

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 June 10, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
In the Matter of the Guardianship of
the Person and Custody of

Brieanne R. B.,

M-2629
Docket No. B16341/06

Child Under 18 Years of Age Pursuant
to 384-b of the Social Services Law
of the State of New York.

- - - - -
McMahon Services for Children, et al.,
Petitioners-Respondents,

Danielle R. B.,
Respondent-Appellant.

- - - - -
Lawyers for Children,
Law Guardian for the Child.

-----X
An appeal having been taken from the order of the Family Court, New York County, entered on or about October 2, 2007,

Now, upon reading and filing the papers with respect to the motion, and the correspondence from respondent-appellant's counsel, dated May 2, 2008, and due deliberation having been had thereon, it is

Ordered that the appeal is withdrawn in accordance with the aforesaid correspondence.

E N T E R:


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 June 10, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
NYC Goetz Realty Corp.,
Plaintiff-Respondent,

-against-

M-2729X
Index No. 113523/05

Martha Graham Center of Contemporary
Dance, a New York Not for Profit
Corporation,
Defendant-Appellant.

- - - - -
Martha Graham Center of Contemporary
Dance, a New York Not for Profit
Corporation,
Counterclaim-Plaintiff-Appellant,

-against-

NYC Goetz Realty Corp.,
Counterclaim-Defendant-Respondent,

JewelMak, Inc.,
Counterclaim Defendant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about February 4, 2008 (mot. seq. no. 003),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" May 27, 2008, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

E N T E R:


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 June 10, 2008.

PRESENT: Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
Town House Stock LLC, et al.,
Plaintiffs-Respondents-Appellants,

-against-

M-2637X
Index No. 602514/06

Coby Housing Corp., et al.,
Defendants-Appellants-Respondents,

Portofino Biscayne LLC,
Defendant-Appellant-Respondents,

Leslie M. Westreich, et al.,
Defendants.

-----X

Appeals and a cross appeal having been taken from a judgment of the Supreme Court, New York County, entered on or about January 3, 2008,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" May 14, 2008, and due deliberation having been had thereon,

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

ENTER:


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 June 10, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
Analia Garcia,
Plaintiff-Appellant,

-against-

M-2265X
Index No. 112272/06

Joe Volpicelli, et al.,
Defendants-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about May 9, 2007 (mot. seq. no. 002),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 30, 2008, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation. (See M-2214, decided simultaneously herewith).

E N T E R:


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 June 10, 2008.

PRESENT - Hon: Jonathan Lippman, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
Analia Garcia,
Plaintiff-Appellant,

-against-

M-2214
Index No. 112272/06

Joe Volpicelli, et al.,
Defendants-Respondents.

-----X

Defendants-respondents having moved for a dismissal of appeal from the order of the Supreme Court, New York County, rendered on or about May 9, 2007 (mot. seq. no. 002),

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 as moot. (See M-2265X, decided simultaneously herewith).

E N T E R:


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 June 10, 2008.

Present: Hon. Jonathan Lippman,	Presiding Justice,
Angela M. Mazzarelli	
Milton L. Williams	
John W. Sweeny, Jr.	
Rolando T. Acosta,	Justices.

-----X
In the Matter of

Alexis G.,	M-2183
A Person Alleged to Be a Juvenile	Docket No. D8513/07
Delinquent,	

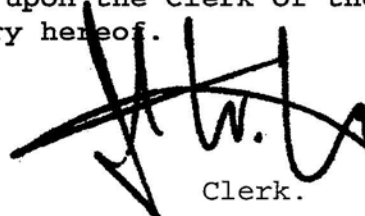
Respondent-Appellant.
-----X

Family Court counsel, Steven Banks, Esq., having moved on behalf of respondent-appellant for leave to prosecute the appeal from the order of the Family Court, New York County, entered on or about September 11, 2007, as a poor person, for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted, Steven Banks, Esq., is relieved as counsel, and pursuant to Section 35 of the Judiciary Law, Article 18b of the County Law and Section 1120 of the Family Court Act (1) Richard M. Greenberg, Esq., Office of the Appellate defender, 11 Park Place, Suite 1601, New York, NY 10007, Telephone No. 212-402-4100, is assigned as counsel, for purposes of prosecuting the appeal (2) directing the Clerk of said Family Court to have transcribed within 60 days of service of a copy of this order upon the Clerk, the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the State of New York from funds available therefor¹; (3) permitting appellant to dispense with any fee for transferring the record from the Family Court to this Court; and (4) enlarging the time to perfect this appeal until 120 days from the date of filing of the record. Assigned counsel is directed to immediately subpoena the record from the Family Court and to serve a copy of this order upon the Clerk of the Family Court within 10 days of the date of entry hereof.

