

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
Eileen Mintz,  
Plaintiff-Respondent,

-against-

M-3065X  
Index No. 311652/08

Arnold Mintz,  
Defendant-Appellant.

-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about September 4, 2009 (mot. seq. no. 002) and January 27, 2010 (mot. seq. no. 003), respectively,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, dated June 11, 2010, and due deliberation having been had thereon,

It is ordered that the appeals are withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
Deborah S. Hildreth,  
Petitioner-Appellant,

-against-

M-3066X  
Index No. 602310/09

1666 Luis Meat Corp., et al.,  
Respondents-Respondents.  
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about November 12, 2009 (mot. seq. no. 004)

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 10, 2010, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-3074  
Ind. No. 5188/02

Richard Hingel,  
Defendant-Appellant.

-----X

An appeal having been taken from judgment of **resentence** of the Supreme Court, New York County, rendered on or about January 26, 2010,

Now, upon reading and filing the stipulation of the parties hereto, dated June 10, 2010, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-3075  
Ind. No. 170/02

Anthony Blackman,  
Defendant-Appellant.

-----X

An appeal having been taken from judgment of **resentence** of the Supreme Court, New York County, rendered on or about February 27, 2009,

Now, upon reading and filing the stipulation of the parties hereto, dated June 10, 2010, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-3076  
Ind. No. 5722/03

William Rivera,  
Defendant-Appellant.  
-----X

An appeal having been taken from judgment of **resentence** of the Supreme Court, New York County, entered on or about October 7, 2008,

Now, upon reading and filing the stipulation of the parties hereto, dated June 10, 2010, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-3077  
Ind. No. 7929/02

William Santiago,  
Defendant-Appellant.

-----X

An appeal having been taken from judgment of **resentence** of the Supreme Court, New York County, rendered on or about March 20, 2009,

Now, upon reading and filing the stipulation of the parties hereto, dated June 10, 2010, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzaelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-3078  
Ind. No. 5498/99

Seneca Tribble, also known as  
Jonathan Marshall,  
Defendant-Appellant.

-----X

An appeal having been taken from judgment of **resentence** of the Supreme Court, New York County, entered on or about May 20, 2009,

Now, upon reading and filing the stipulation of the parties hereto, dated June 10, 2010, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
Fashion River Group, Inc., et al.,  
Plaintiffs-Appellants,

-against-

M-3080X  
Index No. 600688/07

Rosenthal & Rosenthal Inc. and  
Star City Sportswear, Inc.,  
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about September 10, 2009 (mot. seq. no. 004)

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 10, 2010, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
Wells Fargo Trade Capital Services,  
Inc.,  
Plaintiff-Respondent,

-against-

M-3081X  
Index No. 603701/08

Blair Mills, LLC,  
Defendant-Appellant.  
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about February 4, 2010 (mot. seq. no. 001)

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 10, 2010, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-3094  
Ind. No. 4629/02

Juan Nunez,  
Defendant-Appellant.

-----X

An appeal having been taken from judgment of **resentence** of the Supreme Court, New York County, rendered on or about October 30, 2008,

Now, upon reading and filing the stipulation of the parties hereto, dated April 20, 2010, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
Viola Carol,  
Plaintiff-Appellant,

-against-

1666 Luis Meat Corp., et al.,  
Defendants-Respondents.

M-3112X  
Index No. 107435/06

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about February 11, 2010 (mot. seq. no. 002)

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 15, 2010, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
Starlite Media LLC,  
Plaintiff-Respondent,

-against-

M-3130X  
Index No. 603366/09

Duane Reade Inc.,  
Defendant-Appellant.  
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about November 23, 2009 (mot. seq. no. 001)

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 14, 2010, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
425 Park Avenue Company,  
Plaintiff-Respondent,

-against-

M-3135X  
Index No. 601934/07

425 Park Avenue Ground Lessee, L.P.,  
St. Paul Fire and Marine Insurance  
Company and Hartford Steam Boiler  
Inspection and Insurance Company,  
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about February 5, 2010,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 16, 2010, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:



Clerk:

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
Jayne Bayer,  
Plaintiff-Respondent-Appellant,

-against-

M-3162X  
Index No. 301653/07

Steven A. Bayer,  
Defendant-Appellant-Respondent.  
-----X

A notice of cross appeal having been filed with respect to the order of the Supreme Court, New York County, entered on or about November 12, 2009,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 17, 2010, and due deliberation having been had thereon,

It is ordered that the cross appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the first Judicial Department in the County of New York on July 13, 2010.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2987  
Ind. No. 770/08

Michael Allick,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about May 12, 2010, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 10 reproduced copies of such brief, together with the original record, with this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

Bernard Brown,  
Defendant-Appellant.

M-2988  
Ind. Nos. 475-77/00  
482-484/00  
4232/00

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about February 17, 2010, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 10 reproduced copies of such brief, together with the original record, with this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. (212)577-3688 is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----x  
The People of the State of New York,  
Respondent,

-against-

M-2989  
Ind. No. 2131/08

Handerson Polanco Brujan,  
Defendant-Appellant.  
-----x

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about May 14, 2010, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 10 reproduced copies of such brief, together with the original record, with this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. (212)402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the first Judicial Department in the County of New York on July 13, 2010.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2990  
Case No. 48933C/05  
Ind. No. 3532/05

Jose Curet,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about May 6, 2010, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 10 reproduced copies of such brief, together with the original record, with this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----x  
The People of the State of New York,  
Respondent,

-against- M-2991  
Ind. No. 6347/09

Johann Estrella,  
Defendant-Appellant.  
-----x

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about April 7, 2010, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 10 reproduced copies of such brief, together with the original record, with this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. (212)577-3688 is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----x  
The People of the State of New York,  
Respondent,

-against-

M-2992  
Ind. No. 3970/08

Carlos Figueroa,  
Defendant-Appellant.  
-----x

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about May 25, 2010, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 10 reproduced copies of such brief, together with the original record, with this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. (212)402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the first Judicial Department in the County of New York on July 13, 2010.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2993  
Ind. Nos. 3275/97

Gregory Hernandez, also known as  
Francisco Fernandez, also known as  
Agapito Fernandez,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County, rendered on or about April 14, 2010 denying resentence, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 10 reproduced copies of such brief, together with the original record, with this Court.

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----x  
The People of the State of New York,  
Respondent,

-against-

M-2995  
Ind. No. 3805/00

Morris Natal,  
Defendant-Appellant.

-----x

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about January 8, 2003, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 10 reproduced copies of such brief, together with the original record, with this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. (212)577-3688 is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----x  
The People of the State of New York,  
Respondent,

-against-

M-2996  
Ind. No. 4464/08

Juan Pedro, also known as Harold Deleon,  
Defendant-Appellant.

-----x

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about April 29, 2009, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 10 reproduced copies of such brief, together with the original record, with this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. (212)577-3688 is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----x  
The People of the State of New York,  
Respondent,  
-against- M-2997  
Ind. No. 1299/08  
Alias Stone,  
Defendant-Appellant.  
-----x

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about May 13, 2010, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 10 reproduced copies of such brief, together with the original record, with this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. (212)402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the first Judicial Department in the County of New York on July 13, 2010.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Richard T. Andrias  
James M. Catterson  
Dianne T. Renwick  
Sallie Manzanet-Daniels, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2629  
Ind. No. 2537/95

Michael Nieves,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, entered on or about March 2, 2010 denying resentence, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard upon the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 10 reproduced copies of such brief, together with the original record, with this Court.

