

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

-against-

M-567
Ind. No. 2709/16

Jorge Villanueva,

Defendant-Appellant.
-----X

An appeal having been taken from the judgment of the Supreme Court, Bronx County, rendered on or about January 25, 2019,

Now, upon reading and filing the stipulation of the parties hereto, dated January 23, 2020, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 March 5, 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,

-against-

M-570
Ind. No. 704/18

James Walker,

Defendant-Appellant.
-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about March 8, 2019,

Now, upon reading and filing the stipulation of the parties hereto, dated January 20, 2020, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 March 5, 2020.

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

-----X

Luis Rafael Del Valle Garcia,
Plaintiff-Appellant-Respondent,

-against-

Palazzolo Realty VII Corp., Keyspan Corporation and National Grid USA Service Company, Inc.,
Defendants,

M-822
Index No. 301298/13

Semper Fi Management 7 Corp.,
Defendant-Respondent,

Consolidated Edison Company of New York, Inc.,
Defendant-Respondent-Appellant.

-----X

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

Now, upon reading and filing the Stipulation of the parties hereto, dated January 23, 2020, and due deliberation having been had thereon,

It is ordered that the appeal and cross appeal are deemed withdrawn in accordance with the aforesaid stipulation.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 5, 2020.

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

-----x

Foday Bajaha,
Plaintiff-Respondent,

-against-

M-825X
Index No. 304970/15

Mercy Care Transportation Inc., Primary
Care Ambulance Corporation and Robert
Rivera,
Defendants-Appellants.

-----x

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

Now, after pre-argument conference and upon reading and filing the Stipulation to Withdraw of the parties hereto, "so ordered" February 4, 2020, and due deliberation having been had thereon,

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 5, 2020.

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

-----x

PMM Cranes LLC,
Plaintiff-Respondent,

-against-

M-826X
Index No. 656836/17

Premier Enterprises Co. Inc., Jason
Lee and Winston Warner, Jr.,
Defendants-Appellants.

-----x

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

Now, after pre-argument conference and upon reading and filing the Stipulation of the parties hereto, "so ordered" January 29, 2020, and due deliberation having been had thereon,

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 5, 2020.

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

-----X

Lucia Alfonso, as Proposed Administratrix
of the Estate of Jocelyn Alfonso,
Deceased,
Plaintiff-Respondent,

M-828
Index No. 24035/16E

-against-

New York City Health and Hospitals
Corporation, Jacobi Medical Center, Vadim
Pisarenko, M.D. and Peter A. Andolina,
D.O.,
Defendants-Appellants.

-----X

Appeals having been taken from two orders of the Supreme Court, Bronx County, entered on or about July 15, 2019 and on or about December 16, 2019,

Now, upon reading and filing the correspondence from counsel for defendants-appellants, dated January 24, 2020 and due deliberation having been had thereon,

It is ordered that the appeals are 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 March 5, 2020.

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

-----x

Robert G. Wise,
Plaintiff-Respondent,

M-833X
Index No. 650212/17

-against-

Erbo Properties LLC, Erbo Bodek and
Rachael Bodek,
Defendants-Appellants.

-----x

Appeals having been taken from an order of the Supreme Court, New York County, entered on or about August 8, 2019, and a judgment, same Court, entered on or about September 25, 2019,

Now, after pre-argument conference and upon reading and filing the Stipulation of the parties hereto, "so ordered" February 5, 2020, and due deliberation having been had thereon,

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 5, 2020.

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

-----x
A.R.T., an infant by his mother and
natural guardian Suleny Rodriguez,
et al.,
Plaintiffs-Respondents,

M-834X
Index No. 25009/17E

-against-

North Bronx Partners LLC,
Defendant-Appellant,

Maurice McKenzie, et al.
Defendants.

-----x

An appeal having been taken to this Court by defendant-appellant, North Bronx Partners LLC, from an order of the Supreme Court, Bronx County, entered on or about July 2, 2019,

Now, after pre-argument conference and upon reading and filing the Stipulation of the parties hereto, "so ordered" January 27, 2020, and due deliberation having been had thereon,

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 5, 2020.