Enter:


Clerk.

¹Service of appellant's brief upon respondent(s) shall include assigned counsel's copy of the transcript.

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 June 10, 2008.

PRESENT - Hon. Jonathan Lippman,
Richard T. Andrias
Milton L. Williams
James M. McGuire,

Presiding Justice,

Justices.

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

-against-

M-2075
Ind. No. 812/07

Karl Parson,
Defendant-Appellant.

-----X
Defendant having renewed his motion for leave to prosecute, as
a poor person, the appeal from the judgment of the Supreme Court,
New York County, rendered on or about February 5, 2008, for leave to
have the appeal heard on the original record and upon a reproduced
appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of
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 10 reproduced copies of
such brief, together with the original record, with this Court.

The court reporter shall promptly make and file with the criminal
court (CPL §460.70) two transcripts 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.

Richard M. Greenberg, Esq., Office of the Appellate Defender,
11 Park Place, Room 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 120 days from the date of filing
of the record.

ENTER:


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 June 10, 2008.

PRESENT - Hon. Jonathan Lippman,	Presiding Justice,
Milton L. Williams	
Karla Moskowitz	
Rolando T. Acosta,	Justices.

-----X
Abbe J. Carni, M.D., P.C.,
Plaintiff-Appellant,

-against-

M-2212
Index No. 600612/06

Ann T. Carlon, M.D., P.C., et al.,
Defendants-Respondents.

-----X

Defendants-respondents having moved to dismiss the appeal from the order of the Supreme Court, New York County, entered on or about June 26, 2007 (mot. seq. no. 002),

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

Ordered that the motion is granted and the appeal is dismissed.

E N T E R:


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 June 10, 2008.

Present - Hon. Jonathan Lippman,	Presiding Justice,
Peter Tom	
Angela M. Mazzarelli	
Richard T. Andrias	
David B. Saxe,	Justices.

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

Respondent,

-against-

Fabio Martinez,

Defendant-Appellant.

M-2511
DC #63
Ind. No. 3850/01

-----X
An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about April 8, 2002,

And said appeal not having been brought on for argument pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 15, 2008, pursuant to Rule 600.12(c) of said Rules of Practice, and there being no response thereto,

Now, upon the Court's own motion,

It is ordered that the aforesaid appeal is dismissed.

ENTER:


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 June 10, 2008.

Present - Hon. Jonathan Lippman,	Presiding Justice,
Peter Tom	
Angela M. Mazzairelli	
Richard T. Andrias	
David B. Saxe,	Justices.

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

Respondent,

-against-

Steven Mears,

Defendant-Appellant.

M-2514
DC #66
Ind. No. 357/04

-----X
An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about February 2, 2006,

And said appeal not having been brought on for argument pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 15, 2008, pursuant to Rule 600.12(c) of said Rules of Practice, and there being no response thereto,

Now, upon the Court's own motion,

It is ordered that the aforesaid appeal is dismissed.

ENTER:


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 June 10, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David B. Saxe, Justices.

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

Respondent,

M-2491

DC #48

-against-

Case No. 41978C/05

Iva Gist, also known as Ivan Gist,

Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about September 15, 2006,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 15, 2008, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the October 2008 Term of this Court and counsel is directed to so perfect.

ENTER:


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 June 10, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David B. Saxe, Justices.

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

Respondent,

M-2437

DC #30

-against-

Case No. 29647C/05

Messiah A. Bey, also known as
Messiah Bey, also known as
Messiah Ali Bey,

Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about June 5, 2006,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 15, 2008, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the October 2008 Term of this Court and counsel is directed to so perfect.

ENTER:


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 June 10, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David B. Saxe, Justices.

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

Respondent,

M-2497

DC #52

-against-

Ind. No. 5846/97

Keith Graham, also known as
Derrick Kitt,

Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about January 5, 2007,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 15, 2008, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the October 2008 Term of this Court and counsel is directed to so perfect.

ENTER:


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 June 10, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

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

Respondent,

M-2504

DC #58

-against-

Ind. No. 2486/05

Leroy Johnson, also known as
LeRoy Johnson,

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about June 27, 2006,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 15, 2008, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the October 2008 Term of this Court and counsel is directed to so perfect.

ENTER:


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 June 10, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David B. Saxe, Justices.

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

Respondent,

M-2515

DC #67

-against-

Ind. No. 14959/90

Terrance Mims,

Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about July 6, 2005,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 15, 2008, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the October 2008 Term of this Court and counsel is directed to so perfect.

ENTER:


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 June 10, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David B. Saxe, Justices.

