ellen Gesmer
Cynthia S. Kern, Justices.

-----X
East Midtown Plaza Housing Co., Inc.,
Petitioner-Landlord-Respondent,

-against-

M-532
Index No. 570690/17

Sherman Gamble,
Respondent-Tenant-Appellant,

Torri Gamble,
Respondent-Undertenant-Appellant.

-----X

Respondent-appellant, Torri Gamble, having moved, for leave to reargue or renew her prior motion for leave to appeal from the order of the Appellate Term, First Department, entered in the office of the Clerk of the Supreme Court, New York County, on or about June 4, 2018, which was denied by order of this Court entered on January 22, 2019 (M-5598), or in the alternative, for leave to appeal to the Court of Appeals,

Now, upon reading and filing the papers with respect to the motions, 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 18, 2019.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Marcy L. Kahn
Ellen Gesmer
Jeffrey K. Oing, Justices.

-----X
BEC Capital, LLC, et al.,
Plaintiffs-Respondents,

-against-

M-1152
Index No. 153737/16

Bojan Bistrovic, Marsonia Capital
Management, LLC and Marsonia
Investment Management, LLC,
Defendants-Appellants.

-----X

Appeals having been taken from an order of the Supreme Court, New York County, entered on or about December 4, 2018, which directed defendants-appellants to produce certain source code, and from a compliance conference order of the same court, entered, on or about February 7, 2019, which precluded defendants-appellants from asserting any claims or defenses related to the source code if they did not comply with the December 4, 2018 order within 20 days,

And defendants-appellants having moved for an order staying the enforcement of the aforesaid orders pending the hearing and determination of 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 the motion is granted on condition the appeals are perfected on or before July 8, 2019 for 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 18, 2019.

Present - Hon. Judith J. Gische, Justice Presiding,
Troy K. Webber
Cynthia S. Kern
Anil C. Singh, Justices.

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

-against-

M-359
Ind. No. 1126/18

Jonathan Pena,
Defendant-Appellant.
-----X

Defendant having moved, pro se, for leave to file a late notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about September 20, 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 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 18, 2019.

Present - Hon. Judith J. Gische, Justice Presiding,
Troy K. Webber
Cynthia S. Kern
Anil C. Singh, Justices.

-----X
Tower Insurance Company of New York
as Subrogee of 532 39 Realty, LLC,
Plaintiff-Respondent,

-against-

M-545
Index No. 150281/11

LMW Engineering Group, LLC,
Jieming Wang, Shine Realty, Inc.,
et al.,
Defendants-Respondents.

-and-

Metal Stone Construction, Inc.,
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from a judgment of the Supreme Court, New York County, entered on or about July 10, 2018,

Now, upon reading and filing the papers with respect to the motion, and the correspondence from the attorneys for defendant-appellant dated March 7, 2019, and due deliberation having been had thereon,

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

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 18, 2019.

Present - Hon. Judith J. Gische, Justice Presiding,
Troy K. Webber
Cynthia S. Kern
Anil C. Singh, Justices.

-----X
Eusebia Ramirez, as administrator
of the Estate of Eddie Fernandez,
deceased and Eusebia Ramirez,
Individually,
Plaintiffs-Respondents,

-against-

M-567
Index No. 21064/13

The City of New York,
Police Officer Edward McClain, and
Police Officer "John/Jane Doe",
said name being fictitious and
presently unknown,
Defendants-Appellants.

-----X

Defendants-appellants having moved for further enlargement of time to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about January 11, 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 18, 2019.

Present - Hon. Judith J. Gische,
Troy K. Webber
Cynthia S. Kern
Anil C. Singh,

Justice Presiding,

Justices.

-----X

R&R Capital LLC, et al.,
Plaintiffs-Respondents,

-against-

M-712

Index No. 604080/05

Linda Merrit, also known as Lyn Merrit,
Defendant-Appellant.

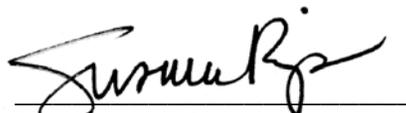
-----X

Plaintiffs-respondents having moved for dismissal of the appeal, taken by defendant-appellant from an order of the Supreme Court, New York County, entered 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 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 18, 2019.

