

THE FOLLOWING MOTION ORDERS  
WERE ENTERED AND FILED ON  
JANUARY 20, 2009

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

M-6125      In the Matter of M., Arrissa and C., Xeria -  
Commissioner of the Administration for Children's  
Services

Appeal, previously perfected for the January 2009 Term,  
withdrawn.

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

M-5808      In the Matter of D., Grace v D., Ralph - DeMattio  
M-5595  
Production of transcripts denied (M-5808); appeals  
dismissed (M-5595).

Lippman, P.J., Andrias, Friedman, Buckley, Freedman, JJ.

M-5950      People v Torres, Heriberto

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.

Lippman, P.J., Andrias, Friedman, Buckley, Freedman, JJ.

M-5951      People v Green, David

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.

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

M-5859 People v Cordero, Gabriel

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

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

M-6041 People v Correa, Tomas, also known as Correa, Tomas, Jr.

M-6043 People v Johnson, Jason

M-6044 People v Johnson, Marcus

M-6045 People v Lugo, Martha

M-6046 People v Qushja, Ermal, also known as Qushja, Charles

M-6047 People v Sams, Anthony

M-6048 People v Strothers, Heath

M-6049 People v Velez, Jaime

M-6050 People v Williams, Ivin

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

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

M-6042 People v Brown, Jason

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

Lippman, P.J., Andrias, Friedman, Buckley, Freedman, JJ.

M-5884 People v Martin, Eric

Enlargement of time to file notice of appeal denied.

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

M-5955 People v Pena, Victor

Appeal stricken from Court's calendar with leave to re-perfect upon a proper appendix and submission of a complete ribbon copy of the transcript. Defendant-appellant directed to re-perfect appeal for the June 2009 Term.

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

M-5837 Danica Plumbing & Heating, LLC, now known as  
Danica Group, LLC v 3536 Cambridge Avenue, LLC

Counsel relieved, as indicated; time for defendant(s) to respond to appeal enlarged to the April 2009 Term, to which Term appeal adjourned.

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

M-5921 Gotay v Breitbart - Handwerker

M-5979

Leave to appeal to the Court of Appeals granted.

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

M-5592 Molyneaux v The City of New York

M-5693

Appeals consolidated; time to perfect same enlarged to the June 2009 Term, as indicated.

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

M-5691 Oparaji v The New York Mortgage Company, LLC

Reargument denied.

Lippman, P.J., Mazzairelli, Buckley, Renwick, JJ.

M-5740 Kinder Morgan Energy Partners, L.P. v Ace American Insurance Company

Leave to appeal to the Court of Appeals denied.

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

M-4599 People v Hayward, Derrick

Writ of error coram nobis denied.

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

M-5690 People v Miller, Edward

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

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

M-5688 People v Vasquez, Joel

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

Tom, J.P., Mazzairelli, Gonzalez, Nardelli, Renwick, JJ.

M-5954 People v Foster, Tracy

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

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

M-5703 People v Camacho, Luis, also known as Grueso,  
M-5967 Luis Camacho, also known as Camacho,  
Luis Grueso

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

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

M-5767 People v Williams, Timothy

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

Tom, J.P., Mazzairelli, Gonzalez, Nardelli, Renwick, JJ.

M-5947 People v S., Kevin

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

Tom, J.P., Mazzairelli, Gonzalez, Nardelli, Renwick, JJ.

M-5948 People v Hewitt, Dave O., also known as Hewitt,  
David

Enlargement of time to file notice of appeal denied.

Tom, J.P., Mazzairelli, Gonzalez, Nardelli, Renwick, JJ.

M-5867 In the Matter of the Application of Boddie v New York  
City Housing Authority, Application and Tenancy  
Administration Department

Leave to prosecute appeal as a poor person granted to the extent indicated.

Tom, J.P., Mazzairelli, Gonzalez, Nardelli, Renwick, JJ.

M-6015 Nicoletti Gonson Spinner & Owen LLP (formerly known as  
Nicoletti Gonson & Spinner LLP) v York Claims Service,  
Inc.; York Claims Service, Inc. v Colonial Cooperative  
Insurance Company

Leave to withdraw as counsel granted, as indicated;  
appeal adjourned to the May 2009 Term.

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

M-5776 The Commissioners of the State Insurance Fund v Ramos  
M-5827 - J.M.R. Concrete of Long Island Corp.

Appeals consolidated; time to perfect same enlarged to the May 2009 Term; dismissal of consolidated appeals granted unless perfected for said May 2009 Term, as indicated.

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

M-5833 Allstate Insurance Company v Belt Parkway Imaging,  
P.C.

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

Tom, J.P., Mazzairelli, Gonzalez, Nardelli, Renwick, JJ.

