

THE FOLLOWING MOTION ORDERS
WERE ENTERED AND FILED ON
APRIL 21, 2009

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

M-1620 People v Roebuck, Kenneth

Appeal withdrawn.

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

M-1638X Clemons v City of New York - New York City Transit
Authority

Appeal withdrawn.

Gonzalez, P.J., Mazzarelli, Saxe, Moskowitz, Richter, JJ.

M-1348 People v Arnjas, Maria

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

Gonzalez, P.J., Mazzarelli, Saxe, Moskowitz, Richter, JJ.

M-1356 People v Agustin, Salvador, also known as Augustine,
Salvador

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

Gonzalez, P.J., Mazzairelli, Saxe, Moskowitz, Richter, JJ.

M-1327 People v Almonte, Luis

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

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

M-1165 116 Madison Street, LLC v Seid - Lychee Ice Cream
Factory, Inc.

Leave to appeal from the Appellate Term denied.

Gonzalez, P.J., Nardelli, Buckley, Acosta, JJ.

M-1102 David v New York City Commission on Human Rights

Leave to appeal to the Court of Appeals denied.

Gonzalez, P.J., Nardelli, Buckley, Acosta, JJ.

M-533 Ritzer v 6 East 43rd Street Corp.

Reargument denied.

Gonzalez, P.J., Mazzairelli, Saxe, Moskowitz, Richter, JJ.

M-1351 People v Real-Mohr, Killian

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

Gonzalez, P.J., Mazzairelli, Saxe, Moskowitz, Richter, JJ.

M-1346 People v Perez, Joselin, also known as Perez,
Joselyn

Leave to file pro se supplemental brief granted
for the September 2009 Term, to which Term appeal adjourned,
as indicated. Motion otherwise denied. (See M-5828 entered
January 22, 2009.)

Gonzalez, P.J., Mazzairelli, Saxe, Moskowitz, Richter, JJ.

M-1221 Busa v Costco Wholesale Corporation - General Snow
Service, Inc.

Time to perfect appeal enlarged to the September 2009
Term, as indicated. Stay of trial granted by order of this Court
entered October 14, 2008 (M-4067/M-4355) continued.

Tom, J.P., Andrias, Buckley, DeGrasse, JJ.

M-1197 In the Matter of G., Devon

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

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

M-1366 In the Matter of P., Eva A. v P., Victor M.

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

Tom, J.P., Saxe, Sweeny, Acosta, Freedman, JJ.

M-91 Devonshire Surgical Facility v Nationwide Insurance
M-92 Company - Germosen - Romero
(And another action)

Leave to appeal from the Appellate Term and related relief denied.

Tom, J.P., Andrias, Buckley, DeGrasse, JJ.

M-1114 In the Matter of C., Christy; T., Jaleek and T.,
Shalick - The Administration for Children's Services

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

Tom, J.P., Saxe, Friedman, Buckley, Catterson, JJ.

M-56 People v Rodriguez, Jose Antonio

Writ of error coram nobis and other relief denied.

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

M-706 People v Tillman, Randy

Writ of error coram nobis denied.

Mazzarelli, J.P., Friedman, Moskowitz, Acosta, JJ.

M-839 In the Matter of Doar - L., Barbara

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

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

M-1075 WSC 72nd Owners LLC v Bondy

Leave to appeal from the Appellate Term denied.

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

M-4821 People v Reyes, William

Writ of error coram nobis denied.

Mazzarelli, J.P., Friedman, Moskowitz, Acosta, JJ.

M-1004A Mushlam, Inc. v Nazor - Mickle

M-1008XA

Appeal taken by notice of appeal dated June 2, 2008
deemed withdrawn, as indicated (M-1008X); time to perfect appeals
taken by notices of appeal dated June 3, 2008 and June 4, 2008
enlarged to the September 2009 Term. The order of this Court
entered on March 31, 2009 (M-1004/M-1008X) recalled and vacated.

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

M-906 In re Kyle v Lebovits

Leave to appeal to the Court of Appeals denied.

Mazzarelli, J.P., Friedman, Nardelli, Moskowitz, JJ.

M-892 People v Mance, Victor

Reargument denied.

Mazzarelli, J.P., Sweeny, DeGrasse, Freedman, JJ.

M-610 Vukovich v 1345 Fee, LLC - Plaza Construction Corp.

M-791

Reargument granted and, upon reargument, the decision and order of this Court entered on January 6, 2009 (Appeal No. 4982) recalled and vacated and a new decision and order substituted therefor. (See Appeal No. 4982, decided simultaneously herewith [M-610].) Leave to appeal to the Court of Appeals denied (M-610/M-791). Reargument denied (M-791).

Mazzarelli, J.P., Andrias, Nardelli, Catterson, DeGrasse, JJ.

M-1441 In the Matter of K., Kazmir - Commissioner of Social Services of the City of New York

Appeal adjourned to June 2009 Term; law guardian permitted to file supplemental record on appeal, without prejudice to petitioner filing respondent's brief, as indicated. Clerk directed to calendar appeal for hearing during second week of June 2009 Term.