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

-----X
Noel G. Watson,
Plaintiff-Respondent,

-against-

Kevin A. Jimenez,
Defendant-Appellant,

M-890
Index No. 22804/15E

-and-

Galan A. Armand, et al.,
Defendants,

Lawrence R. Labriola, et al.,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about August 2, 2018, which denied the defendant-appellant's motion to dismiss the gross negligence and punitive damages causes of action,

Now, upon reading and filing the correspondence from counsel for defendant-appellant, dated January 31, 2019, and due deliberation having been had thereon,

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

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 18, 2019.

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

-----X

Latoyia Sillah,
Plaintiff-Respondent,

M-892
Index No. 303135/15

-against-

New York City Transit Authority,
et al.,
Defendants-Appellants.,
-----X

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

Now, upon reading and filing the correspondence from Vanessa M. Corchia, Esq., counsel for defendants-appellants, dated February 7, 2019, and due deliberation having been had thereon,

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

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 18, 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,
ex rel. Michelle McGrath, Esq. on
behalf of Saikou Sumareh,
Petitioner-Appellant,

-against-

M-894
Index No. 250249/18
Ind. No. 1682/18

Cynthia Brann, Commissioner, New York
City Department of Correction,
Respondent-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about October 17, 2018,

Now, upon reading and filing the stipulation of the parties hereto, dated December 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 April 18, 2019.

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

-----X
Alexander Condominium, By Its Board of
Managers,
Plaintiffs-Appellants-Respondents,

-against-

East 49th Street Development II, LLC, 250 East Borrower, LLC, Continental Finance Corporation, Continental Realty LLC, Alexander Gurevich, Mitchell Gurevich, Gennady Kiselman, also known as Gene Kiselman and Maurice Setton, Defendants-Respondents-Appellants,
M-895
Index No. 153813/16
CFC Specialty Program Managers, LLC, et al.,
Defendants.

-----X

An appeal and cross appeal having been taken from an order of the Supreme Court, New York County, entered on or about September 12, 2018,

Now, upon reading and filing the stipulation withdrawing the appeal and cross appeal, dated February 6, 2019, and due deliberation having been had thereon,

It is ordered that the appeal and cross appeal 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 April 18, 2019.

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

-----X
Robinson Brog Leinwand Greene
Genovese & Gluck P.C.,
Plaintiff-Judgment Creditor-Appellant,

-against-

M-1001X
Index No. 158914/13

Kevin D. Woodley,
Defendant-Judgment Debtor-Respondent.

-----X

Separate appeals having been taken from two orders of the Supreme Court, New York County, entered on or about October 4, 2018 and on or about November 9, 2018,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" February 14, 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 18, 2019.

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

-----X

David Lance New York, Inc.,
Plaintiff-Appellant,

M-1132
Index No. 652892/17

-against-

Scott Skoller, Adrian Jules, Ltd.,
SS Bespoke Inc. and Patricia Espinoza,
Defendants-Respondents.

-----X

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

Now, upon reading and filing the stipulation of the parties hereto, dated February 27, 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 18, 2019.

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

-----X
Jessica Block,

Plaintiff-Respondent,

-against-

Azal Alashtal,
Defendant-Appellant.

-----X

CONFIDENTIAL

M-6752

M-638

Index No. 307002/18

Defendant-appellant having moved for a partial stay of the order of the Supreme Court, New York County, entered on or about November 21, 2018, pending hearing and determination of the appeal taken therefrom (M-6752),

Now, upon reading and filing the stipulation of the parties hereto, dated January 24, 2019 (M-638), and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation (M-638). The motion for a partial stay (M-6752) is denied as academic.

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 18, 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,

CONFIDENTIAL

M-206

-against-

Ind. No. 14237/89

Robert Jones,
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, New York County (Rodney, J.), entered on or about December 19, 2018, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 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 Clerk of the Supreme Court shall expeditiously make and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Rodney as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Robert S. Dean, Esq., Center for Appellate Litigation, 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 18, 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,

CONFIDENTIAL

M-282

-against-

Ind. No. 3464/10

Michael Shaia,
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, New York County (Conviser, J.), entered on or about December 18, 2018, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 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 Clerk of the Supreme Court shall expeditiously make and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Conviser as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Janet E. Sabel, Esq., the Legal Aid Society, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

(M-282)

-2-

April 18, 2019

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 18, 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-915
Ind. No. 4643/17

Chaz Rodriguez,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about July 10, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about December 13, 2018,

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 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 18, 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-1081
SCI. No. 2302/18

