

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 7, 2011.

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

-----X
In the Matter of the Estate of

Charles E. Whipple,

M-2541
Index No. 1255/09

Deceased.
-----X

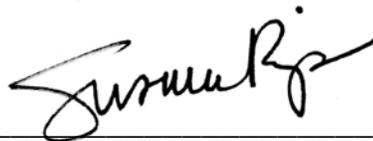
Appeals having been taken from orders of the Surrogate's Court, New York County, entered on or about April 6, 2010, October 12, 2010 and November 16, 2010, respectively, and said appeals having been perfected,

And a notice of appeal having been filed February 8, 2011,

Now, upon reading and filing the stipulation of the parties hereto, dated May 11, 2011, and due deliberation having been had thereon,

It is ordered that all appeals are withdrawn in accordance with the aforesaid stipulation.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 7, 2011.

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

-----X
Federal Insurance Company, as
subrogee of Coolwear, Inc.,
Plaintiff,

-against-

Samuel Aaron, Inc.,
Defendant-Appellant,

M-2497
Index No. 108256/06

-and-

A-Aron Security Services, Inc.,
doing business as AAROW
Security Patrols,
Defendant-Respondent.

-----X
A-Aron Security Services, Inc.,
doing business as AAROW Security
Patrols,
Third-Party Plaintiff,

Third-Party
Index No. 590077/07

-against-

31-00 47th Avenue LLC, Imperial
Firm Protection Systems, Inc. and
KND Management Co., Inc.,
Third-Party Defendants.

-----X
A-Aron Security Services, Inc.,
doing business as AAROW
Security Patrols,
Second Third-Party Plaintiff,

Second Third-Party
Index No. 590986/08

-against-

Ianvil Holdings LLC; Newark & Company
Real Estate doing business as Newmark
Frank and Croker Fire Drill Corporation,
Second Third-Party Defendants.

-----X

-----X
 Samuel Aaron, Inc.,
 Third Third-Party Plaintiff,

 -against-

 CF 31-100 Falchi LLC,
 Third Third Party Defendant.
 -----X

Third Third Party
 Index No. 590256/10

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about January 6, 2011 (mot. seq. no. 012),

Now, upon reading and filing the stipulation of the parties hereto, dated May 18, 2011, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the June 2011 Term, 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 7, 2011.

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

-----X
Caroline Velez, as the Executrix of
The Estate of Ramon S. Velez, Decedent,
Plaintiff-Respondent,

-against-

M-2569
Index No. 24957/02

Hunts Point Multi-Service Center,
Inc.,
Defendant-Appellant.

-----X
Hunts Point Multi-Service Center, Inc.,
Third-Party Plaintiff-Appellant,

-against-

Index No. 83625/03

Ramon S. Velez Family Trust,
Third-Party Defendant-Respondent.

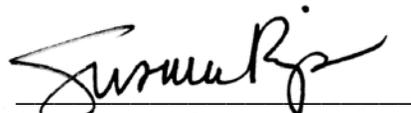
-----X

An appeal having been taken from the judgment of the Supreme Court, Bronx County, entered on or about June 21, 2010,

Now, upon reading and filing the stipulation of the parties hereto, dated May 27, 2011, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the June 2011 Term, 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 7, 2011.

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

-----X
Turner Construction Company,
Brookfield Financial Properties
Inc., BFP Tower C Co. LLC and
Brookfield Financial Properties, L.P.,
Plaintiffs-Respondents,

-against-

M-2496
Index No. 115048/07

Campbell and Dawes, Ltd., Electrical
Contractors and Arch Insurance
Company,
Defendants-Appellants.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about June 15, 2010 (mot. seq. nos. 001 & 002),

Now, upon reading and filing the stipulation of the parties hereto, dated April 29, 2011, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the September 2011 Term, 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 7, 2011.

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

-----X

Gloria Sigman,
Plaintiff-Respondent,

-against-

M-2554X
Index No. 102838/08

Town Sports International, Inc.,
doing business as New York Sports
Club, TSI Lexington, Inc. and
Trico Equities,
Defendants-Appellants,

-and-

Ian's Body Elite, Inc., et al.,
Defendants.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about October 26, 2010 (mot. seq. no. 004),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" May 26, 2011, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the September 2011 Term, 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 7, 2011.

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

-----X

Jeffrey Bolton and Tina Bolton,
Plaintiffs-Respondents,

-against-

M-2215
Index No. 108271/07

Accurate Electrical,
Defendants-Appellant,

RCT Construction Corp., also known as
RCT Construction Inc., also known as
Marian Kazmierczak, doing business as
Mario Interiors, Stark Carpet Corp.,
Bajro Musanovic doing business as
Bary Carpet Service, Rudd Realty
Management Corp. and John Does 1-10,
Defendants.

-----X

Defendant-appellant Accurate Electrical having moved for a stay of trial pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about January 12, 2011 (mot. seq. no. 009),

And an order by a Justice of this Court having been entered May 6, 2011, granting an interim stay of trial, pending hearing and determination of the aforesaid appeal,

And an order of this Court having been entered on June 28, 2011 (M-2349), withdrawing the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motion and the stipulation of the parties, dated May 12, 2011, and due deliberation having been had thereon,

It is ordered that defendant's motion for a stay of trial is deemed withdrawn, and the interim relief granted by an order of a Justice of this Court, dated May 6, 2011, is hereby vacated, in accordance with the aforesaid stipulation and prior order (M-2349) of this Court entered June 28, 2011.