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
John W. Sweeny, Jr.  
Rosalyn H. Richter  
Sheila Abdus-Salaam  
Nelson S. Román, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2443  
Ind. No. 5948/07

Joe Sanders,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about April 21, 2009, and for leave to prosecute the appeal as a poor person on the original record and upon a reproduced appellant's brief, and for assignment of counsel,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of deeming the moving papers a timely filed notice of appeal, and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 10 reproduced copies of such brief, together with the original record, with this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the first Judicial Department in the County of New York on July 13, 2010.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
John W. Sweeny, Jr.  
Rosalyn H. Richter  
Sheila Abdus-Salaam  
Nelson S. Román, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against- M-2583  
Ind. No. 2979/01

Angel Caba,  
Defendant-Appellant.  
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County, entered on or about April 26, 2010 denying resentence, for leave to have the appeal heard upon the original record and upon a reproduced appellants' brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard upon the original record and upon a reproduced appellants' brief, on condition that appellants serve one copy of such brief upon the District Attorney of said county and files 10 reproduced copies of such brief, together with the original record, with this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings before Judge Collins, if any. The Clerk shall furnish a copy of such transcripts to appellants' counsel, without charge, the transcripts to be returned to this Court when appellants' brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellants for purposes of the appeal. The time within which appellants shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:   
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Richard T. Andrias  
James M. Catterson  
Dianne T. Renwick  
Sallie Manzanet-Daniels, Justices.

-----X  
The People of the State of New York,  
Appellant,

-against-

Sherill Dudley, also known as Terry Grant,  
Defendant-Respondent.

M-2716  
Ind. No. 4795/03

-----X  
Defendant-respondent having moved for leave to respond, as a poor person, to the People's appeal from the judgment of resentence of the Supreme Court, New York County, entered on or about April 29, 2010, and for assignment of counsel,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of (1) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for the People and 10 copies thereof are filed with this Court; and (2) assigning, pursuant to Section 722 of the County Law, Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, Esq., as counsel for purposes of responding to the appeal.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2248  
Ind. No. 547/07

Sharbu Redd,  
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on July 2, 2009 (Appeal No. 1002), unanimously affirming a judgment of the Supreme Court, New York County (Ronald Zweibel, J.), rendered on January 11, 2008,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate counsel, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that said application is denied.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
David B. Saxe  
David Friedman, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2645  
Ind. No. 7157/03

Reginald Harris,  
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on May 16, 2006 (Appeal No. 8519), unanimously affirming a judgment of the Supreme Court, New York County (Marcy Kahn, J.), rendered on June 24, 2004,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate counsel, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that said application is denied.

ENTER:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Richard T. Andrias  
James M. Catterson  
Dianne T. Renwick  
Sallie Manzanet-Daniels, Justices.

-----X  
Awards.Com, LLC and Inspire Someone, LLC,  
Plaintiffs-Respondents,

-against-

M-2812  
Index No. 603105/03

Kinko's, Inc.,  
Defendant-Appellant,

Federal Express Corp. and Gary Kusin,  
Defendants.

-----X

The parties in the above captioned action having moved jointly for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, New York County, entered on or about February 10, 2009,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to on or before October 4, 2010 for the December 2010 Term.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
John W. Sweeny, Jr.  
Rosalyn H. Richter  
Sheila Abdus-Salaam  
Nelson S. Román, Justices.

-----X  
Paulino I. Rosario,  
Plaintiff,

-against-

M-2255  
Index No. 2402/03

Neal A. Bailenson, et al.,  
Defendants.

-----X

Plaintiff having taken an appeal to this Court from the order of the Civil Court, Bronx County, entered on or about June 2, 2009,

And defendants having moved for an order dismissing the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is transferred to the Appellate Term, First Judicial Department, for disposition.

ENTER

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
John W. Sweeny, Jr.  
Rosalyn H. Richter  
Sheila Abdus-Salaam  
Nelson S. Román, Justices.

-----X  
Benjamin B. Canty,

Plaintiff-Respondent,

-against-

M-2424  
Index No. 104751/07

Paul J. Williams, et al.,

Defendants,

Jean Lucas and Ibra Niang,

Defendants-Appellants.  
-----X

Defendants-appellants having moved for an enlargement of time in which to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about June 25, 2009,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to on or before September 7, 2010 for the November 2010 Term, with no further enlargements to be granted. Upon failure to so perfect, an order dismissing the appeal may be entered ex parte provided that respondent serves a copy of this order upon appellants within 10 days after the date of entry hereof.

ENTER:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
John W. Sweeny, Jr.  
Rolando T. Acosta  
Dianne T. Renwick  
Nelson S. Román, Justices.

-----X  
Rahsean Jackson,  
Petitioner,

-against-

M-2301  
Index No. 250612/09

The City of New York, et al.,  
Respondents.

-----X

Petitioner having moved for leave to appeal to this Court from an order of the Supreme Court, Bronx County, entered on or about October 23, 2009, and for leave to prosecute said appeal as a poor person,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is denied with leave to renew upon submission of a copy of the order from which the appeal is taken and a timely served and/or filed notice of appeal.

ENTER:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the first Judicial Department in the County of New York on July 13, 2010.

Present: Hon. Peter Tom, Justice Presiding,  
David Friedman  
Eugene Nardelli  
Rolando T. Acosta  
Sheila Abdus-Salaam, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2084  
Ind. No. 972/08

Alfonso Rizzuto,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about March 25, 2010, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard upon the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 10 reproduced copies of such brief, together with the original record, with this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

Present: Hon. Peter Tom, Justice Presiding,  
David Friedman  
James M. McGuire  
Rolando T. Acosta  
Nelson S. Román, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2584  
Ind. No. 3337/04

James Lanier,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of **resentence** of the Supreme Court, Bronx County, rendered on or about February 5, 2009, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 10 reproduced copies of such brief, together with the original record, with this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of **resentence**. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

Enter:



Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT - Hon. Peter Tom, Justice Presiding,  
David B. Saxe  
David Friedman  
Eugene Nardelli  
James M. Catterson, Justices.

-----X  
In the Matter of

Alex R.,	M-1034A
Angel L.,	Docket Nos. NN3399/09
Ethan L.,	NN3400/09
Lina L.,	NN3401/09
Mia R.	NN3402/09
and Phillip R., Jr.,	NN3403/09
	NN6498/09

Dependent Children Under 18 Years of Age Alleged to be Abused and/or Neglected Under Article 10 of the Family Court Act.

-----  
Administration for Children's Services,  
Petitioner-Respondent,

Maria R.,  
Respondent-Appellant.

-----  
Steven Banks, Esq.,  
Law Guardian for the Children.

-----X  
Respondent-appellant mother, Maria R. having moved for leave to prosecute, as a poor person, the appeal from the orders of the Family Court, Bronx County, entered on or about November 4, 2009 and January 14, 2010, and for assignment of counsel, a free copy of the transcript, and related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

July 13, 2010

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Steven N. Feinman, Esq., 19 Court Plaza Suite 201, White Plains, NY 10601, Telephone No. (914)949-8214, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor<sup>1</sup> within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk; (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. The Clerk of the Family Court shall transfer the record upon receipt of this order and; (4) directing appellant to perfect this appeal within 60 days of receipt of the transcripts. Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court. The order of this Court entered May 27, 2010 (M-1034) is hereby recalled and vacated.