Dante Frasieri,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about November 28, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about November 28, 2018,

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 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 18, 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-1083
Ind. No. 1146/17

Enrique Foote,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about December 3, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about November 21, 2018,

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 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 18, 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-1085
Ind. No. 1942/18

Sean Morton,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about November 28, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about November 28, 2018,

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 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 18, 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-1117
Ind. No. 2771/17

Steven Melecio,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about December 11, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about December 11, 2018,

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 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 18, 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-1118
Ind. No. 1709/18

Sean Pessoa,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about December 5, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about December 5, 2018,

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 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 18, 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-1119
Ind. Nos. 2471/16
2054/17

Melquan Thompson,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about December 11, 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 December 11, 2018,

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 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 18, 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-1120
Ind. No. 2163/17

Thomas Berroa,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about November 29, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about November 29, 2018,

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 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 18, 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-1121
Ind. No. 2192/18

Jasaira Ortiz,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about December 10, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about December 7, 2018,

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 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 18, 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-1122
Ind. No. 960/17

Markese Garrett,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about December 20, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about December 20, 2018,

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 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 18, 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-1123
SCI. No. 2507/18

Jonathan Maldonado,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about December 20, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about December 20, 2018,

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 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 18, 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-1125
Ind. No. 2642/17

Georgina Rendon,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about December 19, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about December 19, 2018,

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 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 18, 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-1126
Ind. No. 166/18

Channing Parker,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about December 19, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about December 19, 2018,

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 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 18, 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,

CONFIDENTIAL

M-6678

-against-

Ind. No. 5540/07

Ricardo Flores,
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, New York County (Farber, J.), entered on or about November 15, 2018, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 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 Clerk of the Supreme Court shall expeditiously make and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Farber as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Christina Swarns, Esq., Office of the Appellate Defender, 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 18, 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-1084
Ind. No. 2984/15

Anthony Mahoney,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about November 29, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about November 29, 2018,

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 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 18, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Sallie Manzanet-Daniels
Barbara R. Kapnick
Marcy L. Kahn
Jeffrey K. Oing, Justices.

-----X
Aleida E. Casanas,
Plaintiff-Appellant,

-against-

The Carlei Group, LLC, et al.,
Defendants-Respondents.

M-653
Index No. 153156/16

-----X

Plaintiff-appellant having moved for further enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about January 17, 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 18, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Sallie Manzanet-Daniels
Barbara R. Kapnick
Marcy L. Kahn
Jeffrey K. Oing, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-655
Ind. No. 2279/17

Jose Barraza-Payan,
Defendant-Appellant.

-----X

Defendant-appellant having moved, pursuant to CPL 460.30, for an enlargement of time in which to file an untimely notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about January 8, 2018, for leave to prosecute the appeal as a poor person, 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 moving papers a timely filed notice of appeal and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 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 18, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Sallie Manzanet-Daniels
Barbara R. Kapnick
Marcy L. Kahn
Jeffrey K. Oing, Justices.

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

-against-

Aubrey Carter,
Defendant-Appellant.

M-668
Ind. Nos. 2366/18
48/18
3451/17

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about November 27, 2018, for leave to prosecute the appeal as a poor person, to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of 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, inter alia, his indigency, the terms of defendant's retainer agreement with trial counsel, the amount and sources of funds for trial counsel's fee, 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 18, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Sallie Manzanet-Daniels
Barbara R. Kapnick
Marcy L. Kahn
Jeffrey K. Oing, Justices.

-----X
The People of the State of New York
ex rel. James Berry,
Petitioner-Appellant,

-against-

J. Ocasio, Warden,
Respondent-Repondent.

M-6622
Index No. 400535/01
Ind. No. 9336/99

-----X

Petitioner-appellant having moved for an order deeming his notice of appeal, dated February 5, 2018, from an order of the Supreme Court, Bronx County, entered on or about February 14, 2001, as timely filed, 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 denied (CPLR 5513[a]).

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 18, 2019.

Present - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Rosalyn H. Richter
Jeffrey K. Oing
Peter H. Moulton, Justices.

-----X
Henryk Lampkowski,
Plaintiff-Appellant,

-against-

M-371

Index No. 805213/15

Raul Parra, M.D. and Memorial
Kettering Cancer Center,
Defendants-Respondents.