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

Respondent,

M-2517

DC #69

-against-

Ind. No. 2263/04

Diana Noakes, also known as Adele
Chandler, also known as Adell
Robinson,

Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about July 7, 2006,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 15, 2008, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the October 2008 Term of this Court and counsel is directed to so perfect.

ENTER:


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 June 10, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David B. Saxe, Justices.

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

Respondent,

M-2518

DC #70

-against-

Ind. No. 2790/03

Antonio Otero,

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about April 13, 2005,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 15, 2008, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the October 2008 Term of this Court and counsel is directed to so perfect.

ENTER:


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 June 10, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

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

Respondent, M-2523
DC #75
-against- Ind. No. 6058/05

Regina Santos,

Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about July 17, 2006,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 15, 2008, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the October 2008 Term of this Court and counsel is directed to so perfect.

ENTER:


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 June 10, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

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

Respondent,

M-2533

DC #85

-against-

Ind. No. 2778/03

Tyrone Williams, also known as
Tyrone L. Williams,

Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about January 5, 2004,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 15, 2008, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the October 2008 Term of this Court and counsel is directed to so perfect.

ENTER:


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 June 10, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Milton L. Williams
Karla Moskowitz
Rolando T. Acosta, Justices.

-----X
In the Matter of the Application of

Thomas Morrello,

M-2466

Petitioner-Appellant,

Index No. 114617/06

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

-against-

Raymond Kelly, etc., et al.,

Respondents-Respondents.

-----X

Petitioner-appellant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, New York County, entered on or about July 12, 2007,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the October 2008 Term.

ENTER:


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 June 10, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Milton L. Williams
Karla Moskowitz
Rolando T. Acosta, Justices.

-----X
In the Matter of the Application of
Thomas Hickey,
Petitioner-Appellant,

For a Judgment Pursuant to Article M-2468
78 of the Civil Practice Law and Rules, Index No. 103902/07

-against-

Raymond Kelly, etc., et al.,
Respondents-Respondents.

-----X

Petitioner-appellant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, New York County, entered on or about July 11, 2007,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the October 2008 Term.

ENTER:


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 June 10, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David B. Saxe, Justices.

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

Respondent,

M-2450

DC #37

-against-

Ind. No. 502/04

Christopher Calder,

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about July 10, 2006,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 15, 2008, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the November 2008 Term of this Court and counsel is directed to so perfect.

ENTER:


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 June 10, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

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

Respondent,

M-2489

DC #46

-against-

Ind. No. 2629/04

Christian Figueroa,

Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about March 23, 2005,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 15, 2008, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the November 2008 Term of this Court and counsel is directed to so perfect.

ENTER:


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 June 10, 2008.

Present:	Hon. Jonathan Lippman, Peter Tom Angela M. Mazzairelli Richard T. Andrias David B. Saxe,	Presiding Justice, Justices.
----------	--	---

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

Respondent,

M-2492

DC #49

-against-

Ind. No. 3721/04

Melvin Glass,

Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant
from the judgment of the Supreme Court, New York County,
rendered on or about May 25, 2005,

And said appeal not having been brought on for hearing
pursuant to the provisions of the Rules of Practice of the
Appellate Division, First Department,

And a calendar call having been held by the Clerk of
the Court on May 15, 2008, pursuant to Rule 600.12(c) of said
Rules of Practice, and counsel for appellant having submitted
an affirmation seeking an enlargement of time in which to
perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the
appeal is enlarged to the November 2008 Term of this Court and
counsel is directed to so perfect.

ENTER:


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 June 10, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

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

Respondent,

M-2500

DC #54

-against-

Ind. No. 7572/02

Victor Hidalgo,

Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of resentence of the Supreme Court, New York County, rendered on or about August 9, 2006,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 15, 2008, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the November 2008 Term of this Court and counsel is directed to so perfect.

ENTER:


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 June 10, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

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

Respondent,

M-2516

DC #68

-against-

Ind. No. 4152/05

Earl Nash,

Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about April 19, 2006,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 15, 2008, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the November 2008 Term of this Court and counsel is directed to so perfect.

ENTER:


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 June 10, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

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

Respondent,

-against-

M-2526
DC #78
Ind. No. 5958/05

Gilbert St. Rose,

Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about November 2, 2006,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 15, 2008, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the November 2008 Term of this Court and counsel is directed to so perfect.

ENTER:


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 June 10, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David B. Saxe, Justices.

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

Respondent,

M-2527

DC #79

-against-

Ind. No. 3032/06

Daniel Thomas,

Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about March 27, 2007,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 15, 2008, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the November 2008 Term of this Court and counsel is directed to so perfect.

ENTER:


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 June 10, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

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

Respondent,

-against-

Kareem Willis,

Defendant-Appellant.
-----X

M-2534

DC #86

Ind. Nos. 2365/01

2490/01

2491/01

40/02

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about February 18, 2003,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 15, 2008, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the November 2008 Term of this Court and counsel is directed to so perfect.