ENTER:

  
Clerk.

---

<sup>1</sup>Service of appellant's brief upon respondent(s) shall include assigned counsel's copy of the transcript.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

Present - Hon. Peter Tom, Justice Presiding,  
Angela M. Mazzaelli  
Richard T. Andrias  
David B. Saxe  
Leland G. DeGrasse, Justices.

-----X  
Sarit Shmueli,  
Plaintiff-Appellant,

-against-

M-2422  
Index No. 104824/03

NRT New York, Inc., doing business as  
the Corcoran Group,  
Defendant-Respondent.

-----X

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about August 2, 2009,

And an order of this Court having been entered on May 18, 2010 (M-1374), inter alia, denying plaintiff-appellant an enlargement of the record on appeal, and enlarging the time in which to perfect the appeal,

And plaintiff-appellant having moved for a further enlargement of time in which to perfect the appeal, and to forward this Court's entire file to the New York Attorney General's office,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied.

ENTER:

  
Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT - Hon. Peter Tom, Justice Presiding,  
Angela M. Mazzaelli  
Rolando T. Acosta  
Leland G. DeGrasse  
Rosalyn H. Richter, Justices.

-----X  
Cornealius Campbell,  
Plaintiff-Respondent,

-against-

M-2791  
Index No. 303309/04

Anita Brown Campbell,  
Defendant-Appellant.  
-----X

Defendant-appellant having moved for reargument of the decision and order of this Court entered on April 22, 2010 (Appeal No. 2586), and other relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT - Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
David Friedman  
Eugene Nardelli  
James M. Catterson, Justices.

-----X  
Alexie Amamedi, et al.,  
Plaintiffs-Respondents,

-against-

M-1274  
Index No. 15722/07

Joel O. Archibala, et al.,  
Defendants-Appellants.

-----X

Plaintiffs-respondents having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on February 9, 2010 (Appeal No. 2114),

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT - Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
David Friedman  
Eugene Nardelli  
James M. Catterson, Justices.

-----X  
Sumintra Raghu,  
Plaintiff-Respondent,

-against-

M-2205  
Index No. 115837/07

The New York City Housing Authority,  
Defendant-Appellant.  
-----X

Plaintiff-respondent having moved for reargument of the decision and order of this Court entered on April 8, 2010 (Appeal No. 2127),

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
James M. Catterson  
Karla Moskowitz  
Rolando T. Acosta, Justices.

-----X  
Miguel Menard,  
Plaintiff-Appellant,

-against-

M-2639  
Index No. 18683/05

Highbridge House, Inc., Arises  
Management Services, Inc. and  
Affordable Housing LLC.,  
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about July 24, 2009,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the December 2010 Term.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
James M. Catterson  
Karla Moskowitz  
Rolando T. Acosta, Justices.

-----X  
John Breceovich,  
Plaintiff-Respondent,

-against-

M-2640  
Index No. 107613/08

Horizons Investors Corporation and  
Warminster Investments Corporation,  
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time in which to perfect the appeal from an order of the Supreme Court, New York County, entered on or about August 4, 2009 (mot. seq. no. 001),

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the December 2010 Term.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT - Hon. Peter Tom, Justice Presiding,  
David Friedman  
Eugene Nardelli  
Leland G. DeGrasse, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-5651  
Ind. No. 7704/98

William Powell,  
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on October 9, 2003 (Appeal No. 1825), unanimously affirming a judgment of the Supreme Court, New York County (Phyllis Skloot Bamberger, J.), rendered on October 15, 2001,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate counsel, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that said application is denied.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT: Hon. Peter Tom, Justice Presiding,  
John W. Sweeny, Jr.  
James M. Catterson  
James M. McGuire, Justices.

-----X  
Elvetta Fulton,  
Plaintiff-Respondent,

-against-

M-2725  
Index No. 570635/08

The New York City Police Department  
and The City of New York,  
Defendants-Appellants.

-----X

Plaintiff-Respondent having moved for leave to appeal to this Court from the decision and order of the Appellate Term entered in the office of the Clerk of the Supreme Court, New York County, on or about April 23, 2009,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the first Judicial Department in the County of New York on July 13, 2010.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
David B. Saxe  
Eugene Nardelli  
Leland G. DeGrasse  
Sallie Manzanet-Daniels, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2463  
Ind. Nos. 3529/02  
2068/03

Ariel Diaz,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, entered on or about March 22, 2010 denying resentencing, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard upon the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 10 reproduced copies of such brief, together with the original record, with this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of proceedings before Judge Wittner, if any. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
David B. Saxe  
Eugene Nardelli  
Leland G. DeGrasse  
Sallie Manzanet-Daniels, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2544  
Ind. No. 4658/04

David Delmoral,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of **resentence** of the Supreme Court, New York County, rendered on or about July 17, 2009, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 10 reproduced copies of such brief, together with the original record, with this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of **resentence**. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

Enter:

  
Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the first Judicial Department in the County of New York on July 13, 2010.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Karla Moskowitz  
Leland G. DeGrasse  
Sheila Abdus-Salaam  
Sallie Manzanet-Daniels, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2642  
Ind. No. 6372/04

Jamel McRae,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, entered on or about May 5, 2010 denying resentencing, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard upon the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 10 reproduced copies of such brief, together with the original record, with this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings before Judge Wiley, if any. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
Dianne T. Renwick  
Helen E. Freedman, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against- M-2329  
Ind. No. 2051/08

Carlos Tamayo,  
Defendant-Appellant.  
-----X

Defendant having renewed his motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about November 13, 2009, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard upon the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 10 reproduced copies of such brief, together with the original record, with this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Steven M. Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. (212)577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

Present: Hon. Angela M. Mazzaelli, Justice Presiding,  
David B. Saxe  
Eugene Nardelli  
Leland G. DeGrasse  
Sallie Manzanet-Daniels, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2458  
Ind. No. 3859/06

Kin Wong,  
Defendant-Appellant.

-----X  
Defendant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, New York County, rendered on or about August 15, 2007,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties, dated May 12, 2010, and due deliberation having been had thereon,

It is ordered that the motion is granted and, pursuant to the aforesaid stipulation of the parties, the time in which to perfect the appeal is enlarged to the December 2010 Term.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
James M. Catterson  
Helen E. Freedman  
Nelson S. Román, Justices.

-----X  
Able Energy, Inc., et al.,  
Plaintiffs-Appellants-Respondents,

-against-

Marcum & Kliegman LLP, etc., et al.,  
Defendants-Respondents-Appellants,  
-----X

M-721  
M-1446  
Index No. 603224/07

Plaintiffs-appellants-respondents having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on January 12, 2010 (Appeal No. 1621),

And defendants-respondents-appellants having cross-moved for an order seeking leave to appeal to the Court of Appeals, from the aforesaid decision and order,

Now, upon reading and filing the papers with respect to the motion and cross motion, and due deliberation having been had thereon,

It is ordered that the motion and cross motion are denied.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
James M. McGuire  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2328  
Ind. No. 1891/08

Jaime Busanet,  
Defendant-Appellant.

