

THE FOLLOWING MOTION ORDERS
WERE ENTERED AND FILED ON
JULY 28, 2009

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

M-2941X Villanueva v Kahn - Estate of Villanueva

M-2942X 383 Madison LLC v The Bear Stearns Companies Inc.

M-2943X ELM Suspension Systems, Inc. v Skyline Restoration & Waterproofing, Inc.

M-2944X Noble Gift Packaging Inc. v Almod Diamonds Ltd.

M-3037X Metropolitan Steel Industries, Inc., doing business as Steelco v Perini Corporation
(And a third-party action)

M-3038X Morales v Galazza

M-3045X Ranieri v Montefiore Medical Center, sued herein as Montefiore Medical Center, The University Hospital for the Albert Einstein College of Medicine - Estate of Ranieri

M-3064X Sagecrest II, LLC v Peck

M-3065X Mutual Marine Office, Inc. v Joy Construction Corporation

M-3066X Wu v Tarzan Cab Corp.

Appeals withdrawn.

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

M-3039X Moller v The City of New York

Appeal and cross appeal withdrawn.

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

M-2647 In the Matter of the Application of Cline v Donovan

Motion deemed withdrawn.

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

M-2614 Cantey v The City of New York

Appeal dismissed.

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

M-2733 In the Matter of Key Bank, doing business as Key
Equity Service v Torres - Sanchez

Enlargement of time to perfect appeal denied; appeal
dismissed.

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

M-2744 People v Castillo, John

Appeal dismissed.

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

M-2757 Long v Sowande - Sowande & Associates, P.C.

Appeal dismissed; stay granted by previous order of this Court entered February 3, 2009 (M-6138) vacated.

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

M-2919 People v Smith, Darnell

M-2920 People v Johnson, Lionel

M-2924 People v Newman, Maurice

M-2928 People v Ortiz, George

M-2929 People v Gantt, Ronald

M-2931 People v Teasley, Gary

M-2939 People v McDowell, Anthony

M-2945 People v Inoa, Jamil

M-2955 People v Lawyer, Joshua, also known as Lawyer, Jashua

M-2968 People v Green, Barry

M-2980 People v Jackson, DeShun, also known as Jackson, DéShun

M-2981 People v Wingfield, Bryan

M-2996 People v Brown, Keith

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

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

M-2724 People v Charles, Timothe

Enlargement of time to file notice of appeal denied;
leave to prosecute appeal as a poor person denied, as indicated.

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

M-2768 People v Torres, Juan Carlos, also known as Torres,
Juan C., also known as Torres, Juan

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

Gonzalez, P.J., Buckley, Moskowitz, Renwick, DeGrasse, JJ.

M-5549 In the Matter of W., Matthew v R., Meagan

Assigned counsel directed to respond to petitioner's
appeal on or before September 9, 2009 for the October 2009 Term,
to which Term appeal adjourned.

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

M-2816 In the Matter of B., Perry v F., Francine

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

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

M-2690 In the Matter of Gammons v The New York City
Administration for Children's Services

Leave to prosecute proceeding as a poor person denied,
the proceeding having been dismissed, as indicated.

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

M-2737 Cabrini Terrace Joint Venture v O'Brien

Leave to appeal from the Appellate Term granted,
as indicated; stay of eviction granted by order of a Justice
of this Court, dated June 10, 2009, continued on condition
appeal perfected for the December 2009 Term, as indicated.

Gonzalez, P.J., Mazzarelli, Friedman, Catterson, Renwick, JJ.

M-848 People v Proctor, Allen

Reargument denied. See decision and order of this
Court entered February 19, 2009 (Appeal No. 5279) unanimously
affirming judgment of the Supreme Court, New York County
(Laura A. Ward, J.) rendered on or about July 11, 2007.

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

M-2398 People v Foster, Warren

Reargument denied.

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

M-2243 Davimos v Halle

Leave to appeal to the Court of Appeals denied.

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

M-2168 (DC #30) People v Polanco, Alberto

M-2270

M-2423

Upon the Court's own motion and upon papers filed, time to perfect appeal enlarged to the February 2010 Term, as indicated; substitution of counsel denied; assignment of assisting counsel denied.

