

THE FOLLOWING MOTION ORDERS  
WERE ENTERED AND FILED ON  
JANUARY 6, 2009

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

M-5782 People v Pryor, Rickey

Appeal withdrawn.

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

M-5823X S., Amanda v Hi Tek Bug Red Inc. - S., William;  
Araujo v Rolon  
(And other actions)

Appeal withdrawn.

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

M-5861X Melcher v Apollo Medical Fund Management LLC

Appeal withdrawn.

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

M-5614 In re: New York City Asbestos Litigation - Oswald v  
A.O. Smith Water Products - Kentile Floors, Inc.

Motion and appeal deemed withdrawn.

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

M-5507 Henderson v MABSTOA

Appeal dismissed.

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

M-5644 People v Johnson, Thomas

M-5646 People v Santiago, Rafael

M-5647 People v Baez, Juan Carlos

M-5649 People v Hood, John

M-5651 People v Gray, Roy

M-5654 People v Johnson, Keyshawn

M-5658 People v Vinson, Laron

M-5667 People v Mojica-Sanchez, Radhames

M-5668 People v John, Benjamin

M-5669 People v Harris, Ronald

M-5670 People v Nesbitt, Akieme

M-5671 People v Bucala, Kelly

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

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

M-5672 People v Rodriguez, Louis

M-5678 People v Starks, Emmanuel

M-5679 People v Dean, Kammau

M-5680 People v Blyden, Malisha

M-5682 People v Garcia, Elvin B.

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

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

M-5540 People v Hidalgo, Julio

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

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

M-5442 In the Matter of Bryan, also known as Smith v Records  
Access Officer, NYPD

Leave to prosecute appeal as a poor person denied.

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

M-5835 Dawson v Springfield Missionary Baptist Church

CPLR 5704(a) relief denied.

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

M-4858 Holdridge/BK Street, Inc. v Lamson - Ziek

Leave to appeal from the Appellate Term denied; stay denied; interim relief granted by order of a Justice of this Court, dated October 7, 2008, vacated.

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

M-5031 68-74 Thompson Realty, LLC v McNally

Leave to appeal from the Appellate Term granted, as indicated.

Tom, J.P., Mazzairelli, Friedman, Gonzalez, JJ.

M-2380 Bovis Lend Lease LMB, Inc. v Great American Insurance  
M-2391 Company - United National Insurance Corp. - Westchester  
Fire Insurance Company  
(And a third-party action)

Motions deemed withdrawn, as indicated.

Tom, J.P., Friedman, Gonzalez, McGuire, Acosta, JJ.

M-5625 People v Clark, Phillip

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.

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

M-5122 In the Matter of C., Patricia v L., Bruce

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

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

M-5742 People v Landy, Dan

Enlargement of time to file pro se supplemental brief  
granted for the June 2009 Term, to which Term consolidated  
appeals are adjourned, as indicated.

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

M-5801 People v Hubert, Cary, also known as Cary, Hubert

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

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

M-5982 Martinez v 142 Broadway Associates, LLC

Stay of trial granted.

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

M-5851 Colon v New York Eye Surgery Associates, P.C.

Stay of trial denied.

Tom, J.P., Andrias, Sweeny, McGuire, JJ.

M-5912 Founders Insurance Company Limited v Everest  
National Insurance Company, as Arizona Corporation -  
Everest Reinsurance Company, a Delaware Corporation

Leave to withdraw as counsel granted; time to perfect appeal from order entered November 23, 2007, and time to perfect appeal and cross appeal from order entered June 6, 2008, enlarged to April 2009 Term; motion (M-5964) between respective parties currently returnable on January 12, 2009 adjourned to January 26, 2009.

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

M-5572 S & W Home Improvement Co. v La Casita II H.D.F.C.

Appeals and cross appeals consolidated; time to perfect same enlarged to the June 2009 Term; enlargement of record on appeal granted, as indicated.

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

M-5721 Gaboury, doing business as Livewire Production and  
Recording v Technical Structures, Inc.  
(And a third-party action)

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

Mazzarelli, J.P., Saxe, Friedman, Acosta, DeGrasse, JJ.

M-5822 In the Matter of G., Glenda v M., Mariano

Leave to respond to appeal as a poor person granted, as indicated; appeal adjourned to the May 2009 Term.

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

M-3771 People v Rivera, Jose

Counsel substituted.

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

M-5510 In the Matter of Young v Office of Housing Operation/  
M-5627 Division of Tenant Resources

Leave to prosecute proceeding as a poor person granted  
on condition proceeding perfected for the April 2009 Term, as  
indicated; vacatur of stay denied.

Mazzarelli, J.P., Saxe, Friedman, Acosta, DeGrasse, JJ.

M-5561 Davila v Wijedoru

Stay of trial denied.

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

M-5410 Capograsso v Reade Broadway Associates

Time to perfect appeal enlarged to the May 2009 Term;  
motion otherwise denied.

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

M-5298 Horizon, Inc. v Wolkowicki

M-5312

Reargument and/or other relief denied.

Mazzarelli, J.P., Saxe, Catterson, Moskowitz, JJ.

M-2811 People v Jackson, Tyrone

M-4673

Reargument denied; leave to strike People's affirmation in opposition denied.

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

M-5390 Barklee 94 LLC v O'Keefe

Leave to appeal from the Appellate Term denied.

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

M-5681 M Entertainment, Inc. v Leydier

M-5862

Dismissal of appeal denied, as indicated; appeal adjourned to the March 2009 Term.

Saxe, J.P., Sweeny, Moskowitz, Acosta, JJ.

M-3672 People v Charlotte, George

Writ of error coram nobis denied.

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

M-5604 Aris Multi-Strategy Fund, LP v Palm Beach Multi-Strategy Fund, L.P.

Stay and other relief denied.

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

M-5437 In the Matter of P., Ariella and D., Iyanah -  
Administration for Children's Services

Time to perfect appeal enlarged to the May 2009 Term.

Lippman, P.J.

M-4839 People v Kelly, Wesley

Leave to appeal to this Court denied.

**The following order was entered and filed on December 31, 2008:**

Mazzarelli, J.P., Saxe, Friedman, Catterson, Acosta, JJ.

M-4434A Lee v Astoria Generating Company, L.P.

M-4437A (And a third-party action)

Reargument denied; leave to appeal to the Court of Appeals granted, as indicated. (The order of this Court entered December 30, 2008 [M-4434/M-4437] recalled and vacated.)