

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 21, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter,
Sallie Manzanet-Daniels, Justices.

-----X
Kevin Scott,

Plaintiff-Appellant,

-against-

M-8348
Index No. 155710/16

The City of New York, et al.,

Defendants-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about February 25, 2019,

Now, upon reading and filing the correspondence from counsel for plaintiff-appellant dated November 6, 2019, and due deliberation having been had thereon,

It is ordered that the appeal is deemed withdrawn in accordance with the aforesaid correspondence.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 January 21, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

Jane Ward,
Plaintiff-Appellant,

-against-

M-8349
Index No. 400564/13

The City of New York, The New York City
Health and Hospital Corporation, et al.,
Defendants-Respondents.

-----X

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about December 5, 2018,

Now, upon reading and filing the correspondence from counsel for plaintiff-appellant, dated October 28, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid correspondence.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 January 21, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
Edward Mendez,

Plaintiff-Respondent,

-against-

M-8350
Index No. 152094/16

The City of New York and The New York
City Police Department

Defendants-Appellants.

-----X

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about April 29, 2019,

Now, upon reading and filing the correspondence from counsel for defendants-appellants, dated November 6, 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 January 21, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

Jose Aguirre Galindo,
Plaintiff-Appellant,

-against-

M-8351
Index No. 159448/15

Cavendish Realty LLC, et al.,
Defendants-Respondents.

-----X

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about November 27, 2018,

Now, upon reading and filing the correspondence from counsel for plaintiff-appellant, dated November 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 January 21, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

Aviation Distributors, Inc. - Formed
May 1945 and Diane Haslett,
Plaintiffs-Respondents,

-against-

M-8352
Index No. 155301/15

Community Preservation Neighborhood Inc.,
Defendant-Appellant,

Aviation Distributors, Inc. Formed
February 2014, et al.,
Defendants.

-----X

An appeal having been taken to this Court from the order and judgment (one paper), of the Supreme Court, New York County, entered on or about June 10, 2019,

Now, upon reading and filing the correspondence from counsel for defendant-appellant dated November 4, 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 January 21, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

Kennedy Rosario and Leonida Gonzalez,
Plaintiffs-Respondents,

-against-

M-8853
Index No. 156223/15

Audubon Realty LLC and Successful
Management Corp.,
Defendants-Appellants.

-----X

An appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about April 18, 2019, and said appeal having been perfected,

Now, upon reading and filing the Stipulation of Discontinuance, of the parties hereto, dated November 4, 2019, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid Stipulation of Discontinuance.

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 January 21, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

Jonathan Vega and Lissette Vega,
Plaintiffs-Respondents,

-against-

M-8971
Index No. 114536/10

The Salvation Army,
Defendant-Appellant,

The City of New York and New York City
Department of Transportation,
Defendants-Respondents.

-----X

The Salvation Army,
Third-Party Plaintiff-Appellant,

-against-

James S. Mitchell & Sons, Inc.,
Third-Party Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 28, 2018,

Now, upon reading and filing the Stipulation of the parties hereto, dated December 6, 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 January 21, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----x

NestSeekers International LLC and
Jonathan Ortiz,
Plaintiffs-Respondents,

-against-

M-8980X
Index No. 656505/16

SNA Enterprises, Inc., et al.,
Defendants-Appellants,

Gus Biskoff and Dimitrios Isaakidis,
Defendants.

-----x

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about February 21, 2019,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" December 23, 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 January 21, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----x
Karla R. Cruz also known as Karla
Ribeiro,
Plaintiff-Respondent,

-against-

M-8981X
Index No. 301274/15

T. Stone Corp. and Derone Lenny Garcia,
Defendants-Appellants,

Orlando Figueroa and Don Thomas Buses,
Inc.,
Defendants.

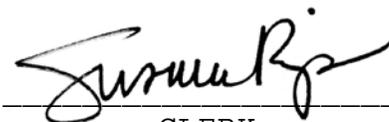
-----x

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about September 27, 2019,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" December 13, 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 January 21, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----x

Seneca Insurance Company, Inc.,
Plaintiff-Respondent,

-against-

M-8982X
Index No. 157300/12

Consolidated Edison Company of New York,
Inc., and Itron, Inc.,
Defendants-Appellants,

-----x

Appeals having been taken from an order of the Supreme Court, New York County, entered on or about August 6, 2019,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" December 17, 2019, and due deliberation having been had thereon,

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 21, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzalet-Daniels, Justices.