-----X

Defendant-appellant, in connection with an appeal taken from the judgment of the Supreme Court, New York County, rendered on or about May 27, 2009, having moved for leave to file a pro se supplemental brief and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of directing defendant to serve and file 10 copies of his pro se supplemental brief on or before October 4, 2010 for the December 2010 Term, to which Term the appeal is adjourned. The Clerk of the Court is directed to forward to the Warden at the State correctional facility wherein defendant is incarcerated a transcript of the minutes relating to defendant's appeal, said transcript to be made available to appellant and returned by appellant to this Court when submitting the pro se supplemental brief hereto. The appeal will not be heard unless and until all material furnished to appellant has been returned.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT - Hon. Angela M. Mazzaelli, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter  
Sheila Abdus-Salaam, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2053  
Index No. 7577/88

Anthony Fox,  
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on October 18, 1990 (Appeal No. 40731), unanimously affirming a judgment of the Supreme Court, New York County (Joan Sudolnik, J.), rendered on December 15, 1988,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate counsel, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that said application is denied.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Karla Moskowitz  
Leland G. DeGrasse  
Sheila Abdus-Salaam  
Sallie Manzanet-Daniels, Justices.

-----X  
In the Matter of the Application of

Ronnie Allen,  
Petitioner-Appellant,

-against-

M-2549  
Index No. 400132/09

Division of Human Rights, MTA New York  
City Transit, New York State Division  
of Human Rights,  
Respondents-Respondents.

-----X

Petitioner-appellant having moved for an enlargement of time in which to perfect the appeal from a judgment of the Supreme Court, New York County, entered on or about July 10, 2009 (mot. seq. no. 001),

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the November 2010 Term.

ENTER:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT: Hon. Angela M. Mazzairelli, Justice Presiding,  
Karla Moskowitz  
Leland G. DeGrasse  
Sheila Abdus-Salaam  
Sallie Manzanet-Daniels, Justices.

-----X  
Allan Salman and Zorazella Garcia,  
Plaintiffs-Appellants,

Ibrahim Quhshi,  
Plaintiff,

-against-

M-2657  
Index No. 7153/06

Hector Rosario and Trisha Rosario,  
Defendants-Respondents,

-and-

Bassough Kanate,  
Defendant-Respondent.

-----X  
(And another action)  
-----X

Plaintiffs-appellants Allan Salman and Zorazella Garcia having moved for an enlargement of time in which to perfect their appeal from an order of the Supreme Court, Bronx County, entered on or about July 6, 2009,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to on or before September 7, 2010 for the November 2010 Term.

ENTER:

  
Clerk:

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Karla Moskowitz  
Leland G. DeGrasse  
Sheila Abdus-Salaam  
Sallie Manzanet-Daniels, Justices.

-----X  
City of New York,  
Plaintiff-Appellant-Respondent,

-against-

M-2578  
M-2747  
Index No. 401778/05

Dexter Properties, L.L.C., Dexter 345  
Inc., Jay Wartski, Robert Goicochea  
and the land and building thereon  
known as 345 West 86th Street, New  
York, New York, Block 1248, Lot 11,  
Defendants-Respondents-Appellants.

-----X

An appeal and cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about June 23, 2009 (mot. seq. no. 008),

And plaintiff-appellant-respondent having moved (M-2578) for an order enlarging the time in which to perfect the appeal from the aforesaid order,

And defendants-respondents-appellants having cross-moved (M-2747) for an enlargement of time in which to perfect their cross-appeal from said order,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion and cross motion are granted to the extent of enlarging the time in which to perfect the appeal and cross appeal to the November 2010 Term. The attention of the parties is directed to Rule 600.11 (d) of this Court with respect to a joint record and costs thereof.

ENTER:

  
Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT: Hon. Angela M. Mazzairelli, Justice Presiding,  
David B. Saxe  
Karla Moskowitz  
Rolando T. Acosta  
Dianne T. Renwick, Justices.

-----X  
Edgewater Growth Capital Partners, L.P.,  
Plaintiff-Appellant-Respondent,

-against-

M-1858  
Index No. 600919/08

Allied Capital Corporation, et al.,  
Defendants-Respondents-Appellants.  
-----X

Defendants-respondents-appellants having moved for reargument of the decision and order of this Court entered on March 11, 2010 (Appeal Nos. 2348/2349),

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted and, upon reargument, the decision and order of this Court entered on March 11, 2010 (Appeal Nos. 2348/2349) is adhered to in a revised memorandum issued simultaneously herewith. The decision and order of this Court entered March 11, 2010 is recalled and vacated.

ENTER:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,  
David B. Saxe  
John W. Sweeny, Jr.  
Eugene Nardelli  
James M. Catterson, Justices.

-----X  
Olufunmibi Awoshiley,  
Plaintiff-Appellant,

-against-

Beth Israel Medical Center & Glennis M-2636  
Edwards-Guishard, Index. No. 401711/08  
Defendants-Respondents.  
-----X

Plaintiff-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, entered on or about August 5, 2009, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to on or before September 7, 2010 for the November 2010 Term. The motion is otherwise denied.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,  
David B. Saxe  
James M. McGuire  
Karla Moskowitz  
Helen E. Freedman, Justices.

-----X  
Edgar Brown,  
Plaintiff-Appellant,

-against-

M-2336  
Index. No. 400538/08

City of New York and The Administration  
for Children's Services,  
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, entered on or about June 11, 2009, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for assignment of appellate counsel, and for an enlargement of time in which to perfect the appeal, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,  
James M. McGuire  
Dianne T. Renwick  
Rolando T. Acosta, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2380  
Ind. No. 1633/07

Brian Hawkins,  
Defendant-Appellant.

-----X

Defendant having renewed his motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about November 14, 2007, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 10 reproduced copies of such brief, together with the original record, with this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. (212)577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,  
David B. Saxe  
John W. Sweeny, Jr.  
Eugene Nardelli  
James M. Catterson, Justices.

-----X  
Probate Proceeding, Will of

Joy Trezza,

Deceased.

Surrogates Court

M-2684

File No. 0065/09

-----X  
Francine K. Horowitz,  
Petitioner-Appellant,

-against-

Jeffrey Oberman,  
Respondent-Respondent.

-----X

Counsel for petitioner-appellant having moved for an enlargement of time in which to perfect the appeal from an order of the Surrogates Court, New York County, entered on or about March 18, 2009,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the November 2010 Term, with no further enlargements to be granted.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

Present - Hon. Richard T. Andrias, Justice Presiding,  
David B. Saxe  
John W. Sweeny, Jr.  
James M. McGuire  
Rolando T. Acosta, Justices.

-----x  
Sterling C. Stokes,

Plaintiff-Respondent,

-against-

M-2065  
Index No. 112409/07

The City of New York, et al.,

Defendants-Appellants.  
-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about January 19, 2010,

And defendants-appellants having moved for a stay of trial herein pending hearing and determination of the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motion, including the stipulation of the parties dated April 16, 2010, and due deliberation having been had thereon,

It is ordered that the motion is granted in accordance with the filing schedule fixed in the stipulation, and the appeal is adjourned to the October 2010 Term.