ENTER:

A handwritten signature in black ink, appearing to read "Susan R.", written in a cursive style.

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 7, 2011.

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-2223
Ind. No. 3889/10

Samuel Blunt,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 26, 2011, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of 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, 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 7, 2011.

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-2224
Ind. Nos. 2237/09
1369/10

Michael Banano,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about March 31, 2011, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of 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, 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 7, 2011.

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-2225
Ind. No. 1177/10

Elijah Feldman, also known as
Elijah E. Feldman,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about October 20, 2010, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of 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 :

A handwritten signature in black ink, appearing to read "Susan R. Jones", written over a horizontal line.

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 7, 2011.

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

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

-against-

M-2226
Ind. No. 2243/09

Antoine Lawrence,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 4, 2011, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of 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 7, 2011.

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-2229
Ind. No. 2305/10

Prince Williams,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 6, 2011, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of 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, 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 7, 2011.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
David Friedman
James M. Catterson
Diane T. Renwick
Sheila Abdus-Salaam, Justices.

-----X
Marko S., also known as Marko
Alexander S., also known as Marko A.,
Plaintiff-Respondent,

-against-

M-1882
Index No. 3903/09

Heather S., also known as Heather
Kim S.,
Defendant-Appellant.

-----X

An order of this Court having been entered on March 22, 2011 (M-114), denying defendant-appellant mother's motion for leave to prosecute, as a poor person, the purported appeal from an ex parte order declined by a Justice of Supreme Court, Bronx County, on or about December 17, 2010,

And defendant-appellant having renewed her motion for poor person relief, and for leave to appeal to the Court of 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 in all respects.

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 7, 2011.

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,

M-2103
DC #3
Ind. No. 5131/07

-against-

Antonio Badia,
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about November 13, 2008,

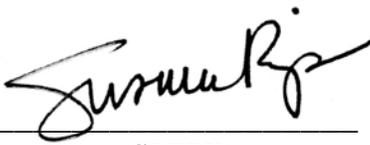
And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 19, 2011, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the October 2011 Term of this Court and counsel is directed to so perfect.

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 7, 2011.

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-2104

DC #4

Ind. No. 41/08

Jennifer Bartholomew,
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about April 24, 2009,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 19, 2011, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the October 2011 Term of this Court and counsel is directed to so perfect.

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 7, 2011.

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-2113

DC #13

Ind. No. 2333/07

Eugene Cox,
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about August 20, 2009,

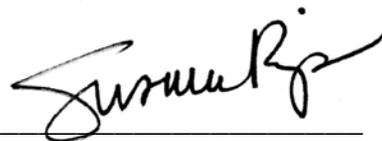
And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 19, 2011, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the October 2011 Term of this Court and counsel is directed to so perfect.

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 7, 2011.

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-2119

DC #19

Ind. No. 374/78

Kevin Goldbeck,
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the order of the Supreme Court, Bronx County, entered on or about December 5, 2008,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 19, 2011, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the October 2011 Term of this Court and counsel is directed to so perfect.

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 7, 2011.

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-2125
DC #24
Ind. No. 4493/06

Fermin Hunter,
Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about March 3, 2009,

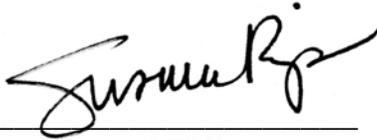
And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 19, 2011, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the October 2011 Term of this Court and counsel is directed to so perfect.

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 7, 2011.

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-

Charlie Jones,

Defendant-Appellant.

M-2126

DC #25

Ind. Nos. 2862/06

3640/06

-----X

And an appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about December 19, 2007,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 19, 2011, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the October 2011 Term and counsel is directed to so perfect.

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 7, 2011.

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-

Radhames Mojica-Sanchez,
Defendant-Appellant.

M-2133
DC #31
Ind. Nos. 1159/06
3163/06

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about November 13, 2008,

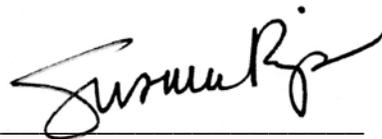
And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 19, 2011, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the October 2011 Term and counsel is directed to so perfect.

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 7, 2011.

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-

Ronald Nesbitt,

Defendant-Appellant.
-----X

M-2137
DC #34
Ind. No. 4400/03

An appeal having been taken to this Court by defendant from the judgment of **resentence** of the Supreme Court, New York County, rendered on or about June 30, 2009,

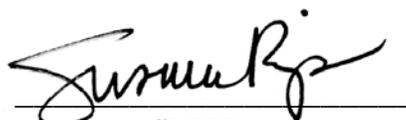
And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 19, 2011, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the November 2011 Term and counsel is directed to so perfect.

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 7, 2011.

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-

David Powell,

Defendant-Appellant.

M-2138
DC #35
Ind. Nos. 5602/03
1077N/09

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about August 11, 2009,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 19, 2011, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the November 2011 Term and counsel is directed to so perfect.

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 7, 2011.

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-

James P. Wolfgeorge,

Defendant-Appellant.

M-2157
DC #53
Ind. No. 3659/06

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about May 15, 2009,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 19, 2011, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the October 2011 Term and counsel is directed to so perfect.

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 7, 2011.

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

-----X
In the Matter of a Family Offense
the Proceeding Under Article 8 of
the Family Court Act.

Keisha G.-S.,
Petitioner-Respondent,

M-2191
D.C. #19
Docket No. 08975/06

-against-

Alphonso S.,
Respondent-Appellant.

