

THE FOLLOWING MOTION ORDERS  
WERE ENTERED AND FILED ON  
DECEMBER 9, 2008

Lippman, P.J., Mazzarelli, Buckley, McGuire, DeGrasse, JJ.

M-4949 Virgilio v Britt

M-5023

M-5266

Appeal dismissed.

Lippman, P.J., Mazzarelli, Buckley, McGuire, DeGrasse, JJ.

M-4957 Veneski v Queens-Long Island Medical Group, P.C. -  
Cousins

Appeal dismissed.

Lippman, P.J., Tom, Buckley, Moskowitz, Renwick, JJ.

M-5242 Gemini v Christ

Stay of trial granted.

Lippman, P.J., Gonzalez, Nardelli, Acosta, DeGrasse, JJ.

M-4169 In the Matter of A., Marcela v L., Knight

Leave to prosecute appeal as a poor person granted, as  
indicated.

Lippman, P.J., Andrias, Buckley, Sweeny, Renwick, JJ.

M-4388 In the Matter of M., Celenia v M., Faustino

Leave to prosecute appeal as a poor person granted, as indicated.

Lippman, P.J., Friedman, Gonzalez, Catterson, JJ.

M-5024 People v Rawlings, Doniell

Leave to prosecute appeal as a poor person granted, as indicated.

Lippman, P.J., Gonzalez, Nardelli, Acosta, DeGrasse, JJ.

M-5195 People v Smith, Kijuan

Leave to prosecute appeal as a poor person granted, as indicated.

Lippman, P.J., Mazzarelli, Buckley, McGuire, DeGrasse, JJ.

M-4946 B.B.C.F.D., S.A. v Bank Julius Baer & Co. Ltd. - Ivcher  
M-4947 [And other actions]

Time to perfect consolidated appeals enlarged to the March 2009 Term.

Lippman, P.J., Mazzarelli, Buckley, McGuire, DeGrasse, JJ.

M-4993 People v Gonzalez, Jose

Enlargement of record on appeal denied, as indicated; time to perfect appeal enlarged to the April 2009 Term.

Lippman, P.J., Gonzalez, Nardelli, Acosta, DeGrasse, JJ.

M-4187      People v Beltran, Cruz, also known as  
                 Cruz, Beltran A., also known as  
                 Cruz, Beltran

Extension of time to file notice of appeal denied.

Lippman, P.J., Mazzarelli, Williams, Buckley, Renwick, JJ.

M-4732      Nestor v Britt

Leave to appeal from the Appellate Term denied.

Tom, J.P., Saxe, Sweeny, Catterson, DeGrasse, JJ.

M-4918      Garcia v Yaque Luxury

Appeal dismissed.

Tom, J.P., Saxe, Sweeny, Catterson, DeGrasse, JJ.

M-4919      Valeriano v Murre Cab Corp.

M-5009

Appeal dismissed.

Tom, J.P., Saxe, Sweeny, Catterson, DeGrasse, JJ.

M-5114      People ex rel. Quamina, Kellon v Warden

Appeal dismissed, as indicated.

Tom, J.P., Saxe, Sweeny, Catterson, DeGrasse, JJ.

M-4996 Grullon v Martinez

Enlargement of time to perfect appeal denied; appeal dismissed.

Tom, J.P., Saxe, Sweeny, Catterson, DeGrasse, JJ.

M-5007 Glatt v Mariner Partners, Inc.

Time to perfect appeal enlarged to the April 2009 Term.

Tom, J.P., Gonzalez, Nardelli, Moskowitz, Renwick, JJ.

M-5320 Joseph Chai Corp. v Gemological Institute of America  
[And a third-party action]

Time to perfect consolidated appeals enlarged to the March 2009 Term.

Tom, J.P., Saxe, Sweeny, Catterson, DeGrasse, JJ.

M-5201 Hallmark Electrical Supplies Corp. v Nova Star Electric Corp. - One State Street LLC

Appeals and cross appeals consolidated; time to perfect same enlarged to the April 2009 Term, as indicated.

Tom, J.P., Nardelli, McGuire, Andrias, DeGrasse, JJ.

M-5103 In the Matter of Cherry v Horn

Time to perfect proceeding enlarged to the March 2009 Term.

Tom, J.P., Nardelli, McGuire, Acosta, DeGrasse, JJ.

M-5325      Donas v City of New York

Time to perfect appeal enlarged to the May 2009 Term.

Tom, J.P., Friedman, Buckley, Acosta, Freedman, JJ.