ENTER: .


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 June 10, 2008.

PRESENT: Hon. Jonathan Lippman, Presiding Justice,
Richard T. Andrias
John W. Sweeny, Jr.
Dianne T. Renwick, Justices.

-----X
Margaret Ortiz, et al.,
Plaintiffs-Respondents,

-against-

M-2129
Index No. 117087/03

New York Medical Group, P.C., et al.,
Defendants,

Allen H. Kapit, M.D.,
Defendant-Appellant.

-----X
New York Medical Group, P.C.,
Third-Party Plaintiff-Respondent,

-against-

Third-Party
Index No. 590099/06

Allen H. Kapit, M.D.,
Third-Party Defendant-Appellant.

(And a Second Third-Party Action)

-----X

Third-party defendant-appellant having moved for an order staying the trial in the above-entitled action pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about October 11, 2007 (mot. seq. no. 006),

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.

ENTER:


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 June 10, 2008.

Present:	Hon. Jonathan Lippman,	Presiding Justice,
	Luis A. Gonzalez	
	John W. Sweeny, Jr.	
	James M. Catterson,	Justices.

-----X
Ann Stylianou,

Plaintiff-Appellant,

-against-

M-2249
Index No. 104786/05

The Ansonia Condominium,

Defendant-Respondent.

-----X

Plaintiff-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on March 18, 2008 (Appeal No. 3124),

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.

ENTER:


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 June 10, 2008.

PRESENT - Hon. Peter Tom,	Justice Presiding,
David Friedman	
Eugene Nardelli	
John T. Buckley	
Dianne T. Renwick,	Justices.

-----X
In the Matter of the Application of
Wanda Blount,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78 of the CPLR,	M-2184 Index No. 406933/07
---	-------------------------------

-against-

New York City Housing Authority,
Respondent-Respondent.

-----X

Respondent-respondent having moved to dismiss the appeal from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about February 4, 2008 (mot. seq. no. 001),

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

Ordered that the motion is granted and the appeal is dismissed.

E N T E R:


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 June 10, 2008.

PRESENT - Hon. Peter Tom,	Justice Presiding,
David Friedman	
Eugene Nardelli	
John T. Buckley	
Dianne T. Renwick,	Justices.

-----X
The People of the State of New York
ex rel. Terrence Heyward,
Petitioner-Appellant,

-against-

Warden, A.M.K.C. Facility and New
York County District Attorney,
Respondent-Respondent.

M-2291
Index No. 400381/08
SCID No. 30032/08

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, entered on or about March 13, 2008, which dismissed a habeas corpus proceeding, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for assignment of counsel,

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.

ENTER:


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 June 10, 2008.

Present: Hon. Peter Tom,	Justice Presiding,
David B. Saxe	
David Friedman	
John T. Buckley	
James M. Catterson,	Justices.

-----X
In the Matter of

S. Children,

M-2472

Dependent Children under 18 Years of Age Pursuant to §384-b of the Social Social Services Law.

Docket Nos. B27245-6/05

- - - - -
Leake & Watts Services, Inc., et al.,
Petitioners-Respondents,

Alex S.,
Respondent-Appellant.

- - - - -
Steven Banks, Esq.,
Law Guardian for the Children.

-----X

An order of this Court having been entered on December 13, 2007 (M-5695) granting respondent-appellant father leave to prosecute, as a poor person, his appeal from the order of the Family Court, Bronx County, entered on or about April 30, 2007, and assignment of counsel, a free copy of the transcript, and related relief,

And respondent appellant father having moved for an order directing petitioners to provide counsel with certain documents and to expand the record on appeal to include materials related to investigations with respect to the foster parents of the subject children,

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.

ENTER:


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 June 10, 2008.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
Eugene Nardelli
John T. Buckley
Dianne T. Renwick, Justices.

-----X
Mary Glover,
Plaintiff-Respondent,

-against-

New York City Transit Authority,
Defendant-Appellant.

M-2271
Index No. 14080/02

-----X

Defendant-appellant having moved for an enlargement of time
in which to perfect the appeal from the judgment of the Supreme
Court, Bronx County, entered on or about July 30, 2007,

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

It is ordered that the motion is granted to the extent of
enlarging the time in which to perfect the appeal to the
September 2008 Term.

ENTER:


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 June 10, 2008.

Present: Hon. Peter Tom,	Justice Presiding,
David Friedman	
Eugene Nardelli	
John T. Buckley	
Dianne T. Renwick,	Justices.