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

-----X

Oleh Halych,
Plaintiff-Respondent,

M-835X
Index No. 161353/15

-against-

Ournell Ari Fuhon and Jax Media, LLC.,
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about October 28, 2019,

Now, after pre-argument conference and upon reading and filing the Stipulation to Withdraw Appeal of the parties hereto, "so ordered" February 11, 2020, and due deliberation having been had thereon,

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

ENTERED:



CLERK

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

BEFORE: Hon. PETER H. MOULTON
Associate Justice of the Appellate Division

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

-against-

M-1030
Ind. No. 3425/2019
Case No. 2020/01509

Tyrone Roberson, Jermaine Steward,
Shaquan Webb

Defendants.
-----X

An application having been made by defendant Tyrone Roberson, pursuant to CPL 245.70(6), for expedited review of a ruling of a Justice of the Supreme Court, New York County (Ann E. Scherzer, J.), as set forth in a protective order of that court, dated February 20, 2020, and, upon review, to vacate or modify the ruling,

Now, upon reading and filing the papers with respect to the motion, and after hearing oral argument, it is

Ordered that the application is denied, and it is further

Ordered that the papers submitted in connection with the application are deemed to be filed under seal and shall continue to be sealed.

Dated: February 28, 2020
New York, New York



Hon. Peter H. Moulton
Associate Justice

ENTERED MAR 05 2020

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

BEFORE: Hon. PETER H. MOULTON
Associate Justice of the Appellate Division

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

-against-

M-1038
Ind. No. 3425/2019
Case No. 2020/01519

Tyrone Roberson, Jermaine Steward,
Shaquan Webb

Defendants.

-----X

An application having been made by defendant Jermaine Steward, pursuant to CPL 245.70(6), for expedited review of a ruling of a Justice of the Supreme Court, New York County (Ann E. Scherzer, J.), as set forth in a protective order of that court, dated February 20, 2020, and, upon review, to vacate or modify the ruling,

Now, upon reading and filing the papers with respect to the motion, and after hearing oral argument, it is

Ordered that the application is denied, and it is further

Ordered that the papers submitted in connection with the application are deemed to be filed under seal and shall continue to be sealed.

Dated: February 28, 2020
New York, New York



Hon. Peter H. Moulton
Associate Justice

ENTERED MAR 05 2020

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 5, 2020.

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

-----x
Ashley Lopez, by her mother and natural guardian, Madeline Lopez and Madeline Lopez, Individually,
Plaintiffs-Appellants,

-against-

M-836X
Index No. 350369/12

John Doe doing business as 5\$ Shoe Store and 944 Aldus Street Corp.,
Defendants-Respondents.
-----x

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about September 27, 2018,

Now, after pre-argument conference and upon reading and filing the Stipulation of the parties hereto, "so ordered" February 11, 2020, and due deliberation having been had thereon,

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 5, 2020.

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

-----X

Quadriad Realty Partners, LLC, et al.,
Plaintiffs,

-and-

Robert M. Gans and W&G Venture Holdings
LLC,
Plaintiffs-Intervenors-Respondents-
Appellants,

M-838
M-840
Index No. 153621/18

-against-

Wilbee Corporation, King Kullen Grocery
Co., Inc., and Kaufman Bedrock Astoria I
LLC,
Defendants,

-and-

Queensboro Farm Products, Inc.,
Silverstein Properties Inc. and
Bedrock Real Estate Partners, LLC,
Defendants-Appellants-Respondents.

-----X

Appeals and cross appeals having been taken from an order of the Supreme Court, New York County, entered on or about December 21, 2018, and the appeals of defendants-appellants-respondents having been perfected (Case Nos. 2019-427, 2019-457), and the appeal of defendant Kaufman Bedrock Astoria I having been withdrawn by letter dated October 23, 2019,

Now, upon reading and filing the Stipulation of the parties hereto, dated January 31, 2020, and due deliberation having been had thereon,

It is ordered that the perfected appeals (Case Nos. 2019-427, 2019-457), and cross appeals are deemed withdrawn in accordance with the aforesaid Stipulation.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 5, 2020.

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

-----X
Singapore Airlines, LTD. and Singapore
Aviation and General Insurance Company
(PTE) LTD.,
Plaintiffs-Appellants,

M-846
Index No. 652683/18

-against-

General Electric Company,
Defendant-Respondent.
-----X

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

Now, upon reading and filing the correspondence from counsel for plaintiffs-appellants, dated February 12, 2020, 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 March 5, 2020.