M-4068      In the Matter of M., Kadija Tempie, also known as  
M., Kadijah - Edwin Gould Services for Children and  
Families

Leave to prosecute appeal as a poor person granted, as  
indicated.

Tom, J.P., Andrias, Friedman, Catterson, Acosta, JJ.

M-4953      In the Matter of F., Isis; F., Isaiah - Administration  
for Children's Services

Leave to prosecute appeal as a poor person granted, as  
indicated.

Tom, J.P., Nardelli, McGuire, Acosta, DeGrasse, JJ.

M-5262      People v Sealy, Nathaniel A.

Leave to prosecute appeal as a poor person denied, with  
leave to renew, as indicated.

Tom, J.P., Andrias, Nardelli, Sweeny, JJ.

M-5003      Ulico Casualty Company v Wilson, Elser, Moskowitz,  
Eldelman & Dicker

Reargument or other relief denied.

Tom, J.P., Nardelli, McGuire, Acosta, JJ.

M-4910 Kirkiles & Kotiadis, LLP v Twin Donut, Inc.

Appeal adjourned to the February 2009 Term. Leave to strike respondent's brief and exhibit denied; plaintiff permitted to file supplemental record on appeal, as indicated.

Mazzarelli, J.P., Saxe, Catterson, Renwick, Freedman, JJ.

M-5189 People ex rel. Brown, Tyrone v Warden

Writ of habeas corpus and other relief denied; writ dismissed.

Mazzarelli, J.P., Saxe, Catterson, Renwick, Freedman, JJ.

M-5057 In the Matter of F., Carlos Manuel III, also known as F., Carlos; F., Kairi Jazlyn - Catholic Guardian Society

Appeal dismissed.

Mazzarelli, J.P., Saxe, Catterson, Renwick, Freedman, JJ.

M-5324 Walker v Hughes Hubbard & Reed, LLP

Enlargement of time to perfect appeal denied; appeal dismissed.

Mazzarelli, J.P., Saxe, Catterson, Renwick, Freedman, JJ.

M-5034 In the Matter of 558/560 LLC v New York City Water Board

M-5113 West 64<sup>th</sup> Street, LLC v Axis U.S. Insurance

M-5204 Eusebio v New York City Transit Authority

M-5261 Mayo v Personnel Review Board of the Health and Hospitals Corporation

Time to perfect appeals enlarged to the March 2009 Term.

Mazzarelli, J.P., Saxe, Catterson, Renwick, Freedman, JJ.

M-5375 People ex rel. Rodriguez, Jose v Warden

Time to perfect appeal enlarged to the March 2009 Term, as indicated.

Mazzarelli, J.P., Friedman, Nardelli, Buckley, Freedman, JJ.

M-4940 Business Loan Center, LLC v David Cronheim Mortgage Corp. - Bayview Financial Trading Group

Stay granted on condition appeal perfected for the March 2009 Term, as indicated.

Mazzarelli, J.P., Saxe, Catterson, Renwick, Freedman, JJ.

M-5247 Gassab v R.T.R.L.L.C.  
[And other actions]

Appeals consolidated; time to perfect same enlarged to the April 2009 Term.

Mazzarelli, J.P., Buckley, Acosta, Renwick, DeGrasse, JJ.

M-4771 Charney v Herskowitz

Vacatur of prior order and reinstatement of appeal denied.

Mazzarelli, J.P., Buckley, Acosta, Renwick, DeGrasse, JJ.

M-4664 In the Matter of Kyle v Lebovits

M-4734

Leave to appear as non-party appellant denied (M-4664);  
cross motion to strike opposition moving papers denied (M-4734).

Mazzarelli, J.P., Saxe, Catterson, Renwick, Freedman, JJ.

M-5231 People v Santiago, Benjamin

Extension of time to file pro se supplemental brief granted to the May 2009 Term, to which Term appeal adjourned, as indicated.

Mazzarelli, J.P., Friedman, Nardelli, Williams, Freedman, JJ.

M-5221 Hannigan v Contreras

Reargument denied.

Mazzarelli, J.P., Andrias, Saxe, Friedman, Acosta, JJ.

M-4829 Clark Construction Corporation v BLF Realty Holding Corp.

Leave to appeal to the Court of Appeals denied.

Mazzarelli, J.P., Saxe, Catterson, Renwick, Freedman, JJ.

M-5391 Allen v Harlem International Community School  
Leave to appeal from the Appellate Term denied.

Mazzarelli, J.P., Saxe, Catterson, Freedman, JJ.