-----X
Associated Mutual Insurance Cooperative,
as subrogee of Daniel Jake Corp., doing
business as Anton Restaurant,

Plaintiff-Respondent,

-against-

M-8983X
Index No. 152892/12

Consolidated Edison Company of New York
Inc. and Itron Inc.,

Defendants-Appellants.
-----X

Appeals having been taken from an order of the Supreme Court, New York County, entered on or about August 6, 2019,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" December 17, 2019, and due deliberation having been had thereon,

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 21, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

Glencore Canada Corporation,
Plaintiff-Appellant,

-against-

M-8347
Index No. 653057/17

Oxbow Carbon & Minerals International
GmbH (Bahamas Branch),
Defendant-Respondent.

-----X

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about May 30, 2019,

Now, upon reading and filing the correspondence from counsel for plaintiff-appellant dated October 30, 2019, and due deliberation having been had thereon,

It is ordered that the appeal is deemed 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 January 21, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter,
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of the Application of
Forge Hotel LLC,
Petitioner-Appellant,

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

M-8754
Index No. 156815/18

-against-

Jacques Jiha, as Commissioner of the
New York City Department of Finance,
et al.,
Respondents-Respondents.

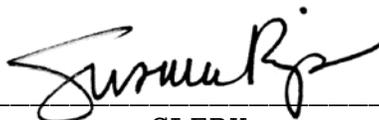
-----X

An appeal having been taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about May 2, 2019,

Now, upon reading and filing the correspondence from the attorney for petitioner-appellant, dated November 15, 2019, and due deliberation having been had thereon,

It is ordered that the appeal is deemed 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 January 21, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter,
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of the Application of
Forge Realty LLC,
Petitioner-Appellant,

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

M-8755
Index No. 156756/18

-against-

Jacques Jiha, as Commissioner of the
New York City Department of Finance,
et al.,
Respondents-Respondents.

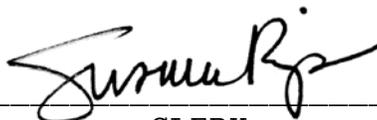
-----X

An appeal having been taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about May 2, 2019,

Now, upon reading and filing the correspondence from the attorney for petitioner-appellant dated November 15, 2019, and due deliberation having been had thereon,

It is ordered that the appeal is deemed 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 January 21, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter,
Sallie Manzanet-Daniels, Justices.

-----X

Kainos GP LLC,
Plaintiff-Respondent,

-against-

M-8757
Index No. 655976/17

Gehl Foods, LLC, formerly known as
Gehl Foods, Inc.,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about September 25, 2019,

Now, upon reading and filing the correspondence from counsel for defendant-appellant dated November 25, 2019, and due deliberation having been had thereon,

It is ordered that the appeal is deemed 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 January 21, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter,
Sallie Manzanet-Daniels, Justices.

-----X

Henry 85 LLC,
Plaintiff-Respondent,

-against-

M-8786
Index No. 154499/15

Joel Roodman and Jill Tafrate,
Defendants-Appellants.

-----X

An appeal having been taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about May 15, 2017,

Now, upon reading and filing the correspondence from counsel for defendants-appellants dated December 2, 2019, and due deliberation having been had thereon,

It is ordered that the appeal is deemed 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 January 21, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter,
Sallie Manzanet-Daniels, Justices.

-----X
Jack Gabay, Golden Goose Realty Group
LLC and Hershel Feldman, as Assignee of
the claim of Epic Commercial Realty,
Plaintiffs-Respondents,

M-8787
Index No. 650948/17

-against-

Esplanade Venture Partnership, David
Scharf, Joseph Scharf, Alexander Scharf,
and Susan Scharf Diamond,
Defendants-Respondents.

-----X
Esplanade Venture Partnership,
Third-Party Plaintiff-Respondent,

-against-

Third-Party
Index No. 595482/17

305 West End Holding LLC and
305 West End Property LLC,
Third-Party Defendants-Appellants.

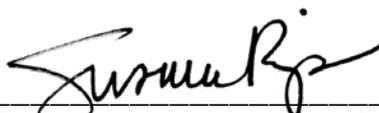
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 8, 2019,

Now, upon reading and filing the correspondence from counsel for third-party defendants-appellants dated November 26, 2019, and due deliberation having been had thereon,

It is ordered that the appeal is deemed 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 January 21, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter,
Sallie Manzanet-Daniels, Justices.