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

M-1233 People v Rincon, Enrique

Appeal dismissed.

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

M-1159 People v Johnson, Robert

Counsel substituted.

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

M-1179 People v Richiez, Pedro

Substitution of counsel denied, as indicated.

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

M-1301 Spaulding v The State of New York

Leave to prosecute appeal as a poor person denied.

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

M-1304 People v Stokes, Andre

Moving papers deemed a timely filed pro se supplemental brief for the October 2009 Term, to which Term appeal adjourned.

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

M-1267 Djeddah v Djeddah

M-1523

Time to perfect appeal enlarged to the September 2009 Term, as indicated; termination of further mediation denied.

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

M-1476 People v McCaffrey, William

Time to perfect appeal enlarged to the September 2009 Term.

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

M-999 Driscoll v Delarosa

Leave to appeal to the Court of Appeals denied.

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

M-1217 In re C., Aisha - Leake & Watts Services, Inc.

Reargument denied.

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

M-1415 In the Matter of Diaz v Hernandez

Leave to prosecute proceeding as a poor person granted to extent indicated; time to perfect proceeding enlarged to the September 2009 Term; stay granted by the order of a Justice of this Court, dated February 3, 2009, continued on condition proceeding perfected for said September 2009 Term, as indicated.

Saxe, J.P., Friedman, Moskowitz, Freedman, Richter, JJ.

M-1278 Holliman v New York City Housing Authority

Stay of trial granted on condition appeal perfected for the September 2009 Term, as indicated.

Saxe, J.P., Friedman, Moskowitz, Freedman, Richter, JJ.

M-1432 People v Lewis, Kenneth

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

Saxe, J.P., Friedman, Moskowitz, Freedman, Richter, JJ.

M-1419 In the Matter of A., Davion; D., Eiosha; A., Jani; A., Latear; A., Marcel and A., Nasir - Administration for Children's Services

Transcription of minutes directed, as indicated; time to perfect appeal enlarged to the September 2009 Term.

Saxe, J.P., Friedman, Moskowitz, Freedman, Richter, JJ.

M-1401 Gettinger Associates, also known as Gettinger Associates, L.P. v One Move Upward, Inc.

Time to perfect appeal enlarged to the September 2009 Term.

Saxe, J.P., Friedman, Moskowitz, Freedman, Richter, JJ.

M-1430 People v Landy, Dan

Clerk directed to supply defendant with additional copy of transcripts of proceedings, if available and defendant directed to serve and file 10 copies of his pro se supplemental brief on or before July 13, 2009 for the September 2009 Term, to which Term appeal adjourned, as indicated.

Saxe, J.P., Friedman, Moskowitz, Freedman, Richter, JJ.

M-1297 Smith v City of New York

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

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

M-1385 People v Johnson, Thomas

Appeal dismissed.

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

M-1316 Best v Tishman Construction Corporation; Tishman Construction Corporation v Solar Electric Systems, Inc.

Time to perfect appeal enlarged to the October 2009 Term.

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

M-1270 DeJesus v 191st Street Associates, LLP
(And other actions)

Term. Time to perfect appeal enlarged to the December 2009

Gonzalez, P.J.

M-686 People v Lorenzo, Daniel

Leave to appeal to this Court denied.

Tom, J.

M-183 People v Monserate, Carmelo

Leave to appeal to this Court denied.

Tom, J.

M-427 People v Wells, Carl

Leave to appeal to this Court denied.

Sweeny, J.

M-1187 People v Mears, Steven

Leave to appeal to this Court denied.

DeGrasse, J.

M-1208 People v Holmes, Winston

Leave to appeal to this Court denied.

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

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

M-1684 Stephen J. Fraher, admitted on 2-26-1991,
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 April 16, 2009:

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

M-4959 In the Matter of S., Stephanie and L., Kimberly -
Administration for Children's Services

Leave to prosecute appeal (under Docket No. NN2709/08)
as a poor person granted, as indicated.

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

M-1491A In Re: New York City Asbestos Litigation -
Ames v A.O. Smith Water Products Co., Inc. -
Robert A. Keasbey Company
(And another action)

Motion on behalf of Robert A. Keasbey Company to stay joint trial withdrawn; motion on behalf of remaining defendants for said relief denied; interim relief granted by order of a Justice of this Court, dated March 25, 2009, vacated; order of this Court entered April 7, 2009 (M-1491) recalled and vacated.

The following order was entered and filed on April 17, 2009:

Gonzalez, P.J., Buckley, Catterson, McGuire, Renwick, JJ.

M-1726 Campbell v McKeon
(And another action)

Appeals and cross appeal consolidated to extent of directing the Clerk to calendar appeals for hearing together and directing the parties to file their respective points in accordance with the briefing schedule set forth in the order of this Court entered March 17, 2009 (M-1080), with a supplemental record pertaining to the appeal under Index No. 650058/08 to be filed on or before April 29, 2009.