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

-----X
Capital Stack, LLC.,

Plaintiff-Respondent-Appellant,

-against-

M-847

M-848

Index No. 652807/15

Raharney Capital, LLC and Sean Murray,
Defendants-Appellants-Respondents.

-----X
Sean Murray and Raharney Capital, LLC,
Third Party Plaintiffs-Appellants-
Respondents,

-against-

Capital Stack, LLC, a New York limited liability Company or Capital Stack, LLC, a Nevada limited Liability Company,
Third Party Defendant-Respondent-
-Appellant,

David Rubin also known as David Rubinov and Eprodigy Financial, LLC,
Third Party Defendants-Respondents.

-----X

An appeal (M-847) and cross appeal (M-848) having been taken from an order of the Supreme Court, New York County, entered on or about December 27, 2018,

Now, upon reading and filing the joint correspondence from counsel for the parties hereto, dated February 11, 2020, and due deliberation having been had thereon,

It is ordered that the appeal and cross appeal are 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 March 5, 2020.

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

-----X

Peter Arnold, et al.,
Plaintiffs-Respondents,

-against-

316 Bowery Realty Corp.,
Defendant-Appellant,

4-6 Bleecker Street LLC, et al.
Defendants.

-----X

M-855
M-856
Index No. 158541/13

Appeals having been taken to this Court, from a judgment of the Supreme Court, New York County, entered on or about November 4, 2019 (M-855); and from an order, same court, entered on or about October 18, 2019, (M-856),

Now, upon reading and filing the correspondence from counsel for defendant-appellant, dated January 30, 2020, and due deliberation having been had thereon,

It is ordered that the appeals are 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 March 5, 2020.

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

-----X

Sussman Education, Inc.,
Plaintiff-Respondent,

-against-

M-7781
Index No. 655978/18

Eric Gorenstein,
Defendant-Appellant,

-and-

M. Infantino & Associates, Inc., doing
business as Educational Resource Company,
Defendant.

-----X

Plaintiff-respondent, Sussman Education, Inc., 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 September 24, 2019 (Appeal No. 9913N),

Now, upon reading and filing the correspondence from counsel for plaintiff-respondent hereto, dated January 23, 2020, and due deliberation having been had thereon,

It is ordered that the 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 March 5, 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,

-against-

M-362
Ind. No. 2843/17

Ashanti Holmes,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about June 19, 2019, 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 June 19, 2019,

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 March 5, 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,

-against-

M-364
Ind. No. 936/18

Bruce Anderson,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about June 17, 2019, 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 June 17, 2019,

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 March 5, 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,

-against-

M-365
SCI. No. 1018/19

Anthony Marin,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about August 6, 2019, 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 August 6, 2019,

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 March 5, 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,

-against-

M-373
Ind. Nos. 4822/16
930/17

Valentino Mosquera,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about October 31, 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 March 5, 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,

-against-

M-371
Ind. No. 4657/16

Haji Duncan,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about October 30, 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, 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 March 5, 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,

-against-

M-367
Ind. No. 3847/18

Bertrand Delisme,
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 April 17, 2019, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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 March 5, 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,

-against-

M-377
SCI. No. 3198N/18

Roman Sanchez,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about November 2, 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

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 March 5, 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,

-against-

M-378
Ind. No. 116/15

Thomas Gilbert, Jr.,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about September 27, 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

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 March 5, 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,

-against-

M-381
Ind. No. 3517/17

Juan Vasquez,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about October 29, 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

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 March 5, 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,

-against-

M-394
Ind. Nos. 2503/17
2511/18

Tyshawn Allen,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about September 12, 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

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 March 5, 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,

-against-

M-395
Ind. No. 4750/17

Clarence Seabrook,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about September 4, 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

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 March 5, 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,

-against-

M-397
Ind. No. 2391/15

David Ramos,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about November 6, 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, 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 March 5, 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,

-against-

M-8268
Ind. No. 1146/17

Joshua Cruz,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about May 23, 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, 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 March 5, 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,

-against-

M-8270
Ind. No. 2994/18

Beau Coleman,
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about June 26, 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, 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 March 5, 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,

-against-

M-8639
Ind. No. 2410/17

Darryl Jackson,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about July 29, 2019, 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 July 11, 2019,

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 March 5, 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,

-against-

M-8640
Ind. No. 3302/18

Jose Delossantos,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about August 7, 2019, 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 July 10, 2019,

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 March 5, 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,

-against-

Timothy Victor,
Defendant-Appellant.