-----X
Louis Romeo,

Plaintiff-Respondent,

-against-

M-2373

Index No. 100055/05

Robert Malta, et al.,

Defendants,

Chelsea Tomato Inc., doing business
as Intermezzo Restaurant,

Defendant-Appellant.

-----X
(And Other Actions)

Defendant-appellant having moved for an enlargement of time in which to perfect the appeal taken from the judgment of the Supreme Court, New York County, entered on or about July 10, 2007 (mot. seq. no. 005),

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the September 2008 Term.

ENTER:


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 June 10, 2008.

Present: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
Eugene Nardelli
Milton L. Williams, Justices.

-----X
Universal/MMEC, Ltd.,

Plaintiff-Appellant,

Mezz Electric, Inc.,

Plaintiff,

M-2213

-against-

Index Nos. 601052/03
590322/07

The Dormitory Authority of the State
of New York, et al.,

Defendants-Respondents.

(And a Third-Party Action)

-----X

Plaintiff-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on April 8, 2008 (Appeal Nos. 3298, 3299 & 3300),

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.

ENTER:


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 June 10, 2008.

Present - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Eugene Nardelli
Milton L. Williams
John T. Buckley, Justices.

-----X
Jeffrey P. Tunick,
Petitioner-Appellant-Respondent,

-against-

M-1462
Index No. 116636/03

Larry Shaw, et al.,
Respondents,

Edith Shaw Marcus, et al.,
Respondents-Respondents-Appellants.

-----X

An order of this Court having been entered on February 14, 2008 (M-4976/M-5458/M-5859/M-5948/M-6447), inter alia, denying petitioner-appellant-respondent's motion for modification of the decision and order of this Court entered on September 13, 2007 [Appeal Nos. 1184-1184A],

And petitioner-appellant-respondent having moved for severance of certain claims advanced by petitioner-appellant-respondent and respondent William S. Greenawalt, Esq., respectively, and upon severance, reargument of the aforesaid decision and order of this Court and for related relief,

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

Ordered that the motion is denied.

E N T E R:


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 June 10, 2008.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David Friedman
John W. Sweeny, Jr., Justices.

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

Respondent,

-against-

M-1469
Ind. No. 6598/00

Ulise Melendez,

Defendant-Appellant.

-----X

A decision and order of this Court having been entered on April 1, 2004 (Appeal No. 3289), unanimously affirming the judgment of the Supreme Court, New York County (Altman, J.), rendered on August 30, 2001,

And defendant-appellant having moved, 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.

ENTER:


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 June 10, 2008.

PRESENT: Hon. Angela M. Mazzairelli, Justice Presiding,
David Friedman
Eugene Nardelli
Luis A. Gonzalez, Justices.

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

-against-

M-856
Ind. No. 2117/02

George Nation,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on December 9, 2004 (Appeal No. 4855), unanimously affirming a judgment of the Supreme Court, New York County (Rosalyn Richter, J. at hearing, Arlene R. Silverman, J. at jury trial and sentence), rendered on October 3, 2002,

And an order of this Court having been entered on December 13, 2007 (M-3265), denying defendant's motion, 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,

And defendant having moved for reargument of the aforesaid order (M-3265),

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.

ENTER:


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 June 10, 2008.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Milton L. Williams
John T. Buckley
Rolando T. Acosta, Justices.

-----X
Riverside Syndicate, Inc.,

Petitioner-Respondent,

-against-

M-2250
Index No. 570565/06

Eric Saltzman, etc., et al.,

Respondents-Appellants,

"John Doe", et al.,

Respondents.

-----X

Petitioner-respondent having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on March 18, 2008 (Appeal No. 3090),

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.

ENTER:


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 June 10, 2008.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Milton L. Williams
John T. Buckley
Rolando T. Acosta, Justices.

-----X
Albina Emanvilova, et al.,
Plaintiffs-Appellants,

-against-

Joseph Pallotta, et al.,
Defendants.

M-1923
Index Nos. 103427/00
120257/00
115207/01

In re American Transit Insurance Company,
Petitioner,

-against-

Albina Emanvilova, et al.,
Respondents-Appellants,

Igor Loktev,
Respondent,

Allstate Insurance Co.,
Proposed Additional
Respondent-Respondent.

- - - - -
In re American Transit Insurance Company,
Petitioner,

-against-

Joseph Pallotta, et al.,
Respondents,

Allstate Insurance Company,
Proposed Additional
Respondent-Respondent.

-----X

Plaintiffs-respondents-appellants having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on March 18, 2008 (Appeal Nos. 3107N/~~3107NA~~/~~3107NB~~/~~3107NC~~),

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.

ENTER:



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 June 10, 2008.

PRESENT - Hon. David B. Saxe,	Justice Presiding,
Eugene Nardelli	
James M. Catterson	
James M. McGuire,	Justices.