ENTER:

  
Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

Present - Hon. Richard T. Andrias, Justice Presiding,  
David B. Saxe  
John W. Sweeny, Jr.  
James M. McGuire  
Rolando T. Acosta, Justices.

-----x  
Faye Roimesher,  
Plaintiff-Respondent,

-against-

Colgate Scaffolding & Equipment Corp.,  
Defendant-Appellant,

M-2975  
Index No. 302217/07

770 Lexington Associates, LLC.,  
et al.,  
Defendants-Respondents.

- - - - -  
[and a third-party action]  
-----x

Defendant-appellant having moved for a stay of trial herein pending hearing and determination of the appeal from the order of the Supreme Court, Bronx County, entered on or about January 5, 2010,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted on condition the appeal is perfected on or before September 7, 2010 for the November 2010 Term.

ENTER:

  
Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

Present - Hon. Richard T. Andrias, Justice Presiding,  
David B. Saxe  
John W. Sweeny, Jr.  
James M. McGuire  
Rolando T. Acosta, Justices.

-----x  
Clean Earth Holding, Inc., et al.,  
Plaintiffs-Appellants,

-against-

M-3261  
Index No. 604077/07

Brent Kopenhaver, et al.,  
Defendants-Respondents.  
-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about April 28, 2010 (mot. seq. nos. 006, 007),

And plaintiffs-appellants having moved for a stay of all proceedings pending hearing and determination of the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted on condition the appeal is perfected on or before September 7, 2010 for the November 2010 Term.

ENTER:

:   
Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

Present - Hon. Richard T. Andrias, Justice Presiding,  
David B. Saxe  
John W. Sweeny, Jr.  
James M. McGuire  
Rolando T. Acosta, Justices.

-----X  
KB Gallery, LLC,  
Plaintiff-Appellant,

-against-

M-3089  
Index No. 603766/09

875 W. 181 Owners Corp.,  
Defendant-Respondent.

-----X

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about June 10, 2010,

And plaintiff-appellant having moved, pursuant to CPLR 5518, for reinstatement of a Yellowstone injunction pending hearing and determination of the appeal taken therefrom,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied and the interim relief granted by a Justice of this Court on June 11, 2010 is vacated.

ENTER:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

Present - Hon. Richard T. Andrias, Justice Presiding,  
David B. Saxe  
John W. Sweeny, Jr.  
James M. McGuire  
Rolando T. Acosta, Justices.

-----x  
In the Matter of the Application of  
G. Builders IV, LLC,  
Petitioner-Respondent,

For an Injunction in Aid of Arbitration  
Pursuant to CPLR Article 75,

-against-

Madison Park Owner, LLC,  
Respondent-Appellant,

M-3133  
Index No. 102306/10

-against-

GJF Construction Corp.,  
Guarantor,

Pending at the American Arbitration  
Association Under AAA Case  
No. 13-110-1986-09

-----x  
An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, entered on or about May 10, 2010,

And respondent-appellant having moved, pursuant to CPLR 5518, for an order vacating the stay of arbitration granted in the aforesaid order or alternatively requiring petitioner-respondent to post a bond, pending hearing and determination of the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered the motion is denied.

ENTER:

  
Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

Present: Hon. Richard T. Andrias, Justice Presiding,  
David B. Saxe  
John W. Sweeny, Jr.  
James M. McGuire  
Rolando T. Acosta, Justices.

-----X  
Eric Elmore, Jr., an infant by his  
parents and natural guardians, Eric  
Elmore, Sr. and Maria Elmore, and  
Eric Elmore, Sr., individually and  
Maria Elmore, individually,  
Plaintiffs-Appellants,

SEALED  
M-3107  
Index No. 8580/04

-against-

2720 Concourse Associates, L.P.,  
and Pietro Ruggiero,  
Defendants-Respondents.

-----X

Appeals having been taken from the orders of the Supreme Court, Bronx County, both entered on or about May 28, 2010,

And plaintiffs-appellants having moved for a stay of the aforesaid orders, pending hearing and determination of the appeals, and for a preference in the hearing of said appeals,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is granted on condition the appeals are perfected on or before August 9, 2010 for the October 2010 Term. Upon failure to so perfect, an order vacating the stay may be entered ex parte, provided that defendants serve a copy of this order upon appellants within 10 days after the date of entry hereof. (The Clerk is directed to calendar the appeals for hearing in said October 2010 Term.)

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT : Hon. Richard T. Andrias, Justice Presiding,  
David B. Saxe  
John W. Sweeny, Jr.  
James M. McGuire  
Rolando T. Acosta, Justices.

-----X  
Patricia Nonnon, as Executrix of the  
Estate of Kerri Nonnon, Deceased,  
and Patricia Nonnon, individually, et al.,  
Plaintiffs-Respondents,

M-3246

-against-

Action No. 1  
Index No. 8576/91

The City of New York,  
Defendant-Appellant.

-----X  
Kevin Simpson, an infant by his father and  
natural guardian James T. Simpson,  
individually, et al.,  
Plaintiffs-Respondents,

-against-

Action No. 2  
Index No. 12648/91

The City of New York,  
Defendant-Appellant.

-----X  
Rufino Irizarry, III, an infant, by his  
mother and natural guardian, Sandra Irizarry  
and Sandra Irizarry, individually,  
Plaintiffs-Respondents,

-against-

Action No. 3  
Index No. 16388/92

The City of New York,  
Defendant-Appellant.

-----X  
Antonio Carollo, an infant, by his mother  
and natural guardian, Maria Carollo and  
Maria Carollo, individually,  
Plaintiffs-Respondents,

-against-

Action No. 4  
Index No. 15687/92

The City of New York,  
Defendant-Appellant.

-----X

-----X  
 Brian Walsh, an infant, by his father and  
 natural guardian, James Walsh and  
 James Walsh, individually,  
 Plaintiffs-Respondents,

-against-

Action No. 5  
 Index No. 20800/92

The City of New York,  
 Defendant-Appellant.

-----X  
 Amanda Arisio, an infant, by her mother and  
 natural guardian, Leisa Arisio and  
 Leisa Arisio, individually,  
 Plaintiffs-Respondents,

-against-

Action No. 6  
 Index No. 15474/92

The City of New York,  
 Defendant-Appellant.

-----X  
 Maria Nicole Parmigiano, an infant, by her  
 father and natural guardian, Nicholas Parmigiano,  
 and Nicholas Parmigiano, individually,  
 Plaintiffs-Respondents,

-against-

Action No. 7  
 Index No. 23354/92

The City of New York,  
 Defendant-Appellant.

-----X  
 Michelle Herta Phillips, an infant, by her  
 mother and natural guardian, Rosemarie Phillips,  
 and Rosemarie Phillips, individually,  
 Plaintiffs-Respondents,

-against-

Action No. 8  
 Index No. 14920/92

The City of New York,  
 Defendant-Appellant.

-----X  
 Jennifer Nessen, an infant, by her mother,  
 and natural guardian, Rosalie Nessen, and  
 Rosalie Nessen, individually,

-against-

Action No. 9  
 Index No. 22410/92

The City of New York,  
 Defendant-Appellant.