M-8641
Ind. Nos. 491/18
233/19
1113/19

-----X

An order of the Supreme Court, New York County, having been entered on or about August 15, 2019, 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 July 22, 2019,

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 March 5, 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,

-against-

M-8693
Ind. No. 2427/18

John Garcia-Lasso,
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 May 28, 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

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 March 5, 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,

-against-

M-8695
Ind. Nos. 828N/17
4560N/16

Kilrail Bowens,
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 March 29, 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

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 March 5, 2020.

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

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

-against-

M-398
Ind. No. 662/15

Brandi Simmons,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about October 31, 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

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 March 5, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Angela M. Mazzarelli
Troy K. Webber, Justices.

-----X

The People of the State of New York,
Respondent,

CONFIDENTIAL

M-234

-against-

SCI. No. 2203/15

Mark Green,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a late notice of appeal from the order of the Supreme Court, New York County, entered on or about August 9, 2019, and for leave to prosecute the appeal as a poor person, 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 directing assigned counsel to file a timely civil notice of appeal, pursuant to CPLR 5513(a) (see, Correction Law 168-2(3)) and, 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 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.

(M-234)

-2-

March 5, 2020

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 March 5, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Angela M. Mazzarelli
Troy K. Webber, Justices.

-----x
Prospect Sports Partners, LLC,
Plaintiff-Respondent,

-against-

M-382
Index No. 650647/18

Anthony J. Santilli and Anthony J. and
Vincenza R. Santilli Revocable Family
Asset Management Trust,
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 July 3, 2019, and said appeal having been perfected,

And defendants-appellants having moved for this Court to take judicial notice of the New York State Department of Environmental Conservation Order on Consent in the case styled *In the Matter of the Violations of the New York State Conservation Environmental Law Article 27, and Part 360 of Title 6 of the Official Rules and Regulations of the State of New York*: by Prospect Sports Partners, LLC, Respondent, bearing number R1-20180706-137.

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. Defendants-appellants are directed to file six (6) copies of the Consent Order, accompanied by copies of this order, within ten (10) days of the entry hereof.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 5, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Angela M. Mazzarelli
Troy K. Webber, Justices.

-----X

The People of the State of New York
ex rel. Roberto Marquez,
Petitioner,

-against-

M-7976
Ind. No. 1105/17

Kia Smalls, Warden, Rikers Island,
Respondent(s).

-----X

The above named petitioner having again moved, inter alia, for a writ of habeas corpus to be issued from 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 be and the same hereby is granted only to the extent of transferring the proceeding to be heard before a Justice of the Supreme Court of the State of New York, Bronx County, 851 Grand Concourse, Bronx, NY 10451, forthwith, and

It is further ordered that service by mail of a copy of this writ of habeas corpus, petition and supporting papers, by the Clerk of this Court, contemporaneous with the entry hereof, upon the Warden at A.M.K.C., Rikers Island, 1818 Hazen Street, East Elmhurst, New York, 11370; the Attorney General of the State of

(M-7976)

-2-

March 5, 2020

New York, 120 Broadway, New York, New York 10271; and the District Attorney of Bronx County, 198 East 161st Street, Bronx, New York, 10451, be deemed due and sufficient notice.

The motion is otherwise denied.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 5, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Angela M. Mazzarelli
Troy K. Webber, Justices.

-----X
U.S. Bank National Association, as
Trustee for Residential Funding Mortgage,
Securities 1, Inc. Mortgage Pass-Through
Certificates, Series 2007-S6,
Plaintiff-Respondent,

-against-

M-8331
Index No. 850176/15

Dr. Hao T. Hoang also known as Dr. Hao
Hoang also known as Hao T. Hoang also
known as Hao Hoang,
Defendant-Appellant,

Wachovia Bank, et al.,
Defendants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about September 17, 2019, and the appeal having been perfected,

And defendant-appellant having moved to stay the foreclosure sale of certain property pending hearing and determination of the aforesaid appeal,

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

(M-8331)

-2-

March 5, 2020

It is ordered that the motion is granted.

ENTERED:



A handwritten signature in black ink, appearing to read "Susan R. Jones", is written over a horizontal line. Below the line, the word "CLERK" is printed in a simple, sans-serif font.