-----X
Nidia Corrales, et al.,
Plaintiffs-Appellants,

-against-

M-2194
Index No. 21686/05

William D. Cabrera, et al.,
Defendants-Respondents.

-----X

Defendants-respondents having moved to dismiss the appeal from the order of the Supreme Court, Bronx County, entered on or about July 2, 2007,

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

Ordered that the motion is granted and the appeal is dismissed.

E N T E R:


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 June 10, 2008.

PRESENT - Hon. David B. Saxe,	Justice Presiding,
Eugene Nardelli	
James M. Catterson	
James M. McGuire,	Justices.

-----X
Sabrina Cabello,
Plaintiff-Appellant,

-against-

Shemeles B. Ousman, et al.,
Defendants-Respondents.

M-2195
Index No. 23408/05

-----X
Defendants-respondents having moved to dismiss the appeal from the order of the Supreme Court, Bronx County, entered on or about June 12, 2007,

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

Ordered that the motion is granted and the appeal is dismissed.

E N T E R:


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 June 10, 2008.

PRESENT - Hon. David B. Saxe, Justice Presiding,
Eugene Nardelli
James M. Catterson
James M. McGuire, Justices.

-----X
Gerald Salustri,
Plaintiff-Appellant-Respondent,

-against-

M-2353
Index No. 49252/02

Ahearn Holtzman, Inc., doing business as
Seaboard Waterproofing, Inc.,
Defendant-Respondent-Appellant,

The Wildlife Conservation Society, also known as
The Wildlife Conservation Society Bronx Zoo,
Defendant-Respondent.

-----X
Ahearn Holtzman, Inc., doing business as
Seaboard Weatherproofing, Inc.,
Third-Party Plaintiff-Respondent-Appellant,

-against-

R.J. Bruno Roofing, Inc.,
Third-Party Defendant-Appellant-Respondent.

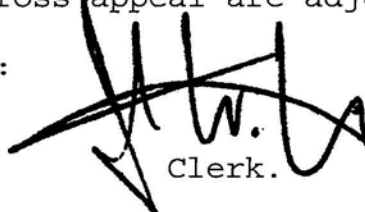
-----X
Appeals and a cross appeal having been taken from the order of the Supreme Court Bronx County, entered on or about July 9, 2007,

And defendant/third-party plaintiff-appellant having moved for an enlargement of time in which to perfect their cross appeal, and to reconcile the disparate record and appendix filed herein,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the cross appeal and to file a reconciled record/appendix to the September 2008 Term, to which Term the appeals and cross appeal are adjourned.

ENTER:


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 June 10, 2008.

PRESENT: Hon. David B. Saxe, Justice Presiding,
Eugene Nardelli
James M. Catterson
James M. McGuire, Justices.

-----X
Biron V. L. Turecamo,
Plaintiff,

W. Robert Turecamo,
Plaintiff-Appellant,

-against-

M-2398
Index No. 603749/06

B. David Turecamo,
Defendant-Respondent.
-----X

Plaintiff-appellant having moved for an enlargement of time
in which to perfect the appeal from the order of the Supreme
Court, New York County, entered on or about July 5, 2007,

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

It is ordered that the motion is granted to the extent of
enlarging the time in which to perfect the appeal to the October
2008, Term with no further enlargements to be granted.

ENTER:


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 June 10, 2008.

PRESENT: Hon. David B. Saxe,	Justice Presiding,
Eugene Nardelli	
James M. Catterson	
James M. McGuire,	Justices.

-----X
Perelson Weiner, LLP,
Plaintiff-Respondent,

-against-

M-2311
Index No. 603768/03

Sally L. Hoffman and Lorraine Sabia,
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement
of time in which to perfect the appeal from an order of the
Supreme Court, New York County, entered on or about July 9, 2007,

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

It is ordered that the motion is granted to the extent
of enlarging the time in which to perfect the appeal to the
November 2008 Term, with leave to seek an additional enlargement
if necessary.

ENTER:


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 June 10, 2008.

PRESENT - Hon. David B. Saxe,	Justice Presiding,
Eugene Nardelli	
James M. Catterson	
James M. McGuire,	Justices.

-----X

The People of the State of New York,

-against-

M-2258
Ind. No. 807/03

Francisco Garcia,
Defendant.

-----X

Defendant having moved for an enlargement of time in
which to file a notice of appeal from the judgment of the Supreme
Court, Bronx County, rendered on or about March 27, 2003,

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. (CPL 460.30 subd.1)

E N T E R:


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 June 10, 2008.

Present : Hon. David B. Saxe,	Justice Presiding,
John W. Sweeny, Jr.	
James M. McGuire	
Rolando T. Acosta,	Justices.