M-3282 People v Luna, Jose Otero  
Writ of error coram nobis and other relief denied.

Andrias, J.P., Nardelli, Sweeny, DeGrasse, Freedman, JJ.

M-5468 In the Matter of Petty v Donovan - Riverside Park  
Community LLC - Rvsde Park II  
Stay of eviction vacated unless proceeding perfected  
for the March 2009 Term and petitioner continues to pay  
pre-action rent, as indicated. (See M-5469, M-5470, M-5472 and  
M-5580, decided simultaneously herewith.)

Andrias, J.P., Nardelli, Sweeny, DeGrasse, Freedman, JJ.

M-5469 In the Matter of Reaves v Donovan - Riverside Park  
Community LLC - Rvsde Park II  
Stay of eviction vacated unless proceeding perfected  
for the March 2009 Term and petitioner continues to pay  
pre-action rent, as indicated. (See M-5468, M-5470, M-5472 and  
M-5580, decided simultaneously herewith.)

Andrias, J.P., Nardelli, Sweeny, DeGrasse, Freedman, JJ.

M-5470      In the Matter of Silva v The New York City Department  
                 of Housing Preservation and Development - Metro North  
                 Owners, LLC

                 Stay of eviction vacated unless proceeding perfected  
for the March 2009 Term and petitioner continues to pay  
pre-action rent, as indicated. (See M-5468, M-5469, M-5472 and  
M-5580, decided simultaneously herewith.)

Andrias, J.P., Nardelli, Sweeny, DeGrasse, Freedman, JJ.

M-5472      In the Matter of Guity v The New York City Department  
M-5580      of Housing Preservation and Development - KNW  
                 Apartments, LLC

                 Stay of eviction vacated unless proceeding perfected  
for the March 2009 Term and petitioner continues to pay  
pre-action rent, as indicated. Cross motion granted accordingly.  
(See M-5468, M-5469 and M-5470, decided simultaneously herewith.)

Andrias, J.P., Nardelli, Sweeny, DeGrasse, Freedman, JJ.

M-4799      Citidress II, also known as Citidress II Corp. v  
                 207 Second Avenue Realty Corp.  
                 [And another action]

                 Non-party respondent-appellant directed to file  
supplemental record on appeal, as indicated.

Andrias, J.P., Friedman, Nardelli, Williams, JJ.

M-3786      People v Burns, Trevor  
  
                 Writ of error coram nobis and other relief denied.

Andrias, J.P., Nardelli, Sweeny, DeGrasse, Freedman, JJ.

M-5409 People ex rel. Dowling, Javon v Warden

Writ of habeas corpus issued and matter transferred to Supreme Court, Kings County, as indicated.

Saxe, J.P., Nardelli, Moskowitz, Renwick, Freedman, JJ.

M-4859 Williams v Torres

Appeal dismissed.

Saxe, J.P., Sweeny, McGuire, Freedman, JJ.

M-5250 People v Jacob, Michael

Leave to prosecute appeal as a poor person denied, with leave to renew, as indicated.

Saxe, J.P., Nardelli, Moskowitz, Renwick, Freedman, JJ.

M-4830 In the Matter of C., Nusrat v R., Muhammad

Leave to respond to consolidated appeals as a poor person granted, as indicated.

McGuire, J.

M-5642 People v Kadarko, James

Leave to appeal to the Court of Appeals granted, as indicated.

Moskowitz, J.

M-5308 People v Diaz, Juan, also known as  
Liranzo, Francisco

Leave to appeal to this Court denied.

**The Following Orders Were Entered And Filed On December 4, 2008:**

Lippman, P.J., Mazzarelli, Buckley, McGuire, DeGrasse, JJ.

M-5045 (DC #2) People v Albarado, Andrea, also known as  
Alvarado, Andrea

Upon papers filed and upon the Court's own motion,  
appeals withdrawn.

Tom, J.P., Gonzalez, Nardelli, Moskowitz, Renwick, JJ.

M-5118 Chaudry Construction Corp. v James G. Kalpakis &  
Associates

Stay continued on condition imposed by order of a  
Justice of this Court dated October 24, 2008.

Friedman, J.P., McGuire, Andrias, DeGrasse, Freedman, JJ.

M-5290 In the Matter of K., Amy; K., Daniel -  
M-5450 Administration for Children's Services

Dismissal of appeal denied, with leave to renew, as  
indicated. Appeal adjourned to the March 2009 Term. Cross  
motion otherwise denied.