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 5, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Dianne T. Renwick
Barbara R. Kapnick
Angela M. Mazzarelli, Justices.

-----X
In re American Express Company,
Petitioner-Appellant,

-against-

M-67

Index No. 150053/18

United States Virgin Islands Department
of Justice, et al.,
Respondents-Respondents.

-----X

Respondents-respondents having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on December 3, 2019 (Appeal Nos. 10496N-10496NA),

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 March 5, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Dianne T. Renwick
Barbara R. Kapnick
Angela M. Mazzarelli, Justices.

-----X
In re Boris Teichmann,
Petitioner-Appellant,

-against-

M-8911

Index No. 101209/18

New York City Employees' Retirement
System,
Respondent-Respondent.

-----X

Petitioner-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 December 3, 2019 (Appeal No. 10479),

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 March 5, 2020.

Present - Hon. David Friedman, Justice Presiding,
Rosalyn H. Richter
Troy K. Webber
Anil C. Singh, Justices.

-----x
In the Matter of

Veronica C.,

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

CONFIDENTIAL
M-255
Docket No. NA-46932-16

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

Seferino C.,
Respondent-Appellant.

- - - - -
Janet E. Sabel, Esq., The Legal Aid
Society,
Attorney for the Child.

-----x
An order of this Court having been entered on July 11, 2019 (M-2751), granting respondent-appellant leave to prosecute, as a poor person, the appeal taken from two orders of the Family Court, New York County, entered on or about February 19, 2019 and April 19, 2019, and assigning Steven N. Feinman, Esq., as counsel to prosecute the appeal,

And assigned counsel having moved to be relieved and to substitute other counsel to prosecute the appeal,

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

It is ordered that the motion is granted to the extent of striking the designation of Steven N. Feinman, Esq., as assigned counsel to prosecute the appeal, and substituting, pursuant to

Article 18b of the County Law and § 1120 of the Family Court Act, Andrew J. Baer, Esq., 299 Broadway, 17th Floor, New York, NY 10017, Telephone No. 212-233-0318, as such counsel. The poor person relief previously granted is continued, and appellant's time to perfect the appeal is extended to until 120 days from the date of this order or the filing of the 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 March 5, 2020.

Present - Hon. David Friedman, Justice Presiding,
Rosalyn H. Richter
Troy K. Webber
Anil C. Singh, Justices.

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

-against-

M-465

Ind. No. 1813/19

Kevin Santana,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file an untimely notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about December 3, 2019, for leave to prosecute the appeal as a poor person, on the original record and upon a reproduced appellant's brief, and for related relief,

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

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

The motion, to the extent that it seeks poor person relief, is denied, with leave to renew, upon defendant's submission of a notarized affidavit, pursuant to CPLR 1101(a) and 22 NYCRR 1250.4(d)(1) and (4), setting forth, inter alia, his indigency, with facts sufficient to establish that he has no funds or assets with which 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 March 5, 2020.

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

-----X
J.V., infant by his mother Chelsea
Martinez, and Chelsea Martinez,
individually,
Plaintiffs-Appellants,

-against-

Pedro Robles and Maribel Castro
Robles,
Defendants-Respondents.

M-414
Index No. 22131/12E

-----X

Plaintiffs-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 April 18, 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 March 5, 2020.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Judith J. Gische
Cynthia S. Kern
Anil C. Singh, Justices.

-----x
A.V.,
Plaintiff-Appellant,

-against-

A.B.,
Defendant-Respondent.

M-692

Index No. 156923/17
(Action No. 1)

-----x
Anastasia Vitkina,
Plaintiff-Appellant,

-against-

Abraham (Albert) Benalloul,
Defendant-Respondent.

Index No. 161797/18
(Action No. 2)

-----x
An appeal having been taken from an amended order of the Supreme Court, New York County, entered on or about December 4, 2018 (Action No. 1) and from two orders of the same Court, entered on or about October 29, 2019 (Action No. 2),

And plaintiff-appellant having moved to consolidate the appeals in Action No. 1 and Action No. 2 for the purposes of briefing and oral argument,

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

It is ordered that the motion is granted only to the extent of directing the Clerk of the Court to place the appeals on the same day calendar if they are perfected for the same 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 March 5, 2020.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Judith J. Gische
Cynthia S. Kern
Anil C. Singh, Justices.