-----X

An appeal having been taken by respondent-appellant from the order of the Family Court, Bronx County, entered on or about November 12, 2009,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 19, 2011, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that appellant's time to perfect the appeal is enlarged to the October 2011 Term and counsel is directed to so perfect.

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 7, 2011.

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

-----X
In the Matter of

Amire B.,

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

M-2385
D.C. #22
Docket No. NA230/08

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

Selika B.,
Respondent-Appellant.

- - - - -
Michael Morman, Esq.,
Lawyers for Children,
Attorney for the Child.

-----X

An appeal having been taken by respondent-appellant mother from the order of the Family Court, New York County, entered on or about March 9, 2010,

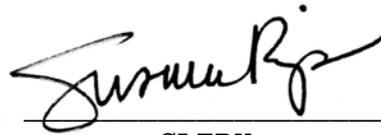
And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 19, 2011, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that appellant's time to perfect the appeal is enlarged to the November 2011 Term and counsel is directed to so perfect.

ENTER:

A handwritten signature in black ink, appearing to read "Susan R.", written over a horizontal line.

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 7, 2011.

Present: Hon. Peter Tom, Justice Presiding
David B. Saxe
Karla Moskowitz
Rolando T. Acosta
Sheila Abdus-Salaam, Justices.

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

-against-
Kemar Gayle,
Defendant-Appellant.

M-1824
Ind. No. 2681/09

-----X

Defendant having renewed the motion for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about December 16, 2010, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of 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 7, 2011.

Present: Hon. Peter Tom, Justice Presiding,
David B. Saxe
Karla Moskowitz
Rolando T. Acosta
Sheila Abdus-Salaam, Justices.

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

Edwin Lopez,
Petitioner-Appellant,

M-1944
Index No. 251269/10

For a Judgment, etc.,

-against-

Andrea Evans, Chairwoman of the
New York State Division of Parole,
Respondent-Respondent.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about February 4, 2011,

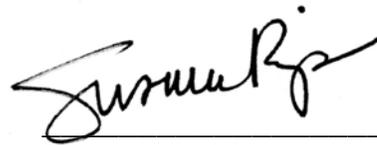
And petitioner-appellant having moved for leave to prosecute the proceeding as a poor person, upon the original record and reproduced petitioner's brief, for the assignment of counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced petitioner's brief, on condition that petitioner-appellant serves one copy of such brief upon the attorney for the respondent-respondent and files 8 copies of such brief, together with the original record, with this Court. Petitioner-appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record, and it is further

Ordered that Steven N. Feinman, Esq., 19 Court Plaza, Suite 201, White Plains, NY 10601, Telephone No. (914) 949-8214, is assigned for purposes of prosecuting the appeal on petitioner-appellant's behalf.

ENTER:

A handwritten signature in black ink, appearing to read "Steven N. Feinman", written over a horizontal line.

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 7, 2011.

Present: Hon. Peter Tom, Justice Presiding,
David B. Saxe
Rolando T. Acosta
Helen E. Freedman
Sheila Abdus-Salaam, Justices.

-----X
John L. Peteres-Tolino,
Plaintiff-Appellant,

-against-

M-1964
Index No. 402522/09

Edward Harap, et al.,
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 March 23, 2011, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for 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 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 8 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.

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 7, 2011.

Present: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
Rolando T. Acosta
Leland G. DeGrasse
Nelson S. Román, Justices.

-----X

Rita DiCarlo,
Plaintiff-Appellant,

-against-

M-1380

Index No. 114153/07

Beacway Operating LLC,
Defendant-Respondent.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about December 7, 2009 (mot. seq. no. 002),

And a subsequent order of the Supreme Court, New York County, having been entered on or about January 31, 2011, maintaining its prior determination,

And plaintiff having moved for leave to file a late notice of appeal from the aforesaid order of the Supreme Court entered on or about January 31, 2011, or for alternative 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 record on appeal to include the order entered on January 31, 2011, and is otherwise denied. Sua sponte, the time in which to perfect the appeal is enlarged to on or before August 8, 2011 for the October 2011 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 7, 2011.

PRESENT: Hon. Peter Tom, Justice Presiding,
David B. Saxe
James M. Catterson
Karla Moskowitz
Rolando T. Acosta, Justices.

-----X
Hanover Insurance Company, also known
as Louis Glick,
Plaintiff-Respondent,

-against-

David Andrew Krivine, et al.,
Defendants-Appellants.

M-1605
M-2552
Index No. 600040/06

-----X

Plaintiff-respondent having moved to dismiss the appeal taken from the judgment of the Supreme Court, New York County, entered on or about October 7, 2010 (M-1605),

And defendants-appellants having cross-moved for an enlargement of time in which to perfect the aforesaid appeal (M-2552),

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 (M-1605) is granted to the extent of dismissing the appeal unless it is perfected for the December 2011 Term. The cross motion (M-2552) is granted accordingly.

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 7, 2011.

PRESENT: Hon. Peter Tom, Justice Presiding,
Rolando T. Acosta
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
Elida Vargas,

Plaintiff-Appellant,

-against-

M-2416
Index No. 306292/10

Arie Drach, et al.,

Defendants-Respondents.

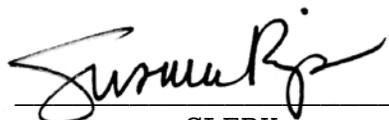
-----X

Plaintiff-appellant having moved for a stay of enforcement of an order denying vacatur of a certain foreclosure sale pending hearing and determination of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about March 7, 2011,

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 an order of a Justice of this Court, dated May 24, 2011, is hereby 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 7, 2011.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Rosalyn H. Richter
Sheila Abdus-Salaam, Justices.