-----X

Defendant-appellant City of New York having moved for consolidation of the appeals taken from the orders of the Supreme Court, Bronx County, entered on or about June 18, 2009 (Nonnon), April 26, 2010 (Simpson), April 27, 2010 (Irizarry), April 27, 2010 (Carollo), April 27, 2010 (Walsh), April 26, 2010 (Arisio), April 29, 2010 (Parmigiano), April 26, 2010 (Phillips), April 26, 2010 (Nessen), respectively,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting appellant to prosecute the appeals upon 10 copies of one record and of one set of appellant's points covering the appeals and enlarging the time in which to perfect the consolidated appeal to on or before September 7, 2010 for the November 2010 Term for which Term the Clerk is directed to calendar the consolidated appeal.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

Present: Hon. Richard T. Andrias, Justice Presiding,  
David B. Saxe  
James M. McGuire  
Karla Moskowitz  
Helen E. Freedman, Justices.

-----X  
The People of the State of New York,

Respondent,

-against-

M-2299  
Index No. 2833/08

Ronald Hudson,

Defendant-Appellant.  
-----X

Defendant-appellant having moved for an enlargement of time in which to perfect the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about June 30, 2009,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied as academic, said relief having been granted by the order of this Court entered on May 13, 2010 (M-1540) enlarging defendant's time in which to perfect his appeal to the October 2010 Term of this Court.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,  
John W. Sweeny, Jr.  
James M. McGuire  
Leland G. DeGrasse, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2052  
Case No. 5995C/05

Khaliyq Sellers,  
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on February 24, 2009 (Appeal No. 5320), unanimously affirming a judgment of the Supreme Court, Bronx County (Caesar Cirigliano, J.), rendered on January 30, 2007,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate counsel, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that said application is denied.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the first Judicial Department in the County of New York on July 13, 2010.

Present: Hon. David B. Saxe, Justice Presiding,  
David Friedman  
Eugene Nardelli  
Karla Moskowitz  
Rosalyn H. Richter, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2368

M-2776

Ind. No. 4511N/07

Robert Johnson,  
Defendant-Appellant.

-----X

Defendant having moved pro se for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about April 14, 2010, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief (M-2368),

And Steven Banks, Esq., having moved on defendant's behalf for the same relief (M-2776),

Now, upon reading and filing the papers with respect to the motions, and due deliberation having been had thereon,

It is ordered that the motions are granted to the extent of permitting the appeal to be heard upon the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 10 reproduced copies of such brief, together with the original record, with this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT - Hon. David B. Saxe, Justice Presiding,  
David Friedman  
Eugene Nardelli  
Helen E. Freedman  
Sheila Abdus-Salaam, Justices.

-----X  
In the Matter of

I-Majestic A. and I-Conscious R.,

Dependent Children under 18 Years  
of Age Alleged to be Abused and/or  
Neglected Under Article 10 of the  
Family Court Act.

M-1827A  
Docket Nos. NA13207-8/08

-----  
Administration for Children's  
Services,  
Petitioner-Respondent,

George S., also known as Sun A.,  
Respondent-Appellant.

-----  
Steven Banks, Esq.,  
Law Guardian for the Children.

-----X

Respondent-appellant father having moved by duplicate motions for leave to prosecute, as a poor person, the appeals from the orders of the Family Court, New York County, entered on or about March 19, 2010, and for assignment of counsel, a free copy of the transcript, and related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the order of this Court entered on June 15, 2010 (M-1827) is herewith recalled and vacated. The Clerk of the Family Court is directed to have the minutes relating to respondent father's appeal expeditiously transcribed. (See M-5403 entered February 2, 2010, a copy of which is annexed hereto.)

ENTER:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 2, 2010.

Present - Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
James M. McGuire  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X  
In the Matter of

I-Majestic A., and  
I-Conscious R.,

Children Under 18 Years of Age  
Adjudicated to be Abused and Neglected  
Pursuant to §§ 1012 and 1046 of the  
Family Court Act.

-----  
Commissioner of Social Services of the  
City of New York,  
Petitioner-Respondent,

M-5403  
Docket Nos. NN13207/08  
NN13208/08

George S., also known as Sun A.,  
Respondent-Appellant.

-----  
Steven Banks, Esq., The Legal Aid  
Society, Juvenile Rights Division,  
Law Guardian for the Children.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about October 22, 2009, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Carol Lipton, Esq., 800 Greenwood Avenue, #3L, Brooklyn, New York 11218, Telephone No. 718-436-5359, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City

of New York from funds available therefor<sup>1</sup> within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk; (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. The Clerk of the Family Court shall transfer the record upon receipt of this order; and (4) appellant is directed to perfect this appeal within 60 days of receipt of the transcripts. Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.

ENTER:



DEPUTY CLERK

---

<sup>1</sup>Service of appellant's brief upon respondent(s) shall include assigned counsel's copy of the transcript.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT - Hon. David B. Saxe, Justice Presiding,  
David Friedman  
Leland G. DeGrasse  
Rolando T. Acosta, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2652  
Ind. No. 2179/99

Vincent Warren,  
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on December 9, 2003 (Appeal No. 2401), unanimously affirming a judgment of the Supreme Court, Bronx County (Lawrence Tonetti, J.), rendered on April 18, 2001,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate counsel, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that said application is denied.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT - Hon. David B. Saxe, Justice Presiding,  
John W. Sweeny, Jr.  
James M. McGuire  
Dianne T. Renwick  
Helen E. Freedman, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-1593  
Ind. No. 3021/06

Wayne Cannie,  
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on September 30, 2008 (Appeal No. 4152), unanimously affirming a judgment of the Supreme Court, New York County (Bruce Allen, J.), rendered on November 29, 2007,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate counsel, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that said application is denied.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT - Hon. David B. Saxe, Justice Presiding,  
James M. Catterson  
Karla Moskowitz  
Helen E. Freedman  
Nelson S. Román, Justices.

-----X  
Guillermo Parraguirre,  
Plaintiff-Respondent,

-against-

M-2637  
Index No. 6130/06

27<sup>th</sup> Street Holdings, LLC, et al.,  
Defendants-Appellants.

-----X

Defendants-appellants having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on March 30, 2010 (Appeal No. 2458),

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

Present: Hon. David Friedman, Justice Presiding,  
Eugene Nardelli  
Karla Moskowitz  
Helen E. Freedman  
Sallie Manzanet-Daniels, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2189  
Ind. No. 1011/05

Darby McCrae,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court from the judgment of resentence of the Supreme Court, New York County, rendered on or about November 7, 2008,

And Robert S. Dean, Esq., assigned counsel for defendant, having moved for the dismissal of defendant's appeal,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of deeming the appeal withdrawn.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

Present: Hon. David Friedman, Justice Presiding,  
Eugene Nardelli  
Karla Moskowitz  
Helen E. Freedman  
Sallie Manzanet-Daniels, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2191  
Ind. No. 144/07

Kerry Dockery, also known as John Doe,  
Defendant-Appellant.

-----X  
An appeal having been taken from the judgment of the Supreme Court, New York County, entered on or about December 14, 2007,

And Robert S. Dean, assigned counsel for defendant, having moved for dismissal of said appeal on the grounds that defendant has been deported,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of deeming the appeal withdrawn.

ENTER:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT - Hon. David Friedman, Justice Presiding,  
Eugene Nardelli  
Karla Moskowitz  
Helen E. Freedman  
Sallie Manzanet-Daniels, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

Russell Alam,  
Defendant-Appellant.