-----X

Kenia L. Cabrera,
Plaintiff-Appellant-Respondent,

-against-

M-728
Index No. 25303/15E

The Port Authority of New York and
New Jersey and Maghnos A. Ashby,
Defendants-Respondents-
Appellants.

-----X

An appeal and cross appeal having been taken to this Court from an order of the Supreme Court, Bronx County, entered on or about April 16, 2019, and the appeal having been perfected,

And defendants-respondents-appellants having moved for an order: (1) extending their time to perfect their cross appeal; and (2) granting leave to file a supplemental record,

And the appeal having been adjourned to the June 2020 Term by an interim order of a Justice of this Court, dated February 7, 2020, with no further adjournments to be granted,

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

It is ordered that the branch of the motion seeking leave to file a supplemental record is denied. The Clerk of the Court is directed to maintain the perfected appeal on the calendar for 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 March 5, 2020.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Anil C. Singh
Peter H. Moulton, Justices.

-----x

The People of the State of New York,
Respondent,

M-604
Ind. No. 1214/16

-against-

Justin Ramirez,
Defendant-Appellant.

-----x

An appeal having been taken to this Court from a judgment of the Supreme Court, Bronx County, rendered on or about August 11, 2016, and said appeal having been perfected (Case No. 2016-02879),

And respondent having moved for an order granting leave to supplement the record on appeal to include the minutes of court proceedings held on July 15, 2016, a copy of which are annexed to the moving papers as Exhibit 1,

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 record on appeal is hereby enlarged to include the minutes annexed to the moving papers as Exhibit 1.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 5, 2020.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Jeffrey K. Oing
Peter H. Moulton
Lizbeth González, Justices.

-----x
Peter M. Levine,
Plaintiff,

-against-

M-503
Index No. 655407/19

Art Capital Bermuda LTD, et al.,
Defendants.
-----x

Plaintiff having moved, pursuant to CPLR 5704(a), for certain relief sought in an order to show cause which a Justice of the Supreme Court, New York County, declined to sign on or about January 15, 2020,

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 March 5, 2020.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Jeffrey K. Oing
Peter H. Moulton
Lizbeth González, Justices.

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

-against-

Franklin Quiles,
Defendant-Appellant.

M-571

Ind. Nos. 2863/18
1139/19

-----X

An order of this Court having been entered on January 9, 2020 (M-8283), inter alia, granting defendant's 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 May 29, 2019, under Indictment No. 2863/18, and assigning counsel therefor,

And defendant-appellant having moved for an order amending the notice of appeal and the aforementioned order of assignment to include Indictment No. 1139/19,

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

It is ordered that said motion is granted to the extent of amending defendant's notice of appeal and the order of assignment to include Indictment Nos. 2863/18 and 1139/19, and extending the poor person relief previously granted to cover same.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 5, 2020.

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

-----x
R&R Third Properties, LLC, Rosenbaum,
Rosenfeld & Sonnenblick, LLP and
Computerized Diagnostic Scanning
Associates, PC,
Plaintiffs-Respondents-Appellants,

-against-

M-139

Federal Insurance Company,
Defendant-Appellant-Respondent,

Index No. 651377/13
Action No. 1

Greater New York Mutual Insurance
Company, Travelers Insurance Company of
Connecticut and the Hartford Steam Boiler
Inspection and Insurance Company,
Defendants-Respondents.

-----x
Rosenbaum, Rosenfeld & Sonnenblick, LLP,
R&R Properties, LLC and Computerized
Diagnostic Scanning Associates, P.C.,
Plaintiffs-Appellants,

-against-

Index No. 150083/14
Action No. 2

Excalibur Group NA, LLC, A Superior
Service and Repair Co., Inc., Home
Systems Engineering, Inc., Philips
Healthcare, Philips Medical Systems North
America Company, Philips Electronics
North America Corporation, Philips Medical
Systems North America, Inc., Philips
Healthcare Informatics, Inc., and Estate
of Merle H. Eisenstein,
Defendants-Respondents.

