

THE FOLLOWING MOTION ORDERS
WERE ENTERED AND FILED ON
OCTOBER 30, 2008

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

M-4849X Ortiz v New York City Transit Authority

Appeal withdrawn.

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

M-4882 People v Batista, Manuel

Appeal withdrawn.

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

M-4933X The Torrenzano Group, L.L.C. v Burnham

Appeal and cross appeal withdrawn.

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

M-4878 Mendez - Perdomo v The City of New York - Ambassador
Apartments, Inc.
(And other actions)

Appeal, previously perfected for the December 2008
Term, withdrawn.

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

M-4913 Firtell v Update, Inc. (also known as Update Legal)

Appeal, previously perfected for the December 2008 Term, withdrawn.

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

M-4756 People v Bronaugh, Joseph

M-4757 Brown, Rod

M-4759 Jones, David

M-4760 Jones, Shaunda, also known as Jones, Shaun-da

M-4761 Norman, Kevin

M-4763 Rodriguez, Antonio

M-4764 Rodriguez, Edwin

M-4765 Cherry, Gwenerva

M-4766 Fulton, Myron, also known as Fulton, Myren

M-4778 Bailey, Todd

M-4786 Grant, Keith

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

Lippman, P.J., Andrias, Saxe, Sweeny, DeGrasse, JJ.

M-4538 Salm v Moses

Preference denied.

Lippman, P.J., Andrias, Saxe, Sweeny, DeGrasse, JJ.

M-4478 People v Diaz, David

Assigned counsel relieved; substitution of retained counsel denied, as indicated.

Lippman, P.J., Andrias, Saxe, Sweeny, DeGrasse, JJ.

M-4338 People v Pagan, Jorge

Notice of appeal deemed timely filed.

Lippman, P.J., Andrias, Friedman, Renwick, DeGrasse, JJ.

M-4223 People v Melendez, Christian

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

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

M-4250 People ex rel. Lewis, Herbert v Warden

Time to perfect proceeding enlarged to the January 2009 Term, as indicated.

Lippman, P.J., Saxe, Friedman, Sweeny, Acosta, JJ.

M-4805 People v Beliard, Wilkin, also known as Belliard,
Wilkin

Time to perfect appeal enlarged to the March 2009 Term.

Lippman, P.J., Saxe, Friedman, Sweeny, Acosta, JJ.

M-4574 People v Brandt, John

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

Lippman, P.J., Saxe, Friedman, Sweeny, Acosta, JJ.

M-4600 People v Alvarez, Christian

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

Lippman, P.J., Saxe, Friedman, Sweeny, Acosta, JJ.

M-4479 People v Rushion, Andre

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

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

M-4214A People v Smith, Kijuan

Leave to prosecute appeal as a poor person granted, as indicated. The order of this Court entered October 7, 2008 (M-4214) recalled and vacated.

Lippman, P.J., Gonzalez, Moskowitz, Acosta, JJ.

M-4582 Parkhouse v Stringer - New York Civil Liberties Union

Leave to appeal to the Court of Appeals denied.
Reargument granted to the extent of modifying the opinion and order of this Court entered on or about August 19, 2008 (Appeal No. 3555N) to delete the ultimate paragraph of said opinion and substituting the following paragraph therefor:

Accordingly, the order of Supreme Court, New York County (Herman Cahn, J.), entered on or about October 22, 2007, which denied petitioner's application to quash a subpoena served by DOI; granted respondents' motion to compel compliance with the subpoena; and denied petitioner's cross motion to strike certain matters from respondents' investigatory filings as scandalous and prejudicial; to have New York City Charter § 803(d) declared unconstitutional as applied to her, and to enjoin respondents from interfering with her exercise of free speech, should be affirmed, without costs.

Tom, J.P., Friedman, Nardelli, Catterson, JJ.

M-4631 People v Washington, Timothy

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

Tom, J.P., Gonzalez, Williams, Moskowitz, Freedman, JJ.

M-4522 People v Lopez, Keith

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

Tom, J.P., Gonzalez, Williams, Moskowitz, Freedman, JJ.

M-4541 People v Tiribio, Gabriel

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

Tom, J.P., Gonzalez, Williams, Moskowitz, Freedman, JJ.

M-4542 People v Smith, Kevin

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

Tom, J.P., Gonzalez, Williams, Moskowitz, Freedman, JJ.

M-4751 In re: New York City Asbestos Litigation - D'Ulisse v Amchem Products, Inc. - DaimlerChrysler Corporation - Ford Motor Company and General Motors Corporation

Leave to file amicus curiae brief denied.

Tom, J.P., Gonzalez, Sweeny, Catterson, Moskowitz, JJ.

M-4472 People v Luckey, Ronald

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

Tom, J.P., Gonzalez, Sweeny, Catterson, Moskowitz, JJ.

M-2883 People v Cotto, Eddie

Leave to file pro se supplemental brief granted for the March 2009 Term, to which Term appeal adjourned.

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

M-4503 People v Garcia, Ricardo

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

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

M-4812 Yerushalmi v Abed Realty Corp.

Reargument/clarification denied.

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

M-4425 Zito v Fischbein Badillo Wagner Harding - Nimkoff

M-4742 Rosenfeld & Schechter, LLP

Non-party appellant to file supplemental record, as indicated; motion otherwise denied (M-4425). Vacatur of stay denied (M-4742).

Mazzarelli, J.P., Catterson, McGuire, Acosta, Renwick, JJ.

M-4443 Campbell v Brown-Campbell

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

Mazzarelli, J.P., Catterson, McGuire, Acosta, Renwick, JJ.

M-4573 American Theatre for the Performing Arts, Inc. v Consolidated Credit Corporation

Time to perfect appeal enlarged to the March 2009 Term.

Mazzarelli, J.P., Catterson, McGuire, Acosta, Renwick, JJ.

M-4504 People v Ruiz, Hernando

Leave to prosecute appeal as a poor person and related relief granted; Clerk of the Supreme Court shall expeditiously have made and filed with the criminal court two transcripts of the SORA hearing and other proceedings, as indicated.

Mazzarelli, J.P., Catterson, McGuire, Acosta, Renwick, JJ.

M-4502 People v Chapuseaux, Woody

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

Mazzarelli, J.P., Catterson, McGuire, Acosta, Renwick, JJ.

M-4368 People v McLean, Keisha

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

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

M-4886 Peprah v McDonald

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

Saxe, J.P., Catterson, McGuire, Acosta, DeGrasse, JJ.

M-4093 Jacobson V Gerriets

M-4345

Appeal deemed withdrawn (M-4345). Motion deemed withdrawn (M-4093).

Saxe, J.P., Catterson, McGuire, Acosta, DeGrasse, JJ.

M-4546 In the Matter of Wolfe v Kelly
Time to perfect appeal enlarged to the March 2009 Term.

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

M-4685 Gibbs v St. Barnabas Hospital - Vines
Appeal adjourned to the December 2008 Term.

Catterson, J.

M-1896 People v Andrade, Miguel
Leave to appeal to this Court denied.

Catterson, J.

M-4487 People v Burrell, Rickey
Leave to appeal to this Court denied.

The following order was entered and filed on October 28, 2008:

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

M-4904 Larabee v The Governor of the State of New York - The
M-4941 Association of Justices of the Supreme Court of the
State of New York - The New York County Lawyers'
Association
Amici curiae submitted with moving papers deemed filed.

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

M-4814 In the Matter of Hasberry v The New York City
Department of Education

Time to perfect appeal enlarged to the January 2009
Term.

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

M-4811 In the Matter of Sulker v Johnson

Time to perfect proceeding enlarged to the January 2009
Term.