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

Respondent,

-against-

M-2332
Index No. 9215/98

Louis Batts,

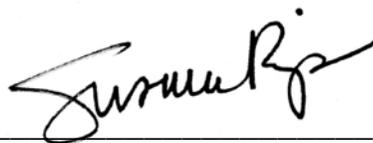
Defendant-Appellant.
-----X

Defendant-appellant having moved for dismissal of the appeal taken from the amended commitment order of the Supreme Court, New York County, entered on or about August 14, 2008,

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 the appeal is dismissed.

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 7, 2011.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Diane T. Renwick
Nelson S. Román, Justices.

-----X

Victor Perez,

Plaintiff-Respondent,

-against-

Pedro A. Vasquez, et al.,

Defendants-Appellants.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, entered on or about February 14, 2011,

And plaintiff-respondent 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 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 7, 2011.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Leland G. DeGrasse
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

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

-against-

M-1949
Ind. No. 5436/09

Jacques Levasseur,
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 December 9, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of 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 7, 2011.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Diane T. Renwick
Nelson S. Román, Justices.

-----X

In the Matter of

Naomi F.,
Genesis F.
and Denis F.,

M-2243

Docket Nos. NN35197/10
NN35198/10
NN35199/10

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

Center for Family Representation,
et al.,
Petitioners-Respondents,

Xiomaris, S.,
Respondent-Appellant.

Steven Banks, Esq., The Legal Aid
Society, Juvenile Rights Division,
Attorney for the Children.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Family Court, New York County, entered on or about December 13, 2010, 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, Lisa H. Blitman, Esq., 225 Broadway,

Suite 1203, New York, NY 10007, Telephone No. (212) 724-2792, 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 therefor¹ **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, in compliance with Rule 600.11 of the Rules of this Court, **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:



CLERK

¹Service 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 7, 2011.

Present - Hon. Angela M. Mazzairelli, Justice Presiding,
Richard T. Andrias
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----x
Newmark & Company Real Estate, Inc.,
et al.,
Plaintiffs-Respondents,

-against-

M-2507
Index No. 601175/10

1523 Avenue M, LLC,
Defendant-Appellant.

- - - - -
[And a third-party action]

-----x
An appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about February 23, 2011 (mot. seq. nos. 001, 002),

And defendant-appellant having moved, pursuant to CPLR 5519(c), for a stay of 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 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 7, 2011.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X
Christopher Rich,
Plaintiff-Respondent,

-against-

M-2594
Index No. 21482/06

125 West 31st Street Associates, LLC
and Gotham Construction Company, LLC,
Defendants-Appellants.

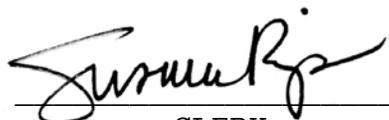
-----X

Defendants-appellants having moved for a stay of trial pending hearing and determination of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about June 21, 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 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 7, 2011.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X
People of the State of New York,
ex rel., Susan Calvello, on behalf of
Michael Robbins,
Petitioner-Appellant,

-against-

M-2597
Index No. 401282/11

Warden of House of Detention for
Riker's Island or any other person
having Custody of the Defendant,
Respondent-Respondent.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about May 17, 2011,

And petitioner having moved on behalf of defendant, for an order releasing defendant on his own recognizance pending determination of his 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 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 7, 2011.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
James M. Catterson
Leland G. Degrasse
Sheila Abdus-Salaam
Nelson S. Román, Justices.

-----X
Alliancebernstein, L.P.,
Plaintiff-Respondent,

-against-

M-2695
Index No. 100905/11

William Clements,
Defendant-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about May 27, 2011,

And defendant-appellant having moved for a stay of enforcement of the aforesaid order 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 for a stay is granted to the extent of enjoining the defendant from resuming employment with Barclays and resuming contact with former clients from plaintiff who initiated contact with defendant in his new employment, on condition that the appeal is perfected on or before September 6, 2011 for the November 2011 Term. The motion is otherwise denied. The interim relief granted by an order of a Justice of this Court, dated June 8, 2011, is hereby recalled and vacated to the extent it granted relief beyond that granted herein.

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 7, 2011.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X
Joshua Gladtko,
Plaintiff-Appellant,

-against-

M-2813
Index No. 305636/11

Tanya Cook,
Defendant-Respondent.

-----X

Plaintiff-appellant having moved for a stay of the order of the Supreme Court, New York County, entered on or about June 15, 2011, 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.

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 7, 2011.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Rosalyn H. Richter
Sheila Abdus-Salaam, Justices.

-----x
Citizens Insurance Co. of America,
doing business as Hanover Insurance
Group,
Plaintiff-Appellant,

M-2249
Index No. 112377/08

-against-

Aristotle Hatzigergiou, etc., et al.,
Defendants-Respondents.

-----x

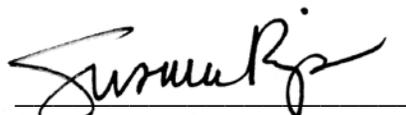
An appeal having been taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about July 9, 2010,

And plaintiff-appellant having moved for an enlargement of time to perfect the appeal pending hearing and determination of a renewal motion presently sub judice in Supreme Court, New York County, or for alternative 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 to perfect the appeal to the November 2011 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 7, 2011.