-----x
Appeals having been taken to this Court from a consolidated order of the Supreme Court New York County, entered on or about September 11, 2019, which decided all motions for summary judgment in Action No. 1 and Action No. 2,

And plaintiffs-respondents-appellants having moved for an order consolidating the aforesaid appeals upon a joint record on appeal and brief,

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

It is ordered that the motion is granted and the appeals are hereby consolidated for the purpose of perfecting and arguing 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 March 5, 2020.

PRESENT: Hon. Judith J. Gische, Justice Presiding,
Troy K. Webber
Ellen Gesmer
Cynthia S. Kern, Justices.

-----X
In the Matter of

Ashlynn R.
Yeovanny R.
Ian Noell C.,

CONFIDENTIAL

M-593
Docket Nos. NA-42585-16
NA-42584-16
NA-42583-16

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

Administration for Children's Services,
Petitioner-Respondent,

Maria R.,
Respondent-Appellant,

Yeovany R.
Respondent,

Janet E. Sabel, Esq., The Legal Aid Society, Attorney for the Children.

-----X
Separate appeals having been taken to this Court by respondent-mother, Maria R., and respondent-father, Yeovany R., from an order of the Family Court, New York County, entered on or about September 18, 2019, which denied their FCA § 1061 applications and directed that the children Ashlynn R. and Yeovanny R. remain in foster care, and respondent-father's appeal having been perfected,

And an appeal having been taken by respondent-mother, Maria R., from an Order of Disposition, same court, entered on or about July 18, 2019, which, inter alia, placed the children Ashlynn R. and Yeovanny R. in the custody of the Commissioner of Social Services of New York County, and appointed Edgar C. as the custodian of the child Ian Noell C.,

And separate appeals having been taken to this Court by respondent-mother, Maria R., and respondent-father, Yeovany R.,

from an Amended Fact-Finding, Disposition, and Custody Order, same court, entered on or about September 18, 2019, which, inter alia, required additional services, directed no contact between respondent-father and the child Ian Noell C., and directed that the children Ashlynn R. and Yeovanny R. remain in foster care,

And petitioner-respondent, Administration for Children's Services, having moved for an order (1) consolidating respondent-mother Maria R.'s unperfected appeal from the order entered on or about September 18, 2019 with respondent-father Yeovany R.'s perfected appeal from the same order, and with respondent mother Maria R.'s and respondent-father Yeovany R.'s unperfected appeals from the Amended Fact-Finding, Disposition, and Custody Order, entered on or about September 18, 2018, and respondent mother Maria R.'s unperfected appeal from Order of Disposition, same court, entered on or about July 18, 2019, and (2) staying petitioner-respondent's time to submit a respondent's brief on the perfected appeal until all of the appeals have been perfected or adjourning 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 of consolidating the aforementioned appeals and directing respondent-mother, Maria R., and respondent-father, Yeovany R. to perfect all of their appeals for the September 2020 Term of this Court, to which term the perfected 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 March 5, 2020.

Present - Hon. Ellen Gesmer, Justice Presiding,
Cynthia S. Kern
Anil C. Singh
Peter H. Moulton, Justices.

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

-against-

Anthony Alvarez,
Defendant-Appellant.

M-8764
Ind. Nos. 1497/13
1461/13

-----X

A decision and order of this Court having been entered on February 27, 2018 (Appeal No. 5824), unanimously affirming a judgment of the Supreme Court, New York County (McLaughlin, J.), rendered on January 14, 2015,

And defendant-appellant having moved, pro se, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate 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 said application is denied.

ENTERED:



CLERK

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 March 4, 2020.

Present - Hon. David Friedman, Justice Presiding,
Sallie Manzanet-Daniels
Ellen Gesmer
Lizbeth González, Justices.

-----x
In the Matter of Criminal Contempt

Of M-937
SCID No. 30099/19

Robert Walters, Esq.,

Defendant-Appellant.
-----x

An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, rendered on or about November 7, 2019, which convicted defendant of criminal contempt and directed that he be incarcerated for a period of 30 days,

And defendant-appellant pro se having moved, pursuant to CPLR 460.50(4), for an order extending the stay of execution of the judgment, granted by the Hon. Robert Stoltz, Supreme Court, New York County, pending hearing and determination of the aforesaid appeal, and for other 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 extending the time to perfect the appeal to the September 2020 Term, and extending the aforesaid stay of execution of the judgment, upon the original terms and conditions, and on the further condition that appellant perfects the appeal for the September 2020 Term.

ENTERED:


CLERK