M-2214  
Ind. Nos. 2354/03  
5938/03

-----X

Assigned counsel having moved for an order dismissing defendant's appeal from the judgment of **resentence** of the Supreme Court, New York County, rendered on or about June 11, 2009, without prejudice to reinstatement at such time appellant again becomes amenable to the jurisdiction of this Court,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of deeming the appeal withdrawn.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

Present: Hon. David Friedman, Justice Presiding,  
Eugene Nardelli  
Karla Moskowitz  
Helen E. Freedman  
Sallie Manzanet-Daniels, Justices.

-----X  
The People of the State of New York  
ex rel. Anna Ciano, also known as  
Angela Perez, also known as Kelly  
Graham, also known as Anna Tillman, M-2412  
Petitioner-Appellant, Index No. 400512/10

-against-

Arthur Olivari, Warden, Rikers Island,  
Respondent-Respondent.

-----X

Petitioner having moved for leave to appeal to this Court from the order of the Supreme Court, New York County, entered on or about March 26, 2010, denying her writ of habeas corpus, and for leave to prosecute said appeal as a poor person, and other relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of deeming the moving papers a timely filed notice of appeal, and permitting the appeal to be heard upon the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the attorney for respondent and file 10 copies of such brief, together with the original record, with this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record. So much of the motion which seeks leave to appeal to this Court is denied, as unnecessary.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

Present: Hon. David Friedman, Justice Presiding,  
Eugene Nardelli  
Karla Moskowitz  
Helen E. Freedman  
Sallie Manzanet-Daniels, Justices.

-----X  
Scott Liden,  
Petitioner-Appellant,

For a Judgment, etc.,

-against-

M-2310  
Index No. 400532/09

Elizabeth Devane, Chairperson,  
New York State Board of Examiners  
of Sex Offenders,  
Respondent-Respondent,

-and-

Denise O'Donnell, Commissioner,  
New York State Division of Criminal  
Justice Services,  
Respondent-Respondent.

-----X

Petitioner-appellant having moved for an enlargement of time in which to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about September 25, 2009,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the December 2010 Term with leave to seek a further enlargement of time if necessary.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

PRESENT - Hon. David Friedman, Justice Presiding,  
James M. Catterson  
Rolando T. Acosta  
Leland G. DeGrasse  
Sheila Abdus-Salaam, Justices.

-----X  
Ottaviano Bevilacqua, et al.,  
Plaintiffs-Respondents,

-against-

Bloomberg, L.P.,  
Defendant-Appellant-Respondent,

Scales Industries Technologies, Inc.,  
Defendant-Respondent-Appellant,

Quincy Compressor,  
Defendant-Appellant.

- - - -  
[And A Third-Party Action]  
- - - -

Scales Industrial Technologies, Inc.,  
Second Third-Party Plaintiff-Respondent,

-against-

Quincy Compressor,  
Second Third-Party Defendant-Appellant.

- - - -  
Scales Industrial Technologies, Inc.,  
Third Third-Party Plaintiff-Respondent,

-against-

Coltec Industries, Inc.,  
Third Third-Party Defendant-Appellant.

-----X

M-1172  
Index Nos. 117815/05  
591004/06  
590227/08  
590683/08

Defendant/second third-party defendant and third-third party defendant Quincy Compressor having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on February 2, 2010 (Appeal No. 2088),

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied.

ENTER:

  
- Clerk:

SUPREME COURT OF THE STATE OF NEW YORK  
APPELLATE DIVISION : FIRST JUDICIAL DEPARTMENT

BEFORE: Hon. John W. Sweeny, Jr.  
Justice of the Appellate Division

-----X  
The People of the State of New York,

M-2741  
Ind. No. 369/92

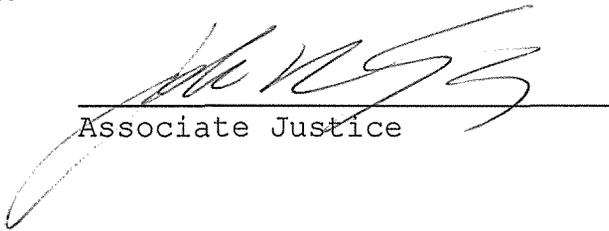
-against-

CERTIFICATE  
DENYING LEAVE

Albert Williams,

Defendant.  
-----X

I, John W. Sweeny, Jr., a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about March 17, 2010 (Richard D. Carruthers, J.) is hereby denied.

  
Associate Justice

Dated: June 16, 2020  
New York, New York

ENTERED: JUL 13 2010

SUPREME COURT OF THE STATE OF NEW YORK  
APPELLATE DIVISION : FIRST JUDICIAL DEPARTMENT

BEFORE: Hon. John W. Sweeny, Jr.  
Justice of the Appellate Division

-----X  
The People of the State of New York,

M-2735 .  
Ind. No. 7990/97

-against-

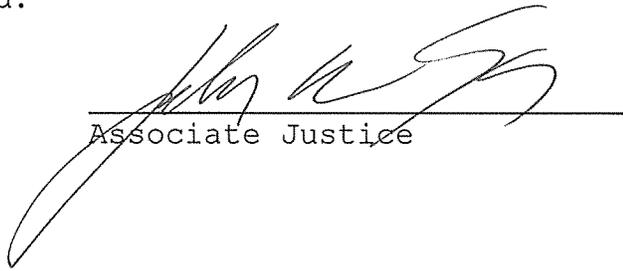
CERTIFICATE  
DENYING LEAVE

Albert Soto,

Defendant.

-----X

I, John W. Sweeny, Jr., a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about April 16, 2010 (David Stadtmauer, J.) is hereby denied.

  
\_\_\_\_\_  
Associate Justice

Dated: June 17, 2010  
New York, New York

ENTERED: JUL 13 2010

SUPREME COURT OF THE STATE OF NEW YORK  
APPELLATE DIVISION : FIRST DEPARTMENT

BEFORE: Hon. Helen E. Freedman  
Justice of the Appellate Division

-----x  
People of the State of New York,

Plaintiff,

M-3000  
Index No. 4042/02

-against-

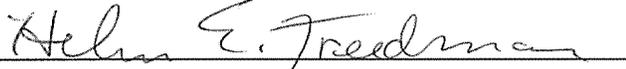
Steve Johnson,

Defendant.

CERTIFICATE  
GRANTING LEAVE TO APPEAL  
TO THE COURT OF APPEALS

-----x  
I, Helen E. Freedman, a Justice of the Appellate Division, Supreme Court, First Department, do hereby certify that in the record and proceedings herein\* questions of law are involved which ought to be reviewed by the Court of Appeals and pursuant to CPL 460.20, it is

ORDERED that permission hereby is granted to the above-named appellant to appeal to the Court of Appeals.

  
Justice of the Appellate Division

Dated: June 24, 2010  
New York, New York

ENTERED: JUL 13 2010

\*Description of Order:

Supreme Court, New York County, entered on March 21, 2007.  
App. Div., First Dept., Appeal No. 2533, Affd on June 1, 2010.

---

Notice: Within 10 days from the issuance of this certificate, a preliminary appeal statement must be filed with the Clerk of the Court of Appeals pursuant to Rule 500.9 of the Court of Appeals Rules.