-----X
In re Jean Nelson Lumsby, et al.,

Petitioners,

-against-

M-2284
Index No. 102196/07

Shaun Donovan as Commissioner, and
The New York City Department of
Housing Preservation and Development,
et al.,

Respondents.

-----X

Petitioners 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 April 3, 2008 (Appeal No. 3257),

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.

ENTER:


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 June 10, 2008.

Present: Hon. David B. Saxe,	Justice Presiding,
Eugene Nardelli	
James M. Catterson	
James M. McGuire,	Justices.

-----X
Berkman Bottger & Rodd, LLP,

Plaintiff-Appellant,

-against-

Stephanie O'Hara Moriarity,

Defendant-Respondent.

M-1775
Index No. 600943/07

-----X
Plaintiff-appellant having moved for a stay of all proceedings pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about January 9, 2008,

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

It is ordered that the motion is granted on condition that the appeal is perfected for the October 2008 Term. Upon failure to so perfect, an order vacating the stay may be entered ex parte, provided that respondent serve a copy of this order upon appellant within 10 days after the date of entry hereof.

ENTER:


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 June 10, 2008.

PRESENT - Hon. David Friedman, Justice Presiding,
Milton L. Williams
James M. Catterson
Rolando T. Acosta, Justices.

-----X
In the Matter of Theresa Watts,
Petitioner-Respondent,

For a Judgment Pursuant to Article 78
of the CPLR,

M-2168
Index No. 406835/07

-against-

The Chancellor of the City University
of New York, et al.,
Respondents-Appellants.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about November 30, 2007 (mot. seq. no. 001),

And respondents-appellants having moved to withdraw the aforesaid appeal,

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

Ordered that the motion is granted and the appeal is deemed withdrawn.

E N T E R :


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 June 10, 2008.

PRESENT: Hon. David Friedman, Justice Presiding,
Milton W. Williams
James M. Catterson
Rolando T. Acosta, Justices.

-----X
The People of the State of New York
ex rel. Donnell Green,
Petitioner-Appellant,

-against-

M-2161
Index No. 250003/08

Warden, Rikers Island Correctional
Facility and New York State Division
of Parole,
Respondent.

-----X
Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Supreme Court, Bronx County, entered on or about March 18, 2008, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, for assignment of appellate counsel, and for other relief,

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

It is ordered that said motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serve one copy of such brief upon the attorney for respondent and file 10 copies of such brief, together with the original record, with this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record. The Clerk of Supreme Court, Bronx County, is directed to have transcribed the minutes of the proceedings held therein, if any, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor and any other fees in connection therewith. The motion is otherwise denied.

ENTER:


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 June 10, 2008.

PRESENT: Hon. Milton L. Williams, Justice Presiding,
James M. Catterson
Rolando T. Acosta
Leland G. DeGrasse, Justices.

-----X
Randi Weingarten, as President of
the United Federation of Teachers,
Local 2, American Federation of
Teachers, AFL-CIO,
Petitioner,

-against-

M-1585
M-1977
Index No. 104080/08

Board of Education of the City
School District of the City of
New York, et al.,
Respondents.

-----X

A purported appeal having been taken by municipal respondents from the order of a Justice of the Supreme Court, New York County, dated on or about March 19, 2008,

And petitioner having moved by separate motions, to vacate any automatic stay afforded respondents by reason of service of a notice of appeal dated March 19, 2008 (M-1585) and for dismissal of the aforesaid purported appeal (M-1977),

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

Ordered that the purported appeal is dismissed as no appeal lies as of right from an ex parte order (see *Sholes v Meagher*, 100 NY2d 333) (M-1977). The motion to vacate any stay afforded appellants pursuant to CPLR 5519(a)(i) is dismissed as academic (M-1585).

E N T E R:


Clerk.

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

BEFORE: Hon. Richard T. Andrias,
Associate Justice

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

M-1955
Ind. No. 6582B/94

-against-

CERTIFICATE
DENYING LEAVE

Sandor Sebok,

Defendant.

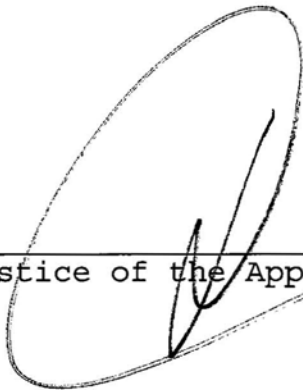
-----X

I, Richard T. Andrias, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law Section 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the Order of the Supreme Court, New York County, (Charles Tejada, J.), entered February 21, 2008, which denied defendant's motion pursuant to CPL 440.10, is hereby denied.