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

M-2109 (DC #4) People v Andrade, Allen

M-2158

Upon the Court's own motion and upon papers filed, time to perfect appeal enlarged to the November 2009 Term; transcription of minutes directed, as indicated.

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

M-2660 Rivera v Ayala

Time to perfect appeal enlarged to the November 2009 Term.

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

M-2542 Hughes v Hughes

Stay denied.

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

M-2965 Awards.com, LLC v Kinko's, Inc.

Stay denied.

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

M-1824 R&R Capital LLC v Merritt

Reargument or other relief denied.

Tom, J.P., Nardelli, Sweeny, McGuire, DeGrasse, JJ.

M-2833 Reyes v Sequeira

Time to perfect appeal enlarged to the October 2009 Term; stay of trial granted by order of this Court entered on May 12, 2009 (M-1820) continued pending hearing and determination of the appeal, as indicated.

Tom, J.P., Mazzarelli, Nardelli, Catterson, Moskowitz, JJ.

M-1949 Amsel v New York Convention Center Operating Corporation, also known as The Jacob K. Javits Convention Center

Reargument or other relief denied.

Tom, J.P., Mazzarelli, Nardelli, Catterson, Moskowitz, JJ.

M-890 Grayson v Burdick

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

Mazzarelli, J.P., Sweeny, DeGrasse, Freedman, Abdus-Salaam, JJ.

M-2012 In the Matter of R., Kendall

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

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

M-5217A People v Foxworth, Keith

Leave to prosecute appeal as a poor person granted,
as indicated. The order of this Court entered on December 16,
2008 (M-5217) recalled and vacated.

Mazzarelli, J.P., Sweeny, Nardelli, Freedman, Richter, JJ.

M-1513 People v Henry, Marlon

Enlargement of record on appeal granted, as indicated.

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

M-2681 Hirsch v Stewart

Leave to appeal to the Court of Appeals denied.

Andrias, J.P., Catterson, Renwick, DeGrasse, Abdus-Salaam, JJ.

M-2890 Kaminowitz v Ricky Trucking Corp.

Dismissal of appeal denied.

Andrias, J.P., Buckley, Moskowitz, DeGrasse, Richter, JJ.

M-2054 In the Matter of R., Miguel v C., Wilda

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

Andrias, J.P., Catterson, Renwick, DeGrasse, Abdus-Salaam, JJ.

M-2872 People v Ortiz, Luis

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

Andrias, J.P., Catterson, Renwick, DeGrasse, Abdus-Salaam, JJ.

M-2861 People v Bennett, Robert

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

Andrias, J.P., Catterson, Renwick, DeGrasse, Abdus-Salaam, JJ.

M-2878 People v Williams, Diane

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

Andrias, J.P., Catterson, DeGrasse, Abdus-Salaam, JJ.

M-2846 People v Lizaldo, Pedro

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

Andrias, J.P., Catterson, Renwick, DeGrasse, Abdus-Salaam, JJ.

M-3223 In the Matter of B., Susan v M., Charles

Enlargement of record on appeal granted, as indicated.

Andrias, J.P., Catterson, Renwick, DeGrasse, Abdus-Salaam, JJ.

M-2782 Edgewater Growth Capital Partners, L.P. v Greenstar North America Holdings, Inc.

Stay denied.

Andrias, J.P., Catterson, Renwick, DeGrasse, Abdus-Salaam, JJ.

M-2803 853 Seventh Avenue Owners, LLC v W&HM Realty Company

Stay denied.

Andrias, J.P., Catterson, Renwick, DeGrasse, Abdus-Salaam, JJ.

M-3024 425 Third Avenue Realty Co. v Greenfield - Clair

Appeals consolidated; time to perfect same enlarged to the February 2010 Term.

Andrias, J.P., Catterson, Renwick, DeGrasse, Abdus-Salaam, JJ.

M-2786 Ho v Brackley - Sun Mei Market Inc.

M-3075 Young v The City of New York

M-3204 Sirius America Insurance Company v Burlington Insurance Company

Time to perfect appeals enlarged to the November 2009 Term.

