

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

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

M-3818X Fisch v Feingold

Appeal withdrawn.

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

M-3855X Sabre Inc. v Paras Exims Inc., doing business as Arrow
Travel & Tours, doing business as Elder Travel Club

Appeal withdrawn.

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

M-3874 People v West, Oliver Giola, Jr.,

Appeal withdrawn.

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

M-3291 In the Matter of Bullock v Kelly

Motion and appeal withdrawn.

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

M-3446 People v Bordonada, Jose, also known as
Acosta, Domingo

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

Lippman, P.J., Mazzairelli, Sweeny, Moskowitz, Renwick, JJ.

M-3315 In re Lucero v New York City Industrial Development
Agency

Reargument or other relief denied.

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

M-3723 Hernandez v Ziess - Soto

Preliminary appellate injunction denied, as indicated.

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

M-2269 In the Matter of R., Samuel

Leave to appeal to this Court granted; stay of remand
denied (See M-2269A, decided simultaneously herewith).

Lippman, P.J.

M-2269A In the Matter of R., Samuel

Stay denied (See M-2269, decided simultaneously
herewith).

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

M-3171 Sunseri v Macro Cellular Partners - Calloway

Motion deemed filed; appeal dismissed.

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

M-3336 Miranda v Batista

Appeal dismissed.

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

M-3337 Malave v Otton

Appeal dismissed.

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

M-3520 In the Matter of EPDI Associates v New York City Loft Board

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

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

M-3384 Lai v Gartlan - Generation Properties Investment Co.

Dismissal of appeal and other relief denied.

Tom, J.P., Mazzairelli, Williams, Buckley, JJ.

M-3403 People v Jackson, Robert

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

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

M-3493 People v Cajigas, Norman

Counsel substituted.

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

M-3312 Gryphon Domestic VI, LLC v APP International Finance
Company, B.V.

Time to perfect appeal enlarged to the April 2009 Term.

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

M-3504 Burko v Friedland

Appeal deemed withdrawn.

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

M-3356 In the Matter of The Hanover Insurance Company v
St. Anselm School

Motion and appeal deemed withdrawn, as indicated;
interim relief granted by order of a Justice of this Court, dated
July 8, 2008, vacated.

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

M-3808 Donaldson v New York City Department of Education

Appeal dismissed.

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

M-3745 Kagan v BFP One Liberty Plaza Co., LLC
(And a third-party action)

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

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

M-3920 Hamiltonian Corporation v Trinity Centre LLC

Dismissal of appeal denied, as indicated.

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

M-4005 Trump Plaza Owners, Inc. v Weitzner

Appeal dismissed, without prejudice to an appeal from final order/judgment of ejectment.

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

M-3606 People v West, Harry

The order of this Court entered April 1, 2008 (M-934) deemed withdrawn; motion otherwise denied.

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

M-3372 People v Cordero, Jose

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

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

M-3496 People v Wright, Nahine

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

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

M-3445 People v Harding, Eric

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

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

M-3537 People v Medina, Freddy

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

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

M-3619 Sander v Kronick

Leave to prosecute appeal as a poor person denied. Notice of appeal deemed timely filed; time to perfect appeal enlarged to the January 2009 Term, as indicated (See M-3620, decided simultaneously herewith).

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

M-3620 Sander v Greenspan & Greenspan

Leave to prosecute appeal as a poor person denied. Time to perfect appeal enlarged to the January 2009 Term, as indicated (See M-3619, decided simultaneously herewith).

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

M-3482 Wysoker v Wysoker

Preliminary appellate injunction denied.

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

M-3576 In the Matter of S., Greta v Administration for
M-3546 Children's Services - Bronx; In the Matter of S.,
M-3607 Greta v S., Alex

Motions to consolidate appeals and an enlargement of time in which to perfect appeals denied, with leave to renew, as indicated; dismissal of appeals denied.

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

M-3524 In the Matter of Rivera v The New York City Housing
Authority

Proceeding deemed timely filed for the November 2008
Term.

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

M-3612 1319 Third Avenue Realty Corp. v Chateaubriant
M-3758 Restaurant Development Company LLC - Qasemi

Enlargement of time to perfect appeal or other relief denied, as indicated (M-3612). Dismissal of appeal and other relief denied (M-3758).

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

M-3765 Alvarado v The City of New York

Time to perfect appeal enlarged to the December 2008
Term.

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

M-3289 Gaston v The City of New York
M-3687

Time to perfect appeal enlarged to the December 2008 Term. Dismissal of appeal granted unless plaintiff perfects appeal for the December 2008 Term, as indicated.

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

M-3557 In the Matter of Bellamy v New York City Police
Department

Municipal respondent directed to perfect their appeal for the December 2008 Term.

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

M-3517 Cintron v Fuller - The New York City Police Department

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

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

M-3558 Capogrosso v Reade Broadway Associates

Time to perfect appeal enlarged to the January 2009 Term, as indicated; motion otherwise denied.