Present: Hon. Richard T. Andrias, Justice Presiding,
David Friedman
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
In the Matter of the Application of
Desiree English,
Petitioner-Appellant,

For a Judgment, etc.,

M-1860
Index No. 403053/09

-against-

New York City Housing Authority,
Respondent-Respondent.

-----X

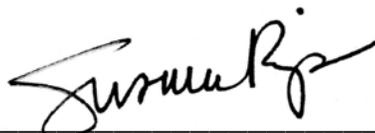
An appeal having been taken from the order of the Supreme Court, New York County, entered on or about June 16, 2010,

And respondent-respondent 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 granted and petitioner's appeal is dismissed.

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 7, 2011.

Present: Hon. Richard T. Andrias, Justice Presiding,
James M. Catterson
Karla Moskowitz
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

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

-against-

Jose Rodriguez,
Defendant-Appellant.

M-5371
Ind. Nos. 1764/08
1046/08

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about August 21, 2008,

And Richard M. Greenberg, Esq., assigned counsel for defendant, having moved for an order relieving him as counsel on the appeal or, in the alternative, dismissing 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 7, 2011.

Present: Hon. Richard T. Andrias, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Diane T. Renwick
Rosalyn H. Richter, Justices.

-----X
In the Matter of the Application of
John Covington,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78 **M-1993**
of the Civil Practice Law and Rules, Index No. 402695/09

-against-

Sgt. James Russo and P.O. Jonathan
David,
Respondents-Respondents.
-----X

Petitioner-appellant having renewed his motion for leave to prosecute, as a poor person, the appeal from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about June 1, 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 denied and, sua sponte, petitioner's appeal is dismissed.

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 7, 2011.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Nelson S. Román, Justices.

-----X
In the Matter of the Application of
Edward Davis,
Petitioner,

For a Judgment Pursuant to Article 78
of the Civil Practice Law and Rules

M-2371
Index No. 403256/09

-against-

New York City Housing Authority,
Respondent.

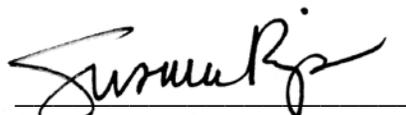
-----X
An Article 78 proceeding to review a determination of respondent, having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about May 17, 2010,

And respondent having moved for dismissal of the aforesaid proceeding for failure to timely perfect,

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 the proceeding is dismissed.

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 7, 2011.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
David Friedman
Dianne T. Renwick
Leland G. DeGrasse
Sheila Abdus-Salaam, Justices.

-----X
In the Matter of the Application of
Steve Durante,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78
of the Civil Practice Law and Rules

M-2453
Index No. 402678/10

-against-

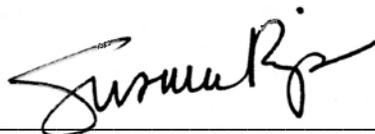
New York City Housing Authority,
Respondent-Respondent.
-----X

Respondent having moved for dismissal of the appeal from the order deemed a judgment of the Supreme Court, New York County, entered on or about March 15, 2011, as untimely taken,

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 the appeal is dismissed.

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 7, 2011.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
The East Drive Housing Development
Fund Corporation, et al.,
Plaintiffs-Respondents,

-against-

M-2061
Index No. 106310/06

2283 Third Avenue Associates, LLC.,
et al.,
Defendants.

-----X
2283 Third Avenue Associates, LLC.,
et al.,
Third-Party Plaintiffs,

-against-

Third-Party
Index No. 7590226/07

Park Side Construction Contractors,
Third-Party Defendant,

Blue Sky Design, Inc.,
Third-Party Defendant-Appellant.

-----X

Plaintiffs-respondents having moved for dismissal of the appeal taken by third-party defendant-appellant, Blue Sky Design Inc., from the order of the Supreme Court, New York County, entered on or about March 21, 2011 (mot. seq. no. 005),

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 7, 2011.

Present: Hon. Richard T. Andrias, Justice Presiding
David Friedman
James M. Catterson
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
In the Matter of

Erica Reina D., also known as
Erica D., also known as
Erica M.,

A Dependent Child Under 18 Years of Age Pursuant to §384-b of the Social Services Law of the State of New York.

Administration for Children's Services,
Petitioner-Respondent,

M-1960
Docket No. B-7086/09

Rebecca M.,
Respondent-Appellant.

Ronald Fisher, Esq.,
Attorney for the Child.

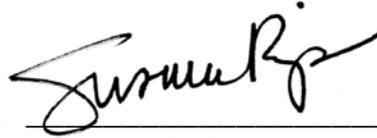
-----X
Respondent-appellant mother having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about March 25, 2011, and for assignment of counsel, a free copy of the transcript, and for related relief,

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, Randall Carmel, Esq., 53 Jackson Avenue, Syosset, New York 11791, Telephone No. 516-921-8800, 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 therefor¹ **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, in compliance with Rule 600.11 of the Rules of this Court, **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:

A handwritten signature in cursive script, appearing to read "Susan R.", is written over a horizontal line.

CLERK

¹Service 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 April 3, 2012.

Present - Hon. Richard T. Andrias, Justice Presiding,
David Friedman
Diane T. Renwick
Leland G. DeGrasse
Sheila Abdus-Salaam, Justices.

-----x

In the Matter of

Jonathan Serge A. (B12855/07)
Isiah Steven A. (B12853/07)
and Jason Kevin A., (B12854/07)

Dependent Children under 18 Years of Age Pursuant to §384-b of the Social Services Law of the State of New York. M-2564A
Docket Nos. B12853/07
B12854/07
B12855/07

- - - - -
New Alternatives for Children, Inc.,
et al.,
Petitioners-Respondents,

Anne Elizabeth P. L.,
Respondent-Appellant.

