

THE FOLLOWING MOTION ORDERS
WERE ENTERED AND FILED ON
DECEMBER 11, 2008

Lippman, P.J., Tom, Mazzarelli, Andrias, Saxe, JJ.

M-5575X Suss v Posen

 Appeal withdrawn.

Lippman, P.J., Tom, Mazzarelli, Andrias, Saxe, JJ.

M-5576X Strickon v Kargo Global, Inc.

 Appeal withdrawn.

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

M-5145 (DC #49) People v Lopez, William

 Upon the Court's own motion, appeal dismissed.

Lippman, P.J., Tom, Mazzarelli, Andrias, Saxe, JJ.

M-5359 People v Donoso, Jean Paul

M-5361 People v Hughes, Larnell

M-5367 People v Sanchez, Laharbi

M-5369 People v Stanley, Kenneth

M-5370 People v Thomas, Edward

M-5371 People v Rivera, Andre

 Leave to prosecute appeals as poor persons granted, as indicated.

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

M-4981 People v O'Neal, Ansari

Notice of appeal deemed timely filed; leave to prosecute appeal as a poor person granted, as indicated.

Lippman, P.J., Tom, Mazzarelli, Andrias, Saxe, JJ.

M-5100 Silverite Construction Co. Inc. v OneBeacon Insurance Company, as successor to American Specialty Insurance Company

Motion deemed withdrawn.

Lippman, P.J., Tom, Williams, McGuire, Freedman, JJ.

M-5240 Carroll v Nostra Realty Corporation
(And a third-party action)

Leave to appeal to the Court of Appeals denied.

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

M-4988 Kenig v Rada Electronic Industries Ltd.

Enlargement of time to perfect appeal denied.

Lippman, P.J., Saxe, Gonzalez, Nardelli, JJ.

M-3570 Lemanna v Jankowski

Reargument or other relief denied.

Lippman, P.J., Tom, Mazzarelli, Andrias, Saxe, JJ.

M-5364 People v Quinones, Anthony, also known as
Rodriguez, Eric

Leave to prosecute appeal as a poor person granted, as indicated. (See M-5366, decided simultaneously herewith.)

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

M-5366 People v Rodriguez, Eric, also known as
Quinones, Anthony

Leave to prosecute appeal as a poor person denied, as unnecessary. (See M-5364, decided simultaneously herewith.)

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

M-4952 In the Matter of M., Matthew Nikko, also known as
M., Matthew - Catholic Guardian Society & Home Bureau

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

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

M-5275 People v Moye, Allen

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

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

M-5616 Russell v Mitchell - Paynter

Stay of trial granted.

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

M-5323 Ace Fire Underwriter's Insurance Company v ITT
Industries, Inc.

Reargument denied.

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

M-5120 Owens v The City of New York - Henry

Time to perfect appeal enlarged to the April 2009 Term.

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

M-5356 Estate of Hayman - Smith

Time to perfect appeal enlarged to the May 2009 Term.

Tom, J.P., Mazzarelli, Saxe, Nardelli, Buckley, JJ.

M-5481 Gamiel v Curtis & Riess-Curtis, P.C.
(And a third-party action)

Stay of trial denied.

Mazzarelli, J.P., Friedman, Gonzalez, Buckley, Sweeny, JJ.

M-5179 People v Glass, Melvin

Appeal dismissed.

Mazzarelli, J.P., Friedman, Gonzalez, Buckley, Sweeny, JJ.

M-5338 Santana v 11-13 Avenue D Associates
 (And a third-party action)

Appeal dismissed.

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

M-5096 People v McBride, Titus

Leave to prosecute appeal as a poor person granted, as indicated; stay continued on condition appeal perfected for the June 2009 Term.

Mazzarelli, J.P., Andrias, Nardelli, McGuire, JJ.

M-4424 People v Santiago, Jose

Writ of error coram nobis and other relief denied.

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

M-5026 Mendoza v The City of New York

Time to perfect appeal enlarged to the March 2009 Term.

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

M-5194 In the Matter of A., Jazmin; In the Matter of R.,
 Samuel

Clerk directed to calendar appeals for hearing together.

Mazzarelli, J.P., Friedman, Gonzalez, Buckley, Sweeny, JJ.