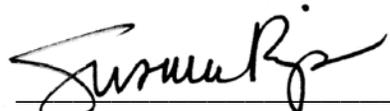
-----X

Plaintiff-appellant having moved pursuant to 22 NYCRR 1250.10(c) to vacate the dismissal of the appeal taken from a judgment of the Supreme Court, New York County, entered on or about February 15, 2018, and upon vacatur, for leave to amend the notice of appeal and pre-argument statement 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 reinstating the aforementioned appeal and deeming the amended notice of appeal and pre-argument statement annexed to the moving papers as valid and timely filed (CPLR 5520[c]). The time in which to perfect the appeal is hereby 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 18, 2019.

Present - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Rosalyn H. Richter
Jeffrey K. Oing
Peter H. Moulton, Justices.

-----X
Natalie Krodel,
Petitioner-Appellant,

-against-

M-641

Index No. 152176/14

Amalgamated Dwellings, Inc.,
Abraham Bragin, Lyn Kest and
Xena Cohen,
Respondents-Respondents.

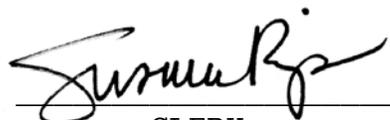
-----X

Petitioner-appellant having moved for further enlargement of time to perfect the appeal taken from orders of the Supreme Court, New York County, entered on or about October 11, 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, deemed one to vacate the dismissal of the appeal pursuant to 22 NYCRR 1250.10(c), is granted and the time to perfect the appeal is enlarged to the September 2019 Term, with leave to seek further enlargements if necessary.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 18, 2019.

Present - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Rosalyn H. Richter
Jeffrey K. Oing
Peter H. Moulton, Justices.

-----X
Mark Family Realty LLC,
Plaintiff-Counterclaim
Defendant-Respondent,

-against-

M-697
Index No. 105924/11

Anton Sanko,
Defendant-Counterclaim
Plaintiff-Appellant,

Mary Burnette,
Third-Party Plaintiff,

-against-

Ira Mark, Selrob Family, LP,
Selena Henry, Robert Henry,
Jane Henry and Sarah Henry,
Third-Party Defendants-Respondents.
-----X

Defendant-counterclaim plaintiff-appellant having moved pursuant to 22 NYCRR 1250.10(c) to vacate the dismissal of appeal taken from an order of the Supreme Court, New York County, entered on or about May 4, 2018, and upon vacatur, 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,

(M-697)

-2-

April 18, 2019

It is ordered that the motion is granted, the appeal reinstated, and the time to perfect said 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 18, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Troy K. Webber
Marcy L. Kahn
Cynthia S. Kern, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-745
Ind. No. 3403/10

Denzel Catlett,
Defendant-Appellant.

-----X

Defendant having renewed his motion 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 31, 2012, 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.

(M-745)

-2-

April 18, 2019

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 18, 2019.

Present - Hon. David Friedman, Justice Presiding,
Judith J. Gische
Peter Tom
Ellen Gesmer
Peter H. Moulton, Justices.

-----x

Sez Holdings LLC, et al.,
Plaintiffs-Respondents,

-against-

Magic Quick Lube, Inc., et al.,
Defendants-Appellants,

M-836
Index No. 26479/15

-and-

Jerome Avenue Car Wash and Lube, Inc.,
et al.,
Defendants.

-----x

Appeals having been taken to this Court from orders of the Supreme Court, Bronx County, entered on or about July 5, 2017 and January 12, 2018, and said appeals having been perfected,

And plaintiffs-respondents having moved for dismissal of the aforesaid 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 and the appeals are dismissed.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 18, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,
Judith J. Gische
Troy K. Webber
Marcy L. Kahn, Justices.

-----X
Marie Kaiser Napoli,
Plaintiff-Respondent-Appellant,

-against-

M-1249
Index No. 161423/15

Marc Jay Bern, Clifford S. Robert,
The Parkside Group, LLC and Brian
Brick,
Defendants-Appellants-Respondents.

-----X

Defendants-appellants-respondents having moved for a stay of all proceedings pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about August 14, 2018, and said appeal having been perfected,

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 March 6, 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 18, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,
Angela M. Mazzarelli
Cynthia S. Kern
Jeffrey K. Oing
Anil C. Singh, Justices.

-----X

JP Morgan Chase Bank, etc.,
Plaintiff-Respondent,

-against-

M-6761
Index No. 35786/15

Cauline Dennis, etc.,
Defendant-Appellant,

Simone Dennis, etc., et al.,
Defendants.