-----X

Michael Kane and Jennifer Kane,
Plaintiffs-Appellants,

-against-

M-8788

Index No. 150293/18

Legacy Yards Tenant LLC, Hudson Yards
Construction LLC, The Related Companies,
Inc., The Related Companies, L.P.,
Tutor Perini Building Corp. and
Tishman Construction Corporation,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 13, 2019,

Now, upon reading and filing the correspondence from counsel for plaintiffs-appellants dated December 4, 2019, and due deliberation having been had thereon,

It is ordered that the appeal is deemed 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 January 21, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter,
Sallie Manzanet-Daniels, Justices.

-----X

Vincent Turchio,
Plaintiff-Appellant,

-against-

M-8789
Index No. 28627/18E

Lacoste, USA, Inc., doing business as
Lacoste and James M. Barb Construction,
Inc.,
Defendants-Respondents.

-----X

James M. Barb Construction, Inc.,
Third-Party Plaintiff-Respondent,

-against-

Rael Automatic Sprinkler Co., Inc.,
Third-Party Defendant-Respondent.

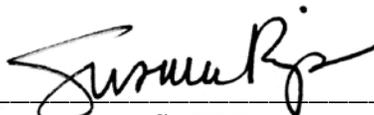
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about March 29, 2019,

Now, upon reading and filing the correspondence from counsel for plaintiff-appellant dated December 4, 2019, and due deliberation having been had thereon,

It is ordered that the appeal is deemed 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 January 21, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter,
Sallie Manzanet-Daniels, Justices.

-----X
Virginia Arias, et al.,

Plaintiffs-Appellants,

-against-

M-8790
Index No. 21215/11E

John Vecchione, DDS, et al.,

Defendants-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about January 31, 2019,

Now, upon reading and filing the correspondence from counsel for plaintiffs-appellants dated December 3, 2019, and due deliberation having been had thereon,

It is ordered that the appeal is deemed 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 January 21, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----x

Kevin McGookin,
Plaintiff-Appellant,

-against-

M-8862
Action No. 1
Index No. 21904/17E

Antoneta Berishai,
Defendant-Respondent.

-----x

Kevin McGookin,
Plaintiff-Appellant,

-against-

Action No. 2
Index No. 21737/19E

Nationwide Mutual Insurance Company,
Defendant-Respondent.

-----x

Consolidated appeals having been taken to this Court from orders of the Supreme Court, Bronx County, entered on or about January 15, 2019 (Index No. 21904/17E), and on or about July 19, 2019 (Index No. 21737/19E), and plaintiff-appellant having moved to extend the time to perfect said appeals,

Now, upon reading and filing the correspondence from counsel for plaintiff-appellant, dated January 3, 2020, 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 January 21, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter,
Sallie Manzanet-Daniels, Justices.

-----X

Richard Taylor,
Plaintiff-Respondent,

-against-

M-7946
Index No. 20038/13E

The Port Authority of New York and
New Jersey,
Defendant-Appellant.

-----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 October 10, 2019 (Appeal No. 10045),

Now, upon reading and filing the correspondence from counsel for defendant-appellant dated December 18, 2019, and due deliberation having been had thereon,

It is ordered that the instant motion is deemed 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 January 21, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,
Respondent,

CONFIDENTIAL

M-8663

-against-

Ind. No. 99057/18

Efrain Martinez,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, Bronx County (Bruce, J.), entered on or about October 25, 2019, 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 Bruce as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Janet E. Sabel, Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed.

The time within which appellant shall perfect this appeal is hereby enlarged until 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 January 21, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,
Respondent,

CONFIDENTIAL

M-8731

-against-

Ind. No. 1140/16

Kevan Seales,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, New York County (Biben, J.), entered on or about November 26, 2019, for leave to have the appeal heard upon 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 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 Biben as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Robert S. Dean, Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed.

The time within which appellant shall perfect this appeal is hereby enlarged until 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 January 21, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,
Respondent,

CONFIDENTIAL

M-8732

-against-

Ind. No. 72/16

Mark Rodriguez,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, Bronx County (Bruce, J.), entered on or about November 22, 2019, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an extension 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 Bruce as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Robert S. Dean, Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed.

The time within which appellant shall perfect this appeal is hereby enlarged until 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 January 21, 2020.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

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

Frances M. L.,
Petitioner-Respondent,

CONFIDENTIAL

M-8455

Docket Nos. V-8710/18
V-8715/18

-against-

Luis F. O. C.,
Respondent-Appellant,

Michelle D., Administration for Children's
Services-Bronx,
Respondents-Respondents.

Janet E. Sabel, Esq., Attorney
for the Children.

-----X

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

Luis F. O.C.,
Petitioner-Appellant,

Docket Nos. V-9224-18
V-9225-18

-against-

Frances M. L.,
Michelle D.,
Administration for Children's
Services-Bronx,
Respondents-Respondents.