- - - - -
Geoffrey P. Berman, Esq.,
Attorney for the Children.

-----x

Dennis G. Corr, Esq., Family Court attorney for the subject children, having moved on the children's behalf for leave to respond, as poor persons, to the appeals from orders of the Family Court, Bronx County, entered on or about December 14, 2009, for the assignment of counsel for purposes of responding to 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 (1) permitting the children to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such

brief be served upon the attorneys for respondent-appellant and 8 copies thereof be filed with this Court, and (2) assigning, pursuant to Section 18b of the County Law and § 1120 of the Family Court Act, Frederic P. Schneider, Esq., 40 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 646-512-5730, as counsel for purposes of responding to the appeal. See M-2479A, decided simultaneously herewith. (The order of this Court entered on July 7, 2011 [M-2564], is hereby 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 7, 2011.

Present - Hon. Richard T. Andrias, Justice Presiding,
David Friedman
James M. Catterson
Diane T. Renwick
Leland G. DeGrasse, Justices.

-----x
In the Matter of

Shae Tylasia I. M.,

A Dependent Child under 18 Years
of Age Pursuant to §384-b of the
Social Services Law of the State
of New York.

M-5657A
Docket No. B26239/04

- - - - -
The New York Foundling Hospital,
Petitioner-Respondent,

Lisa Anne G., also known as
Lisa Annamarie G.,
Respondent-Appellant.

- - - - -
Randall Carmel, Esq.,
Attorney for the Child.

-----x

An appeal having been taken from the order of the Family Court, Bronx County, entered on or about April 9, 2008,

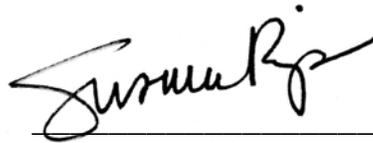
And Paul Sweeney, Esq., Family Court attorney for the subject child, having moved to be relieved as the attorney of record and to have appellate counsel assigned to respond on the child's behalf, as a poor person, to the appeal taken by respondent-appellant mother, for a free copy of the transcript, 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) permitting the child to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorneys for respondent-appellant and 8 copies thereof be filed with this Court, and (2) assigning, pursuant to Section 18b of the County Law and § 1120 of the

Family Court Act, Randall Carmel, Esq., 53 Jackson Avenue, Syosset, New York 11791, Telephone No. (516) 921-8800, as counsel for purposes of responding to the appeal. The order of this Court entered on January 13, 2011 (M-5657) is hereby recalled and vacated.

ENTER :

A handwritten signature in black ink, appearing to read "Susan R. Jones", written in a cursive style. The signature is positioned above a horizontal line.

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 7, 2011.

Present: Hon. Richard T. Andrias, Justice Presiding,
David Friedman
Diane T. Renwick
Leland G. DeGrasse
Sheila Abdus-Salaam, Justices.

-----X
In the Matter of a Family Offense
Proceeding Under Article 8 of the
Family Court Act.

- - - - -
Analusia P.,
Petitioner-Respondent,

M-2488
Docket No. 03457/10

-against-

Warnell H.,
Respondent-Appellant.

-----X

Petitioner-respondent having moved for leave to respond, as a poor person, to the appeal taken from the order of the Family Court, Bronx County, entered on or about February 25, 2010, for the 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, Dora M. Lassinger, Esq., 6 Howland Road, East Rockaway, NY 11518, Telephone No. (516) 887-8987, as counsel for purposes of responding to the appeal; (2) 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 appellant and 8 copies thereof are filed with this Court. Sua sponte, the appeal, previously perfected for the September 2011 Term is adjourned to the October 2011 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 7, 2011.

Present: Hon. Richard T. Andrias, Justice Presiding,
David Friedman
James M. Catterson
Diane T. Renwick
Leland G. DeGrasse, Justices.

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

Respondent,

-against-

M-1907

Ind. No. 6325/09

Lawrence Elliott,

Defendant-Appellant.

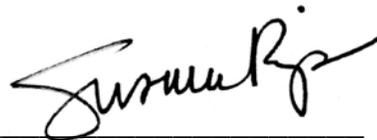
-----X

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 December 7, 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 denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth the amount and sources of funds to post the \$15,000 bail in the Supreme Court, the disposition thereof, and an explanation as to why similar funds are not available to prosecute the appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

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 7, 2011.

Present: Hon. Richard T. Andrias, Justice Presiding
John W. Sweeny, Jr.
Karla Moskowitz
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
In the Matter of

Jaylin E., also known as
Jaylin E. G.,

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

M-2075
Docket No. NN-504/09

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

Jessica Eli G.,
Respondent-Appellant.

Steven Banks, Esq., The Legal Aid
Society, Juvenile Rights Division,
Attorney for the Child.

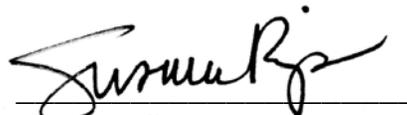
-----X

Respondent-appellant mother having moved for leave to prosecute, as a poor person, the purported appeal from an oral order of the Family Court, New York County, entered on or about March 25, 2011, 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 denied, with leave to renew upon submission of papers including a notice of appeal from a written order appealable as of right and a copy of that order.

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 7, 2011.