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

M-3585 Factory Mutual Insurance Company as successor and
 interest to Arkwright Mutual Insurance Company
 (formerly known as Arkwright-Boston Manufacturers
 Mutual Insurance Company) v Mutual Marine Office, Inc.
 - Utica Mutual Insurance Company

 Stay granted on condition appellants perfect appeals
for the January 2009 Term, as indicated.

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

M-3593 In the Matter of Young v Office of Housing
 Operation/Division of Tenant Resources

 Stay vacated unless proceeding perfected for the
January 2009 Term, as indicated.

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

M-3675 Montan v St. Vincent's Catholic Medical Center -
M-3615 Tallaj

 Time to perfect the appeals enlarged to the January
2009 Term. Clerk directed to calendar appeals for hearing
together in said Term.

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

M-3626 Murataj v Dream Dragon Productions, Inc.

 Time to perfect appeal enlarged to the January 2009
Term.

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

M-3850 Hauptner v Laurel Development LLC - B & V Contracting
Enterprises, Inc.
(And a third party action)

Stay of trial granted.

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

M-3887 Vega v Ramirez - Ark Restaurants, Corp - trading as
Sequoia Restaurant

Stay of trial granted.

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

M-3463 Martinez v Murdock, doing business as Smith Murdock
Company - The Board of Managers of the Bindery
Condominiums

Stay of trial denied.

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

M-3604 People v Taylor, Kenny, also known as Brown, Reggie

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

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

M-3782 People v Wright, Steven

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

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

M-3788 People v Bell, Jamel, also known as Bell, John

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

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

M-3839 People v Curry, Cornell

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

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

M-4001 In the Matter of Kyle v Lebovits

Adjournment of appeal denied, as indicated.

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

M-3175 Tzolis v RB Estates LLC

Reargument or other relief denied.

Saxe, J.P., Nardelli, Moskowitz, Acosta, DeGrasse, JJ.

M-3449 People v Powell, Daniel

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

Nardelli J.P., Williams, Sweeny, Catterson, JJ.

M-1939 Leward Isles Resorts, Limited v Hickox
Leave to appeal to the Court of Appeals denied.

Friedman, J.

M-1721 People v Miller, Richard
Leave to appeal to this Court granted, as indicated.

Friedman, J.

M-6336 People v Jackson, Anthony
Leave to appeal to this Court denied.

DeGrasse, J.

M-3454 People v Barnes, Ernest
Leave to appeal to this Court denied.

DeGrasse, J.

M-3703 People v Alexander, Paul
Bail or release on recognizance denied.

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

In the Matter of Attorneys Who Are in Violation
of Judiciary Law Section 468-a:

M-3815 Heather L. Waters Borthwick, admitted on 11-1-1999,
at a Term of the Appellate Division,
First Department

Respondent reinstated as an attorney and counselor-at-
law in the State of New York, effective the date hereof. No
opinion. All concur.

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

In the Matter of Attorneys Who Are in Violation
of Judiciary Law Section 468-a:

M-3955 Eugene P. Hanson, admitted on 1-15-1973,
at a Term of the Appellate Division,
First Department

Respondent reinstated as an attorney and counselor-at-
law in the State of New York, effective the date hereof. No
opinion. All concur.

The following orders were entered and filed on September 2, 2008:

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

M-3564 Carmona v Mathisson - Alcon Laboratories Inc.

Enlargement of record on appeal denied.

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

M-3603 Charney v North Jersey Trading Corp. - Herskowitz

Appeal dismissed.

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

M-3790 In the Matter of C., Walter v F., Jovanka

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

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

M-3754 Cortez v Delmar Realty Co., Inc. - Cortez

Caption amended; plaintiff-appellant directed to correct caption on record on appeal and all briefs, as indicated.

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

M-3843 Kinberg v Kinberg

Defendant-respondent permitted to file supplemental record, as indicated; motion otherwise denied.

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

M-4058 Mark v Dechert LLP, formerly known as Dechert Price &
Rhodes, LLP - Berry

Enlargement of record on appeal denied.

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

M-3757 Simone v McNamara

M-3865

Time to perfect consolidated appeals enlarged to the
December 2008 Term. Consolidated appeals dismissed unless
perfected for said Term, as indicated.

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

M-3999 Vukovich v 1345 Fee LLC

M-4081

Stay of trial granted pending hearing and determination
of appeal and cross appeal, which are adjourned to the December
2008 Term, as indicated.

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

M-3623 Lopez v Master - McLean

Stay of trial denied.

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

M-3803 Taylor v Vasquez

Stay of trial denied.

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

M-3994 Delfino v Luzon

Stay of trial granted.

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

M-3890 The City of New York v TOA Construction Co., Inc.

Appeals consolidated, and motion otherwise denied;
interim relief granted by an order of a Justice of this Court,
dated August 11, 2008, vacated.

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

M-4036 Weadick v Herlihy

Time to perfect appeal enlarged to the January 2009
Term.

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

M-3906 People v Pena, Daniel

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