Janet E. Sabel, Esq., Attorney
for the Children.

-----X

Petitioner-respondent Frances M.L. having moved for leave to respond, as a poor person, to the appeal taken from the orders of the Family Court, Bronx County, both entered on or about October 15, 2019, 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 Paul Sweeney, Esq., dated November 25, 2019, 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, Lewis S. Calderon, Esq., 153-03 Jamaica Avenue, Jamaica, NY 11432, Telephone No. 718-883-1560, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for 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 January 21, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Cynthia S. Kern
Jeffrey K. Oing, Justices.

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

-against-

M-8441
Ind. No. 12131/91

Lorenzo Martinez,
Defendant-Appellant.

-----X

Defendant-appellant having moved for a further extension of time to perfect the appeal taken from only that part of the order of the Supreme Court, New York County, entered on or about February 1, 2016, which is appealable as of right,

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

It is ordered that motion is granted to the extent of extending the time to perfect the appeal to the June 2020 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 January 21, 2020.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Cynthia S. Kern
Jeffrey K. Oing
Lizbeth González, Justices.

-----X

Jennifer Luciano,
Plaintiff-Appellant,

M-8901
Index No. 26343/15E

-against-

Maribel Feliz and LCN Car Inc.,
Defendants-Respondents.

-----X

Defendants-respondents having moved to dismiss the appeal taken from an order of the Supreme Court, Bronx County, entered on or about November 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 January 21, 2020.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Judith J. Gische
Angela M. Mazzarelli
Ellen Gesmer, Justices.

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

-against- M-8101
Ind. No. 4287/13

Felix Torres,
Defendant-Appellant.

-----X

Defendant having renewed the 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 April 10, 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 January 21, 2020.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Barbara R. Kapnick
Anil C. Singh
Peter H. Moulton
Lizbeth González, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

Confidential

M-8673

Ind. Nos. 2858/15
3377/16

Carl Moore,
Defendant-Appellant.

-----X

An order of this Court having been entered on December 5, 2019(M-7790), granting defendant leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about August 14, 2019, and assigning Robert S. Dean, Esq., Center for Appellate Litigation, as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of Robert S. Dean, Esq., Center for Appellate Litigation, as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Christina Swarns, Esq., Office of the Appellate Defender, 11 Park Place, Suite 1601, New York, New York 10007, Telephone No. 212-402-4100, as such counsel. The poor person relief

previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the complete record, whichever is later.

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 January 21, 2020.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Barbara R. Kapnick
Anil C. Singh
Peter H. Moulton
Lizbeth González, Justices.

-----x
Commissioners of the State Insurance
Fund,

Plaintiff-Respondent,

-against-

M-8821
Index No. 452400/17

Sanitation Salvage Corp.,

Defendant-Appellant.
-----x

An appeal having been taken to this Court from the order and the judgment of the Supreme Court, New York County, entered on or about November 8, 2019 and November 19, 2019, respectively,

And defendant-appellant having moved, pursuant to CPLR 5519, for a stay of enforcement of the November 19, 2019 judgment pending hearing and determination of the appeal, and to vacate any restraining notices, subpoenas, and/or executions issued as part of plaintiff's enforcement activities,

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 staying enforcement of the November 19, 2019 judgment, and enjoining any enforcement activities on behalf of plaintiff-respondent, on condition defendant-appellant perfects the appeal for the May 2020 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 January 21, 2020.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Barbara R. Kapnick
Anil C. Singh
Peter H. Moulton
Lizbeth González, Justices.

-----x

Mary Gibbs, Individually and as the Daughter and the Proposed Guardian Ad Litem of Henry Gibbs, an Incapacitated Person Incapable of Adequately Prosecuting His Rights, and Levonia McCray, Individually and as the Son of the Proposed Administrator of the Estate of Belton Ganett, Deceased, and on behalf of all others similarly situated,
Plaintiffs-Respondents,

M-8839
Index No. 23705/15E

-against-

Kings Harbor Health Services, LLC,
doing business as Kings Harbor
Multicare Center,
Defendant-Appellant.

-----x

Defendant-appellant having moved for an extension of time to perfect the appeals taken from orders of the Supreme Court, Bronx County, entered on or about March 7, 2019 and September 25, 2019, and for a continuation of a stay granted by an order of this Court entered on November 22, 2019 (M-7905),

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 time to perfect the appeals is extended to the June 2020 Term, with leave

to seek further extensions, if necessary. The stay granted by the order of this Court entered November 22, 2019 (M-7905) is continued pending hearing and determination of the appeals.