M-5863 Coles v Rush

M-5877 In the Matter of M., Jasmine Pauline - Jewish Child  
Care Association of New York

M-5915 Hotel 71 Mezz Lender LLC v Falor - Mitchell

M-6034 Sirius America Insurance Company v Burlington Insurance  
Company

Time to perfect appeals enlarged to the May 2009 Term.

Tom, J.P., Mazzairelli, Gonzalez, Nardelli, Renwick, JJ.

M-5659 Simmons v New York City Health and Hospitals  
Corporation doing business as North Central Bronx  
Hospital

Time to perfect appeal enlarged to the September 2009  
Term.

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

M-5882 In the Matter of Q., Joel

Motion deemed withdrawn.

Tom, J.P., Mazzairelli, Gonzalez, Nardelli, Renwick, JJ.

M-5935 Campbell v Rodriguez

Dismissal of appeal denied.

Tom, J.P., Mazzairelli, Gonzalez, Nardelli, Renwick, JJ.

M-5869 In the Matter of Flemming v Rizzo

Production of transcripts denied.

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

M-5621 People v Pinero-Baez, Juan

Moving papers deemed a timely filed notice of appeal.

Mazzairelli, J.P., Gonzalez, Catterson, McGuire, Acosta, JJ.

M-5513 In the Matter of H., Amani Dominique and H., Charlie  
Alexis - Cardinal McCloskey Services

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

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

M-5865 People v Jordan, Jackson

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

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

M-5706 Dragon Investment Company II LLC v Shanahan

Time to perfect appeal enlarged to the May 2009 Term.

Mazzarelli, J.P., Saxe, Gonzalez, Buckley, Acosta, JJ.

M-4885 In re Peckham v Calogero - Chelsea Partners, LLC

Vacatur of stay denied.

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

M-5715 Ferluckaj v Goldman Sachs & Co.  
(And a third-party action)

Time to perfect appeal enlarged to the May 2009 Term.

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

M-5698 Aponte v Atlantic Express, Co.

Vacatur of order of this Court entered on November 20,  
2008 (M-4874) denied.

Saxe, J.P., Friedman, Nardelli, Sweeny, DeGrasse, JJ.

M-43            Alexander v The Sisters of Charity of St. Vincent De Paul of New York, also known as The Sisters of Charity of St. Vincent De Paul - The College of Mount Saint Vincent  
  
Stay of trial granted.

Andrias, J.

M-5509        People v Ciochenda, Ioan  
  
Leave to appeal to this Court and other relief denied.

Friedman, J.

M-5999        People v Kelly, John C.  
  
Leave to appeal to this Court granted, as indicated.

Friedman, J.

M-3907        People v Knight, Davon  
  
Leave to appeal to this Court denied.

Friedman, J.

M-4047        People v Wilson, Mande  
  
Leave to appeal to this Court and other relief denied.

Friedman, J.

M-4240 People v Morales, Augustin, also known as Garcia,  
Martin  
Leave to appeal to this Court denied.

Friedman, J.

M-4335 People v Ciriaco, Melis-Piadoso  
Leave to appeal to this Court denied.

Friedman, J.

M-4336 People v Kelly, Patrick  
Reargument denied.

Catterson, J.

M-5528 People v Andrade, Miguel  
Reargument denied.

Acosta, J.

M-5818 People v Dukes, Myron  
Leave to appeal to this Court denied.

Renwick, J.

M-5620 People v Campbell, Terrence  
Leave to appeal to this Court denied.

Renwick, J.

M-5623 People v Hernandez, Felix  
Leave to appeal to this Court denied.

Renwick, J.

M-5641 People v Petersen, Anthony  
Leave to appeal to this Court denied.

DeGrasse, J.

M-5382 Bland v New York City Housing Authority  
M-5593  
Leave to appeal to this Court granted.

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

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

M-5973 Stephanie Deena Merves, admitted on 1-22-90,  
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, Buckley, JJ.

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

M-5583 Susan Williams (now known as Susan W. Wakefield),  
admitted in 1989, at a Term of the Appellate Division,  
Second Department

Resignation denied, with leave to renew, as indicated.  
No opinion. All concur.

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

M-2962 In the Matter of Justine M. Clark  
(admitted as Justine Marie Clark),  
an attorney and counselor-at-law:

Respondent publicly censured. Opinion Per Curiam.  
All concur.

**The following orders were entered and filed on January 15, 2009:**

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

M-5310 In re Alarape v New York City Department of Housing  
Preservation and Development (HPD)

Leave to appeal to the Court of Appeals denied.

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

M-5910      In the Matter of S., Fernando and S., Jesus -  
Administration For Children's Services

Substitution of law guardian granted, as indicated;  
appeal adjourned to the April 2009 Term.