M-5249 In the Matter of K., Norman Christian, also known as
K., Norman, also known as B., Norman - St. Dominic's
Home

Appeal deemed perfected for the January 2009 Term;
motion otherwise denied.

Mazzarelli, J.P., Friedman, Gonzalez, Buckley, Sweeny, JJ.

M-5276 Mortgage Electronics v Gifford

Motion deemed one for preliminary appellate injunction
and, as such, denied.

Andrias, J.P., Nardelli, McGuire, Moskowitz, Renwick, JJ.

M-5270 People v Nestingen, Robert

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

Andrias, J.P., Saxe, Gonzalez, Catterson, Acosta, JJ.

M-4423 People v Santos, Robisson

Writ of error coram nobis and/or other relief denied.

Andrias, J.P., Saxe, Nardelli, McGuire, Moskowitz, JJ.

M-3800 People v Peterson, Anthony

Writ of error coram nobis and other relief denied.

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

M-3964 People v Summers, Ron, also known as Jones, Justin
 Reargument denied.

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

M-5476 Young v Allen

 Leave to strike respondents' brief denied; hearing of
 appeals stayed, as indicated.

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

M-5603 1735 York Venture v Block

 Stay continued on condition petitioner posts
 undertaking, as indicated.

Saxe, J.P., Gonzalez, Nardelli, Freedman, JJ.

M-4130 People v Pratt, Anthony

 Writ of error coram nobis and other relief denied.

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

M-5341 People v Collado, Bienvenido

 Notice of appeal deemed timely filed; leave to
 prosecute appeal as a poor person granted, as indicated.

Friedman, J.P., Sweeny, McGuire, Renwick, Freedman, JJ.

M-5504 Berlinger v Cornell Medical Associates
– Kraft

Defendants-appellants directed to file 10 copies of a supplemental record, as indicated.

Friedman, J.P., Sweeny, McGuire, Renwick, Freedman, JJ.

M-5515 IRB-Brasil Resseguros, S.A. v Portobello
International Limited – Usati-Portobello ABPS Ltda.

Stay and other relief denied, without prejudice to perfection of appeal for the February 2009 Term; Clerk directed to calendar appeal for hearing in first week of February 2009 Term, as indicated.

Gonzalez, J.P., Williams, Catterson, Moskowitz, JJ.

M-4686 Kralik v 239 East 79th Street Owners Corp.
Reargument or other relief denied.

Gonzalez, J.P., McGuire, Moskowitz, DeGrasse, Freedman, JJ.

M-5226 Hernandez, also known as Soto v Estate of Ziess

Motion for leave to prosecute appeal as a poor person denied, as indicated.

Gonzalez, J.P., McGuire, Moskowitz, DeGrasse, Freedman, JJ.

M-4889 Yorkville 82, LLC v Ruiz

Leave to appeal from the Appellate Term denied.

Tom, J.

M-4153 People v Colon, Mario

Leave to appeal to this Court granted, as indicated.

Mazzarelli, J.P., Andrias, Sweeny, McGuire, Renwick, JJ.

M-2732 In the Matter of Edward D. Fagan
M-3148 (admitted as Edward Davis Fagan),
M-3193 an attorney and counselor-at-law:

Respondent disbarred and his name stricken from the roll of attorneys and counselors-at-law in the State of New York, effective the date hereof. Cross motions denied. Opinion Per Curiam. All concur.

The following orders were entered and filed on December 9, 2008:

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

M-5271 Kleinberg v The City of New York – Triboro Bridge
M-5272 & Tunnel Authority; Villa v City of New York
M-5458 Triboro Bridge & Tunnel Authority
(And other actions)

Appeals consolidated for hearing in the March 2009 Term, to which Term perfected appeal adjourned; leave to dismiss appeals taken by plaintiffs-appellants and third third-party defendants-appellants in Action No. 2 denied (M-5458); movants appellants directed to serve and file supplemental records and to perfect their respective appeals for said March 2009 Term, as indicated (M-5271/5272).

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

M-5436 Taveras v Emerick Gross Real Estate, L.P.
(And a third-party action)

Time to perfect appeal enlarged to the March 2009 Term.

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

M-5578 Svets, individually and on behalf of Via Café, LLC
v Lazarev

Appeal dismissed unless perfected for the March 2009
Term, as indicated.