Present: Hon. Richard T. Andrias, Justice Presiding,
Diane T. Renwick
Leland G. DeGrasse
Sheila Abdus-Salaam, Justices.

-----X
Citibank, N.A.,
Plaintiff-Respondent,

-against-

M-2460
Index No. 603697/08

Sheldon H. Solow,
Defendant-Appellant.
-----X

An order of this Court having been entered on March 15, 2011 (M-429), inter alia, consolidating the appeals taken from the orders of the Supreme Court, New York County, entered on or about March 29, 2010 and on or about June 28, 2010 (mot. seq. no. 004) respectively,

And defendant-appellant having moved for consolidation of the aforesaid appeals with those appeals taken from orders of said Supreme Court, entered on or about January 5, 2011, January 11, 2011, and from the judgment of said Court entered on or about March 24, 2011,

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 consolidated appeals upon 9 copies of one record and of one set of appellant's points covering the appeals. Defendant-appellant is directed to perfect said consolidated appeals on or before September 6, 2011 for the November 2011 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 7, 2011.

Present: Hon. Richard T. Andrias, Justice Presiding,
John W. Sweeny, Jr.
Diane T. Renwick
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----X

Ana Link, Ltd.,
Plaintiff-Respondent,

-against-

Mega U.S.A., Inc.,
Defendant-Appellant.

-----X

M-1991

M-2591

Index No. 106147/07

An appeal having been taken from the judgment of the Supreme Court, New York County, entered on or about July 15, 2010,

And defendant-appellant having moved for an order expanding the record on appeal (M-1991),

And plaintiff-respondent having cross-moved to dismiss defendant's appeal (M-2591),

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 defendant-appellant's motion is denied. Plaintiff-respondent's cross motion to dismiss defendant's appeal is denied without prejudice to raising the issues in respondent's brief on the direct 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 7, 2011.

Present: Hon. Richard T. Andrias, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Diane T. Renwick
Nelson S. Román, Justices.

-----X
In the Matter of

Halimah P.;
Sumaiya P.;
Anwaar F.;
and Hamzah P.,

M-2437
Docket Nos. NN33684-10/11
NN19786-10/11
NN19785-10/11
NN375-08/11

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, et al.,
Petitioner-Respondents,

Tashara M. F.,
Respondent-Appellant.

-----X

An appeal having been taken from an order of the Family Court, New York County, entered on or about May 6, 2011,

And respondent-appellant mother having moved for vacatur of the aforesaid order entered on or about May 6, 2011, and for a preliminary appellate injunction enjoining the placement of the subject children in foster care, 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 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 7, 2011.

PRESENT: Hon. David B. Saxe, Justice Presiding,
Leland G. DeGrasse
Helen E. Freedman
Sheila Abdus-Salaam
Sallie Manzanet-Daniels, Justices.

-----X
Victoria David, as Executrix of the Goods, Chattels and Credits which were of Alberta David, Deceased,

Plaintiff-Respondent,

M-1883

Index No. 16628/05

-against-

Ronald Joseph Verrier, M.D.,

Defendant-Appellant-Respondent,

Narendralall Persuad, D.O., et al.,

Defendants-Respondents-Appellants.
-----X

Plaintiff-respondent having moved for dismissal of the appeal and cross appeals taken from the order of the Supreme Court, Bronx County, entered on or about February 10, 2011, as untimely taken,

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 7, 2011.

Present: Hon. David B. Saxe, Justice Presiding,
Leland G. DeGrasse
Helen E. Freedman
Sheila Abdus-Salaam
Sallie Manzanet-Daniels, Justices.

-----X

In the Matter of

Joel O. and Kenneth O.,

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

M-2252
Docket Nos. NN-25390-1/09

Administration for Children's
Services,
Petitioner-Respondent,

Yvonne O.,
Respondent-Appellant,

Alberto T.,
Respondent-Appellant.

Steven Banks, Esq., The Legal Aid
Society, Juvenile Rights Division,
Attorney for the Children.

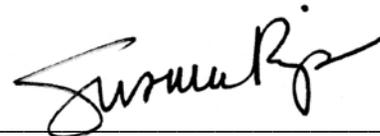
-----X

Respondent-appellant, Alberto T., having moved for leave to prosecute, as a poor person, the appeal from an order of fact-finding and disposition of the Family Court, Bronx County, entered on or about December 1, 2010, 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, Patricia Jellen, Esq., 245 Park Drive, Eastchester, New York 10709, Telephone No. 914-793-7534, 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 therefor¹ **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, in compliance with Rule 600.11 of the Rules of this Court, **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:



CLERK

¹Service 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 7, 2011.

Present: Hon. David B. Saxe, Justice Presiding
Leland G. DeGrasse
Helen E. Freedman
Sheila Abdus-Salaam
Sallie Manzanet-Daniels, Justices.

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

-against-

M-2077
Ind. No. 1132/10

Edgar Imbert,
Defendant-Appellant.

-----X

Defendant having renewed the motion for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about December 22, 2010, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of 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, 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 7, 2011.

Present - Hon. David B. Saxe, Justice Presiding,
James M. Catterson
Rolando T. Acosta
Sheila Abdus-Salaam
Nelson S. Román, Justices.

-----X
In the Matter of a Family Offense
Proceeding Under Article 8 of
the Family Court Act.

Myles M., M-1751
Petitioner-Respondent, Docket Nos. V-02882-10
-against- V-02882-10/10A
V-14731-10
V-14731-10/10A
Pei-Fong K.,
Respondent-Appellant.