Dated: New York, New York
June 2, 2008

ENTERED

JUN 10 2008



Justice of the Appellate Division

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

BEFORE: Hon. Richard T. Andrias,
Associate Justice

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

M-2232
Ind. No. 7251/96

-against-

CERTIFICATE
DENYING LEAVE

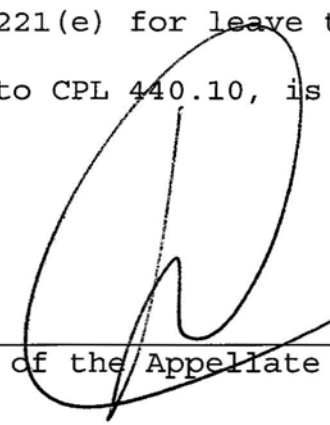
Lawrence Lewis,

Defendant.

-----X

I, Richard T. Andrias, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law Section 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the Order of the Supreme Court, New York County, (John Cataldo, J.), entered March 3, 2008, which denied defendant's motion pursuant to CPLR 2221(e) for leave to renew his January 17, 2006 motion pursuant to CPL 440.10, is hereby denied.

Dated: New York, New York
June 2, 2008



Justice of the Appellate Division

ENTERED

JUN 10 2008

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

BEFORE: Hon. Richard T. Andrias
Justice of the Appellate Division

-----X

The People of the State of New York,
Respondent,

M-2304
Ind. No. 121/05

-against-

CERTIFICATE
GRANTING LEAVE TO APPEAL
TO THE COURT OF APPEALS

Donald France,
Defendant-Appellant.

-----X

I, Richard T. Andrias, a Justice of the Appellate Division, Supreme Court, First Department, do hereby certify that in the record and proceedings herein* questions of law are involved which ought to be reviewed by the Court of Appeals and pursuant to CPL 460.20, it is

ORDERED that permission hereby is granted to the above-named appellant to appeal to the Court of Appeals.

Dated: June 2, 2008
New York, New York

Justice of the Appellate Division

ENTERED: **JUN 10 2008**

*Description of Order:

Supreme Court, New York County (Budd G. Goodman, J.), rendered August 11, 2005.

App. Div., Appeal No. 2418, Affd on April 1, 2008.

Notice: Within 10 days from the issuance of this certificate, a preliminary appeal statement must be filed with the Clerk of the Court of Appeals pursuant to Rule 500.9 of the Court of Appeals Rules.

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

BEFORE: Hon. JAMES M. MCGUIRE
Justice of the Appellate Division

-----X

The People of the State of New York,

Respondent-movant,

M- 2789

Ind. No. 3317/05

-against-

VICTOR GOMEZ,
Defendant.

CERTIFICATE
GRANTING LEAVE TO APPEAL
TO THE COURT OF APPEALS

-----X

I, JAMES M. MCGUIRE, a Justice of the Appellate Division, Supreme Court, First Department, do hereby certify that in the record and proceedings herein* questions of law are involved which ought to be reviewed by the Court of Appeals and pursuant to CPL 460.20, it is

ORDERED that permission hereby is granted to the above-named movant to appeal to the Court of Appeals.


Justice of the Appellate Division

Dated: June 2, 2008
New York, New York

ENTERED: **JUN 10 2008**

*Description of Order:

Supreme Court, New York County, entered on December 13, 2005.
App. Div., First Dept., Appeal No. 73, Revd on April 10, 2008.

Notice: Within 10 days from the issuance of this certificate, a preliminary appeal statement must be filed with the Clerk of the Court of Appeals pursuant to Rule 500.9 of the Court of Appeals Rules.

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

BEFORE: Hon. JAMES M. MCGUIRE
Justice of the Appellate Division

-----X

The People of the State of New York,

Respondent-movant,

M- 2747

Ind. No. 6523/03 &
6697/03

-against-

PAUL BOYD,
Defendant.

CERTIFICATE
GRANTING LEAVE TO APPEAL
TO THE COURT OF APPEALS

-----X

I, JAMES M. MCGUIRE, a Justice of the Appellate Division, Supreme Court, First Department, do hereby certify that in the record and proceedings herein* questions of law are involved which ought to be reviewed by the Court of Appeals and pursuant to CPL 460.20, it is

ORDERED that permission hereby is granted to the above-named movant to appeal to the Court of Appeals.


Justice of the Appellate Division

Dated: May 28, 2008
New York, New York

ENTERED: JUN 10 2008

*Description of Order:

Supreme Court, New York County, entered on September 21, 2004.
App. Div., First Dept., Appeal No. 2252, Revd on April 17, 2008.

Notice: Within 10 days from the issuance of this certificate, a preliminary appeal statement must be filed with the Clerk of the Court of Appeals pursuant to Rule 500.9 of the Court of Appeals Rules.