Andrias, J.P., Catterson, Renwick, DeGrasse, Abdus-Salaam, JJ.

M-2956 In the Matter of The City of New York v Novello

Time to perfect appeal enlarged to the December 2009 Term.

Andrias, J.P., Catterson, Renwick, DeGrasse, Abdus-Salaam, JJ.

M-2963 In the Matter of M., Matthew Niko, also known as M., Matthew - Catholic Guardian Society & Home Bureau

Time to perfect appeal enlarged to the December 2009 Term.

Andrias, J.P., Catterson, Renwick, DeGrasse, Abdus-Salaam, JJ.

M-2661 Itec, LLC v Hyperion V.O.F.

Time to perfect appeal and cross appeal enlarged to the December 2009 Term.

Andrias, J.P., Catterson, Renwick, DeGrasse, Abdus-Salaam, JJ.

M-3087 Alcon Builders Group, Inc. v U.S. Underwriters
Insurance Company - National Union Fire Insurance
Company of Pittsburgh, PA
(And a third-party action)

Time to perfect appeal and cross appeal enlarged to
the December 2009 Term.

Andrias, J.P., Catterson, Renwick, DeGrasse, Abdus-Salaam, JJ.

M-3016 In the Matter of John Jay College of Criminal
Justice of the City University of New York -
River Center LLC - Blackacre Bridge Capital, LLC -
Dormitory Authority of the State of New York

Time to perfect appeals and cross appeal enlarged to
the February 2010 Term.

Andrias, J.P., Catterson, Renwick, DeGrasse, Abdus-Salaam, JJ.

M-3182 Pello v 425 E. 50 Owners Corp.

Appellate counsel relieved; time to perfect appeals
enlarged to the December 2009 Term, with no further enlargements
to be granted, as indicated; should direct appellants fail to so
perfect, plaintiff may perfect her cross appeal as direct
appellant for the next available Term of Court.

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

M-2806 The Capitol at Chelsea v AMC Mechanical Services,
Inc.

Reargument denied; request for sanctions denied.

Andrias, J.P., Nardelli, Moskowitz, Acosta, JJ.

M-2002 People v Duval, Karim

Reargument denied.

Andrias, J.P., Catterson, DeGrasse, Abdus-Salaam, JJ.

M-2819 People v Nazario, Robert

Leave to unseal certain trial exhibit granted, as indicated.

Andrias, J.P., Catterson, Renwick, DeGrasse, Abdus-Salaam, JJ.

M-3022 Post v Killian

Stay denied.

Friedman, J.

M-939 People v Purdie, Sydney

Leave to appeal to this Court denied.

Friedman, J.

M-1426 People v McGraw, Robert

Leave to appeal to this Court denied.

Friedman, J.

M-2350 People v Rodriguez, Orlando
Leave to appeal to this Court denied.

Friedman, J.

M-2779 People v Fleming, Rudy
Leave to appeal to this Court granted, as indicated.

Friedman, J.

M-1865A In the Matter of B., Alexander - Commissioner of Social
Services
Stay denied.

Catterson, J.

M-2594 People v Owens, Terry
Leave to appeal to this Court denied.

Catterson, J.

M-2634 People v Caba, Ramon
Leave to appeal to this Court denied.

Catterson, J.

M-2741 People v Guardino, Anthony

Leave to appeal to the Court of Appeals granted,
as indicated.

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

M-5723 In the Matter of Kenneth Seltermann,
M-127 an attorney and counselor-at-law:

Respondent suspended from the practice of law in the
State of New York for a period of three years, effective the date
hereof and until further order of this Court, as indicated.
Cross-motion granted to the extent indicated, and otherwise
denied. Opinion Per Curiam. All concur.

The following orders were entered and filed on July 21, 2009:

Andrias, J.P., Catterson, Renwick, DeGrasse, Abdus-Salaam, JJ.

M-3050 Avila v The City of New York

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

Andrias, J.P., Catterson, Renwick, DeGrasse, Abdus-Salaam, JJ.

M-3224 Manko v Mannor

Time to perfect consolidated appeals enlarged to the
October 2009 Term, as indicated.