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 January 21, 2020.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Barbara R. Kapnick
Anil C. Singh
Peter H. Moulton
Lizbeth González, Justices.

-----X

Tabatha McAddley,
Plaintiff-Appellant,

-against-

M-7998
Index No. 23401/15

Western Beef Properties, Inc., et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an extension of time to perfect the appeal taken from the judgment of the Supreme Court, Bronx County, entered on or about January 16, 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 granted to the extent of extending the time to perfect the appeal to the May 2020 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 January 21, 2020.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Anil C. Singh
Peter H. Moulton
Lizbeth González, Justices.

-----X
Adam Brook, M.D., Ph.D., and
Adam Brook, M.D., Ph.D., P.L.L.C.,
Plaintiffs-Appellants,

-against-

M-8818
Index No. 650921/12

Peconic Bay Medical Center, Richard
Kubiak, M.D., et al.,
Defendants-Respondents.

-----X

Plaintiffs-appellants having moved for leave to enlarge the record on the appeals taken from two orders of the Supreme Court, New York County, entered on or about May 16, 2019 and on or about June 4, 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.

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 January 21, 2020.

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,
Judith J. Gische
Angela M. Mazzarelli
Troy K. Webber
Ellen Gesmer, Justices.

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

-against-

M-8730
Ind. No. 3123/16

Nayib Ruiz,
Defendant-Appellant.

-----X

Assigned counsel for defendant-appellant having moved for an order relieving her as assigned counsel or, in the alternative, dismissing defendant's appeal, which was taken from a judgment of the Supreme Court, New York County, rendered on or about October 11, 2017, without prejudice to reinstatement at such time appellant becomes amenable to the jurisdiction of this Court,

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

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

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 January 21, 2020.

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,
Judith J. Gische
Angela M. Mazzarelli
Troy K. Webber
Ellen Gesmer, Justices.

-----X
Federal National Mortgage Association
("Fannie Mae"), a Corporation Organized
and Existing Under the Laws of the
United States of America,
Plaintiff-Respondent,

-against-

M-8823
Index No. 35546/15E

Alphonse Delgado, also known as
Apolonio Delgado,
Defendant-Appellant,

Radek Smejkal, New York City Department
of Housing Preservation and Development,
et al.,
Defendants.

-----X

Plaintiff-respondent having moved to dismiss the appeal taken from an order of the Supreme Court, Bronx County, entered on or about March 12, 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.

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 January 21, 2020.

PRESENT: Hon. Sallie Manzanet-Daniels, Justice Presiding,
Judith J. Gische
Angela M. Mazzarelli
Troy K. Webber
Ellen Gesmer, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-8722

Ind. No. 2826/18

Marianne Benjamin Williams,
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 14, 2019 (see order, M-1802, decided June 18, 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 January 21, 2020.

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,
Judith J. Gische
Angela M. Mazzarelli
Troy K. Webber
Ellen Gesmer, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-8775

Ind. No. 2352/18

Oumar Fofona,
Defendant-Appellant.

-----X

Defendant having moved for an extension of time in which to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about December 13, 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,

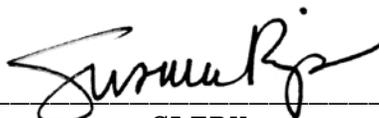
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of deeming the 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, 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 January 21, 2020.

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,
Judith J. Gische
Angela M. Mazzarelli
Troy K. Webber
Ellen Gesmer, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-8769
Ind. No. 2230/15

Dominique Brown,
Defendant-Appellant.

-----X

An order of this Court having been entered on June 16, 2016 (M-2478) granting defendant leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about January 5, 2016, and assigning Seymour W. James, Jr., Esq., predecessor counsel to Janet E. Sabel, Esq., The Legal Aid Society, as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of Janet E. Sabel, Esq., The Legal Aid Society, as assigned counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Christina Swarns, Esq., Office of the Appellate Defender, 11 Park Place, Suite 1601, New York, New York 10007, Telephone No. 212-402-4100 as such counsel. The poor person relief previously

granted is continued, and appellant's time in which to perfect the appeal is extended until 120 days from the date of this order or the receipt of the complete record, whichever is later.

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 January 21, 2020.

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,
Judith J. Gische
Angela M. Mazzarelli
Troy K. Webber
Ellen Gesmer, Justices.