SUPREME COURT OF THE STATE OF NEW YORK  
APPELLATE DIVISION : FIRST JUDICIAL DEPARTMENT

BEFORE: Hon. Nelson S. Román  
Justice of the Appellate Division

-----X  
The People of the State of New York,

M-2633  
Ind. No. 6516107

-against-

CERTIFICATE  
DENYING LEAVE

Kevin Combs,

Defendant.

-----X

I, Nelson S. Román, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, rendered on or about February 18, 2010 is hereby denied.

  
Associate Justice

Dated: JUL - 1 2010  
New York, New York

ENTERED: JUL 13 2010

PM ORDERS

ENTERED

JULY 6, 2010

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 6, 2010.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,  
David B. Saxe  
John W. Sweeny, Jr.  
James M. McGuire  
Rolando T. Acosta, Justices.

-----X  
Workmen's Circle Home and Infirmary  
Foundation for the Aged, New York  
State Branches, Inc., doing business  
as Workmen's Circle Multicare Center,  
Plaintiff-Respondent,

-against-

M-2971  
Index No. 302674/07

Facsimilie Communications  
Industries, Inc., doing business  
as Atlantic Business Products and  
Tomorrowsoffice.com,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for a stay of the order appealed to the extent it directed compliance with plaintiff's Second Notice for Discovery and Inspection, dated July 28, 2009, pending hearing and determination of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about March 16, 2010,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted on condition that the appeal is perfected for the November 2010 Term.

ENTER:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 6, 2010.

Present: Hon. Richard T. Andrias, Justice Presiding,  
David B. Saxe  
John W. Sweeny, Jr.  
James M. McGuire  
Rolando T. Acosta, Justices.

-----X  
Michael Lemle, etc.,

Plaintiff-Appellant,

-against-

Florence Lemle, et al.,

Defendants-Respondents.  
-----X

**M-3152**  
Index No. 601281/07

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about January 20, 2010 (mot. seq. nos. 001, 002, 003),

And plaintiff-appellant having moved for an enlargement of time in which to perfect the aforesaid appeals,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied.

ENTER:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 6, 2010.

PRESENT : Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Helen E. Freedman  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

Alexandre Van Damme,  
Plaintiff-Respondent,

-against-

M-1857  
Index No. 601995/07

Nahum Gelber,  
Defendant-Appellant,

Arij Gasiunasen Fine Art of Palm  
Beach Inc., doing business as  
Gasiunasen Gallery,  
Defendant.

-----X

Nahum Gelber,  
Third-Party Plaintiff-Appellant,

-against-

Third Party  
Index No. 590203/08

Arij Gasiunasen,  
Third-Party Defendant-Respondent.

-----X

Defendant third-party plaintiff appellant Nahum Gelber having moved for consolidation of the appeals taken from the orders of the Supreme Court, New York County, entered on or about July 8, 2009 (mot. seq. no. 004), August 3, 2009, March 15, 2010 (mot. seq. nos. 007 and 008), respectively, and for an enlargement of time in which to perfect said appeals,

Now, upon reading and filing the papers with respect to the motion, and the stipulation filed by the parties, dated April 19, 2010, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting appellant to prosecute the appeals upon 10 copies of one record and of one set of appellant's points covering the appeals and enlarging the time in which to perfect the consolidated appeal to on or before July 12, 2010 in accordance with the aforesaid stipulation.

ENTER:

A handwritten signature in black ink, reading "David Apobony". The signature is written in a cursive, flowing style with a large initial "D".

Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 6, 2010.

PRESENT : Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Helen E. Freedman  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

Alexandre Van Damme,  
Plaintiff-Respondent,

-against-

M-1857  
Index No. 601995/07

Nahum Gelber,  
Defendant-Appellant,

Arij Gasiunasen Fine Art of Palm  
Beach Inc., doing business as  
Gasiunasen Gallery,  
Defendant.

-----X

Nahum Gelber,  
Third-Party Plaintiff-Appellant,

-against-

Third Party  
Index No. 590203/08

Arij Gasiunasen,  
Third-Party Defendant-Respondent.

-----X

Defendant third-party plaintiff appellant Nahum Gelber having moved for consolidation of the appeals taken from the orders of the Supreme Court, New York County, entered on or about July 8, 2009 (mot. seq. no. 004), August 3, 2009, March 15, 2010 (mot. seq. nos. 007 and 008), respectively, and for an enlargement of time in which to perfect said appeals,

Now, upon reading and filing the papers with respect to the motion, and the stipulation filed by the parties, dated April 19, 2010, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting appellant to prosecute the appeals upon 10 copies of one record and of one set of appellant's points covering the appeals and enlarging the time in which to perfect the consolidated appeal to on or before July 12, 2010 in accordance with the aforesaid stipulation.

ENTER:

A handwritten signature in black ink, reading "David Apobony". The signature is written in a cursive, flowing style with a large initial "D".

Clerk.

CORRECTED ORDER – July 8, 2010

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 22, 2010.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,  
David B. Saxe  
David Friedman  
Rolando T. Acosta  
Leland G. DeGrasse, Justices.

-----X  
The RGH Liquidating Trust, etc.,  
Plaintiff-Respondent,

-against-

M-388  
Index No. 600057/06

Deloitte & Touche LLP, et al.,  
Defendants-Appellants.  
-----X

Plaintiff-respondent having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on December 8, 2009 (Appeal No. 5001),

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted, and this Court, pursuant to CPLR 5713, certifies that the following question of law, decisive of the correctness of its determination, has arisen, which in its opinion ought to be reviewed by the Court of Appeals:

"Was the order of the Supreme Court, as **modified** by this Court, properly made?"

This Court further certifies that its determination was made as a matter of law and not in the exercise of discretion.

ENTER:



Clerk.

PM ORDERS

ENTERED

JULY 9, 2010

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 9, 2010.

Present - Hon. David Friedman, Justice Presiding,  
James M. Catterson  
Karla Moskowitz  
Dianne T. Renwick  
Sheila Abdus-Salaam, Justices.

-----x  
Beryl Abubakar, et al.,  
Plaintiffs-Respondents,

M-3319

-against-

Index No. 111595/07

Columbus 95<sup>th</sup> Street LLC.,  
Defendant-Respondent.

- - - - -  
Columbus 95<sup>th</sup> Street LLC.,  
Third-Party Plaintiff-Respondent,

-against-

Index No. 591018/07

Ferrindino and Sons, Inc.,  
Third-Party Defendant-Appellant.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about April 8, 2010 (mot. seq. no. 001),

And third-party defendant-appellant having moved for a stay of trial pending hearing and determination of this perfected appeal,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted.

ENTER:



Clerk

PM ORDERS

ENTERED

JULY 13, 2010

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 13, 2010.

Present: Hon. David Friedman, Justice Presiding,  
James M. Catterson  
Karla Moskowitz  
Dianne T. Renwick  
Sheila Abdus-Salaam, Justices.

-----X  
Jane Wheeler,

Plaintiff,

-against-

Robert C. Wheeler,

Defendant.  
-----X

**M-3288**  
Index No. 300662/08

Defendant having moved for leave to appeal to this Court from the order of a Justice of the Supreme Court, New York County, entered on or about June 18, 2010, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is denied.

ENTER:



Clerk.