-----X

Defendant-appellant having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on November 27, 2018 (Appeal No. 7696),

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 18, 2019.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Rosalyn H. Richter
Peter Tom
Barbara R. Kapnick
Jeffrey K. Oing, Justices.

-----X
Servon Green,
Plaintiff-Appellant,

-against-

M-851
Index No. 22999/15

Walmar A. Zapata Chinchilla, et al.
Defendants-Respondents.

-----X

Defendants-respondents having moved for dismissal of the appeal taken from an order of the Supreme Court, Bronx County, entered on or about May 1, 2018, 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 granted and the appeal is deemed dismissed pursuant to 22 NYCRR 1250.10(a).

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 18, 2019.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Rosalyn H. Richter
Peter Tom
Barbara R. Kapnick
Jeffrey K. Oing, Justices.

-----X
Kebede Haile,
Plaintiff-Appellant,

-against-

M-909
Index No. 302538/14

Lucia Reynoso, et al.,
Defendants-Respondents.
-----X

Defendants-respondents having moved for dismissal of the appeal taken from an order of the Supreme Court, Bronx County, entered on or about March 27, 2018, 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 granted and the appeal is deemed dismissed pursuant to 22 NYCRR 1250.10(a).

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 18, 2019.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Rosalyn H. Richter
Peter Tom
Barbara R. Kapnick
Jeffrey K. Oing, Justices.

-----X
Xue Quan Liu,
Plaintiff-Appellant,

-against-

M-910
Index No. 21005/14E

Bronx Merchant Funding Services, LLC,
Merchant Funding Services Corp. and
Sammy D. Peralta,
Defendants-Respondents.

-----X

Defendants-respondents Merchant Funding Services Corp. and Sammy D. Peralta having moved for dismissal of the appeal taken from an order of the Supreme Court, Bronx County, entered on or about April 18, 2018, 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 granted and the appeal is deemed dismissed pursuant to 22 NYCRR 1250.10(a).

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 18, 2019.

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

-----x
Cheryl Williams-Murray and Michael Murray,
Plaintiffs-Appellants,

-against-

675 Walton Avenue, Inc.,
Defendant-Respondent.
-----x

M-6362
M-6701
Index No. 301090/17

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about November 17, 2017,

And plaintiffs-appellants having moved for a stay of enforcement of the aforesaid order, including the sale of the shares to the subject apartment, pending determination of the aforesaid appeal, for vacatur of the dismissal of their appeal and for an enlargement of time to perfect same, (M-6362)

And defendant-respondent having cross moved for dismissal of the appeal (M-6701),

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

Ordered that the motion (M-6362) is denied, and the interim relief granted by an order of a Justice of this Court, dated December 5, 2018, is hereby vacated, and it is further

Ordered that the cross motion (M-6701) is denied as unnecessary, the appeal having been dismissed pursuant to 22 NYCRR 1250.10(a).

ENTERED:


CLERK

Court held in and for the First Judicial Department in
the County of New York on April 18, 2019.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Ellen Gesmer
Cynthia S. Kern
Anil C. Singh, Justices.

-----X

Marta Michelle Estreich, as
Administratrix of the Estate of
Charlotte Much, deceased, and
Marta Michelle Estreich, Individually,
Plaintiff-Appellant,

-against-

M-1318
Index No. 450176/16

Jewish Home Lifecare,
Defendant,

New York Presbyterian Hospital,
et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for a stay of trial pending
hearing and determination of the appeal taken from the order of
the Supreme Court, New York County, entered on or about April 1,
2018, and said appeal having been perfected,

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

It is ordered that the motion is granted.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 18, 2019.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Ellen Gesmer
Cynthia S. Kern
Anil C. Singh, Justices.

-----X
Sara Tirschwell,
Plaintiff-Respondent,

-against-

M-1352
Index No. 150777/18

TCW Group Inc., TCW LLC,
David Lippman and Jess Ravich,
Defendants-Appellants,
-----X

An appeal having been taken to this Court by defendants-appellants from an order of the Supreme Court, New York County, entered on or about February 27, 2019, which compelled defendants to produce documents and answer questions posed at depositions concerning an investigation conducted by an attorney,

And appellants having moved for an order staying enforcement of the discovery obligations imposed by 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 and the interim relief granted by an order of a Justice of this Court, dated March 13, 2019, is hereby vacated.

ENTERED:


CLERK