-----X
Stepan K.,

Petitioner-Respondent,

CONFIDENTIAL

M-8669

-against-

Docket Nos. V-331-17/17A

V-331-17/17B

Marina M.,

V-332-17/17A

Respondent-Appellant.
-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, New York County, entered on or about June 11, 2019, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that the motion is denied, with leave to renew, upon submission of a detailed notarized affidavit, in compliance with 22 NYCRR 1250.4(d)(1) setting forth, inter alia, the term of her retainer agreement with trial counsel, Michael Feinman, Esq., and an explanations why similar funds are not available to prosecute the appeal.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 21, 2020.

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,
Judith J. Gische
Angela M. Mazzarelli
Troy K. Webber
Ellen Gesmer, Justices.

-----X

Christors Restaurant LLC,
Plaintiff-Respondent,

-against-

M-8689
Index No. 650363/18

Constantino Antonopoulos,
Defendant-Appellant,

Vartel Construction Corp.,
Defendant.

-----X

Defendant-appellant having moved for an extension of time to perfect the consolidated appeals taken from orders of the Supreme Court, New York County, entered on or about February 22, 2019, and on or about September 4, 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 granted to the extent of extending the time to perfect the consolidated appeals to the May 2020 Term of this Court.

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 January 21, 2020.

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,
Judith J. Gische
Angela M. Mazzarelli
Troy K. Webber
Ellen Gesmer, Justices.

-----X
Norma Knopf and Michael Knopf,
Petitioners-Respondents,

-against-

M-8675
Index No. 652743/18

Michael H. Sanford,
Respondent-Appellant,

Pursuit Holdings, LLC.,
Respondent.

-----X

Respondent-appellant having moved for an extension of time to perfect the appeals taken from a judgment of the Supreme Court, New York County, entered on or about March 8, 2019, and an order, same Court, entered on or about February 4, 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 granted to the extent of extending the time to perfect the appeals to the September 2020 Term of this Court.

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 January 21, 2020.

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,
Judith J. Gische
Angela M. Mazzarelli
Troy K. Webber
Ellen Gesmer, Justices.

-----X
Jeanette Quinones,

Plaintiff-Respondent,

-against-

M-8649

Index No. 29489/17

Shawn Dennison & Fordham Auto
Sales, Inc.,

Defendants-Appellants.

-----X

Defendants-appellants having moved for an extension of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about March 5, 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 granted to the extent of extending the time to perfect the appeal to the September 2020 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 January 21, 2020.

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,
Judith J. Gische
Angela M. Mazzarelli
Troy K. Webber
Ellen Gesmer, Justices.

-----x

Jorge Valdez,
Plaintiff-Appellant,

-against-

M-8807
Index No. 300232/13

The City of New York, Comptroller of
the City of New York, New York City
Housing Authority and the New York
City Police Department,
Defendants-Respondents.

-----x

An appeal having been taken to this Court from the orders of the Supreme Court, Bronx County, entered on or about September 7, 2018 and September 9, 2018, and said appeal having been perfected,

And defendant-respondent New York City Housing Authority having renewed their motion to dismiss the aforesaid appeal or, in the alternative, to direct plaintiff-appellant to file a supplemental appendix containing certain documents submitted to Supreme Court in connection with the motions for summary judgment,

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

It is ordered that the motion is granted to the extent of directing plaintiff to file a supplemental appendix containing all of the documents omitted from his initial appendix, including supporting affidavits and exhibits, that were submitted to the Supreme Court in connection with the motions for summary

judgment, at his own expense, on or before February 18, 2020.
The appeal is adjourned to the May 2020 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 January 21, 2020.

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,
 Judith J. Gische
 Angela M. Mazzarelli
 Troy K. Webber
 Ellen Gesmer, Justices.

-----X
Stephen E. Davis III,
 Petitioner-Appellant,

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

-against-

M-8803
Index No. 100116/18

New York State Department of Health,
Howard A. Zucker, Commissioner of
Health, Bureau of Emergency Service,
Lee Burns, Andrew Johnson, Richard
Robinson,
 Respondents-Respondents.

-----X

An appeal having been taken from an order and judgment (one paper) of the Supreme Court, New York County entered on or about February 13, 2019,

And plaintiff-appellant having moved, pro se, for an extension of time to perfect said appeal, and to compel the filing of certain documents and to seal certain documents,

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 June 2020 Term and sealing the October 10, 2019 stipulation in support of petitioner's motion, 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 January 21, 2020.

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,
Judith J. Gische
Angela M. Mazzarelli
Troy K. Webber
Ellen Gesmer, Justices.

-----x

MTGLQ Investors, L.P.,
Plaintiff-Respondent,

-against-

James Vazquez, also known as James
Vasquez,
Defendant-Appellant,

M-8819
Index No. 810148/12

City of New York Environmental Control
Board, et al.,
Defendants.

-----x

An appeal having been taken to this Court from the judgment of foreclosure and sale of the Supreme Court, New York County, entered on or about September 24, 2019,

And defendant-appellant having moved for a stay of enforcement of the aforesaid judgment pending hearing and determination of the appeal taken therefrom,

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

It is ordered that the motion is denied. The interim relief granted by order of a Justice of this Court dated December 2, 2019 is 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 January 21, 2020.

Present - Hon. Judith J. Gische, Justice Presiding,
Angela M. Mazzairelli
Troy K. Webber
Ellen Gesmer, Justices.

-----x
Teresa Rodriguez,
Plaintiff-Respondent,

-against-

M-8802
Index No. 400875/12

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

Madison on Third Corp.,
Defendant-Appellant.

-----x

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about August 21, 2018,

And an order of this Court having been entered on August 13, 2019 (M-3097), vacating the dismissal of the appeal, and extending defendant's time to perfect to the January 2020 Term of this Court; and defendant's appeal having been subsequently dismissed by this Court for failure to perfect for that Term,

And defendant-appellant having moved, pursuant to 22 NYCRR 1250.10(c), to vacate the dismissal of the appeal and, upon vacatur, for an extension of time to perfect same,

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, the dismissal vacated, the appeal reinstated, and the time to perfect said appeal is extended to the June 2020 Term of this Court, with no further extensions to be granted.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 21, 2020.

Present - Hon. Judith J. Gische, Justice Presiding,
Angela M. Mazzairelli
Troy K. Webber
Ellen Gesmer, Justices.

-----x

Ayelet Olsen,
Plaintiff-Appellant,

M-8856
Index No. 100164/18

-against-

David S. Smith and David S. Smith, LLC,
Defendants-Respondents,

-----x

Plaintiff-appellant having moved, pursuant to 22 NYCRR 1250.10(c), to vacate the dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about February 27, 2019, and upon vacatur, for an extension of time to perfect same,

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, the dismissal vacated, the appeal reinstated, and the time to perfect said appeal is extended to the June 2020 Term of this Court.

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 January 21, 2020.

Present - Hon. Judith J. Gische, Justice Presiding,
Angela M. Mazzarelli
Troy K. Webber
Ellen Gesmer, Justices.

-----x
Joseph DeMartino,
Plaintiff-Respondent,

-against-

Manhattan College and Pavarini North M-8909
East Construction Co., Inc., Index No. 24799/14E
Defendants-Respondents,

-and-

Total Safety Consulting, LLC,
Defendant-Appellant.

- - - - -
[And a third-party action.]

-----x
An appeal having been taken to this Court from the order of the Supreme Court, Bronx County, entered on or about January 15, 2019, and said appeal having been perfected,

And defendants-respondents having moved to strike the appellate brief and record filed by defendant-appellant and to dismiss the appeal unless a proper brief and record are filed, or, in the alternative, to adjourn the perfected 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 striking defendant-appellant's brief and record, with leave given to defendant-appellant to file a compliant brief and record for the June 2020 Term, to which Term the appeal is adjourned.

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 January 21, 2020.

Present - Hon. Judith J. Gische, Justice Presiding,
Angela M. Mazzarelli
Troy K. Webber
Ellen Gesmer, Justices.

-----x
Seeking Valhalla Trust, formerly
know as Carl Deane 2013 Revocable
Trust, and Absalom Absalom Trust,
formerly know as Anne Dean 2013
Revocable Trust, derivatively on
behalf of Saint Gervais LLC,
Plaintiffs-Appellants, M-8762
M-8808
Index No. 653174/18

-against-

Carol Deane and Starrett City
Preservation LLC,
Defendants-Respondents.

-----x

Appeals having been taken to this Court from the order of the Supreme Court, New York County, entered on or about April 4, 2019, and from the judgment of said Court, entered on or about April 26, 2019, and said appeals having been perfected,

And defendants-respondents having moved, pursuant to CPLR 5511, to dismiss the aforesaid appeals upon that grounds that, as non-members of the LLC on whose behalf they are seeking to sue derivatively, plaintiffs are neither an aggrieved party nor do they having standing to maintain a derivative lawsuit, or subsequent appeal (M-8762),

And plaintiffs-appellants having cross-moved, pursuant to CPLR 1012 and 1013, to permit Anne Deane to intervene in the appeals or, alternatively, to substitute Anne Deane in place of Absalom as plaintiff-appellant in the appeals (M-8808),

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 and cross motion are denied, without prejudice to respondents raising their arguments in their briefs on the appeals.

ENTERED:



CLERK

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

BEFORE: Hon. Dianne T. Renwick
Associate Justice of the Appellate Division

-----X

Gabriel Diaz,
Petitioner,

M-8029
Index. No. 100444/2018

-against-

James P. O'Neill, as Police
Commissioner of the City of
New York, and as Chairman of the
Board of Trustees of the Police
Pension Fund, Article II, The
Board of Trustees of the Police
Pension Fund, Article II, and
The City of New York,

Respondents.

-----X

Respondents having moved, pursuant to CPLR 5701(c), for leave to
appeal to the Appellate Division, First Department, from the order of
Supreme Court, New York County, entered on or about January 23, 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 application for leave to appeal is denied.

Dated: 1/9/20
New York, New York


Hon. Dianne T. Renwick
Associate Justice

ENTERED

JAN 21 2020

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

BEFORE: Hon. Dianne T. Renwick
Justice of the Appellate Division

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

M- 8105
Ind. No. 941/2017

-against-

CERTIFICATE
DENYING LEAVE

David Williams,
a/k/a Melvin Williams,
Defendant.

-----X

I, Dianne T. Renwick, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about July 3, 2019 is hereby denied.


Justice

Dated: January 8, 2020
New York, New York

ENTERED: JAN 9 1 2020

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

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

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

M-8338
Ind. Nos. 4352/09
36/10

-against-

CERTIFICATE
GRANTING LEAVE

James Smith,
Defendant-Appellant.

-----X

I, Troy K. Webber, a Justice of the Appellate Division, First Judicial Department, do hereby certify that in the proceedings herein questions of law or fact are involved which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is hereby granted to the above-named defendant to appeal to the Appellate Division, First Judicial Department, from the order of the Supreme Court, New York County (Ruth Pickholz, J), entered on or about July 3, 2019.¹

Dated: January 3, 2020
New York, New York



Hon. Troy K. Webber
Associate Justice

ENTERED

JAN 2 1 2020

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

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

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

BEFORE: Hon. Lizbeth González
Justice of the Appellate Division

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

- against -

John Draper,

Defendant.
-----x

M - 8472
Ind. No. 589/12

CERTIFICATE
DENYING LEAVE

I, Lizbeth González, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about August 14, 2019, is hereby denied.



Hon. Lizbeth González
Associate Justice

Dated: January 3, 2020
New York, New York

ENTERED: JAN 21 2020

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

BEFORE: Hon. Anil C. Singh
Justice of the Appellate Division

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

Respondent

-against-

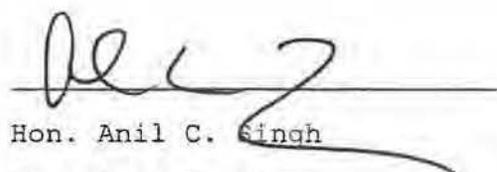
Bruce Sweeper

Defendant.

-----X

M-8684
Ind. No.
4625/06
CERTIFICATE
DENYING LEAVE

I, Hon. Anil C. Singh, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, section 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County (Robert Stolz, J.), entered on or about July 31, 2019 is hereby denied.


Hon. Anil C. Singh
Associate Justice

Dated: January 6, 2020
New York, New York

ENTERED: JAN 21 2020

P.M. orders
issued at 1:00

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 21, 2020.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Anil C. Singh
Lizbeth González, Justices.

-----x

Olga P.,
Plaintiff-Appellant,

Confidential

M-8932

-against-

Index No. 310169/16

Ioannis Y.,
Defendant-Respondent.

-----x

Appeals having been taken to this Court from orders of Supreme Court, New York County, entered on or about January 30, 2019, April 18, 2019 and November 27, 2018, and said appeals having been perfected,

And plaintiff-appellant having moved for a stay of trial pending hearing and determination of the perfected 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 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 January 21, 2020.

Present: Hon. Rolando T. Acosta, Presiding Justice,
Rosalyn H. Richter,
Barbara R. Kapnick
Angela M. Mazzarelli,
Peter H. Moulton, Justices.

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

-against-

M-357
Ind. No. 2335/18

Harvey Weinstein,
Defendant-Appellant.

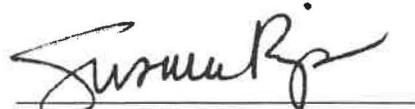
-----X

Defendant having moved, pursuant to CPL § 230.20(2)(a) for a change of venue, and, pursuant to CPL § 230.30, for a stay of trial,

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

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

ENTERED:


CLERK