-----X

Respondent mother having moved for leave to appeal to this Court from the temporary order of visitation entered in the office of the Family Court, New York County, on or about March 28, 2011, and for leave to prosecute the appeal as a poor person, 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, Steven N. Feinman, Esq., 19 Court Plaza, Suite 201, White Plains, New York 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 therefor¹ **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

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

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, in compliance with Rule 600.11 of the Rules of this Court, **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.** (See M-1751A, decided simultaneously herewith.)

ENTER:

A handwritten signature in black ink, appearing to read "Susan R. Jones", written in a cursive style.

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in in the County of New York on July 7, 2011.

PRESENT: Hon. David B. Saxe, Justice Presiding,
John W. Sweeny, Jr.
James M. Catterson
Helen E. Freedman
Nelson S. Román, Justices.

-----X
Sharmaine Edwards,
Plaintiff-Appellant,

-against-

M-2076
Index No. 400190/00

New York City Transit Authority,
Manhattan and Bronx Surface Transit
Operating Authority and Jerome Pinsker,
Defendants-Respondents.

-----X

An order of this Court (M-6148) having been entered on March 22, 2011, denying plaintiff-appellant's pro se motion for relief in the nature of a stay of proceedings pending hearing and determination of a purported appeal taken from the order of the Supreme Court, New York County, entered on or about April 1, 2002, and for related relief,

And plaintiff-appellant having moved for leave to prosecute, as a poor person, the aforesaid appeal, for reargument of the order of this Court (M-6148) entered March 22, 2011, 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 7, 2011.

PRESENT: Hon. David B. Saxe, Justice Presiding,
Leland G. DeGrasse
Helen E. Freedman
Sheila Abdus-Salaam
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of

Andre L.,

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

M-2062
Docket No. NN12247/07

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

Yolanda L.,
Respondent-Appellant.

- - - - -
Steven Banks, Esq.,
Attorney for the Child.

-----X

Respondent-appellant mother, in connection with her appeals from orders of the Family Court, Bronx County, entered on or about December 8, 2009 and on or about January 4, 2010, respectively, having moved for an enlargement of time in which to perfect the 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 to the extent of enlarging the time in which to perfect the appeals to the December 2011 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 7, 2011.

Present - Hon. David B. Saxe, Justice Presiding,
Rolando T. Acosta
Leland G. DeGrasse
Sheila Abdus-Salaam
Sallie Manzanet-Daniels, Justices.

-----x

In the Matter of

Jaquan M.,

A Person Alleged to be a Juvenile
Delinquent,

M-2273

Docket No. D32412/10

Respondent-Appellant.

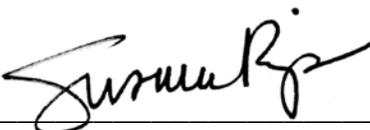
-----x

Respondent-appellant having moved for an enlargement of time in which to perfect the appeal from the order of disposition of the Family Court, New York County, entered on or about August 10, 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 to the extent of enlarging the time in which to perfect the appeal to the November 2011 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 7, 2011.

PRESENT: Hon. David B. Saxe, Justice Presiding,
Rolando T. Acosta
Leland G. DeGrasse
Sheila Abdus-Salaam
Sallie Manzanet-Daniels, Justices.

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

-against-

Wayne Hunter,
Defendant-Appellant.

M-2244
Ind. Nos. 5251/07
6131/07
5222/06

-----X

Appeals having been taken from judgments of the Supreme Court, New York County, rendered on or about April 13, 2009, April 24, 2009 and December 9, 2010, and said appeals having been perfected,

And defendant-appellant having moved for leave to file a pro se supplemental brief in connection with the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about April 13, 2009, under Indictment No. 6131/07, for a copy of the trial transcripts and for an enlargement of time in which to file said pro se supplemental brief,

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 a single pro se supplemental brief under Indictment No. 6131/07, on or before September 6, 2011, for the December 2011 Term, to which Term the three perfected appeals are 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 7, 2011.

Present: Hon. David B. Saxe, Justice Presiding,
Leland G. DeGrasse
Helen E. Freedman
Sheila Abdus-Salaam
Sallie Manzanet-Daniels, Justices.

-----X
Mark S. Taylor and Nina Z. Parks-Taylor,

Plaintiffs-Appellants,

-against-

M-2050

Index No. 119108/06

Paskoff & Tamber, LLP, et al.,

Defendants-Respondents.

-----X
(And a third-party action)
-----X

Plaintiffs-appellants having moved for consolidation of the appeals taken from orders of the Supreme Court, New York County, entered on or about October 7, 2010 (mot. seq. no. 011) and on or about April 7, 2011 (mot. seq. no. 012),

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 9 copies of one record and of one set of appellant's points covering the appeals. The attention of the parties is directed to 22 NYCRR 600.11.

ENTER:


CLERK

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

BEFORE: Hon. Sheila Abdus-Salaam
Justice of the Appellate Division

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

M - 2260
Ind. No. 1239-03

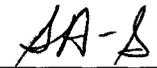
-against-

CERTIFICATE
DENYING LEAVE

Jeffrey Goodson
Defendant.

-----X

I, Sheila Abdus-Salaam, 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 December 3, 2010 is hereby denied.



Associate Justice

Dated: June 13, 2011
New York, New York

ENTERED: July 7, 2011

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

Before: Hon. James M. Catterson
Justice of the Appellate Division

-----X
In the Matter of a Family Offense
Proceeding Under Article 8 of
the Family Court Act.

Myles M.,
Petitioner-Respondent,

-against-

M-1751A
Docket Nos. V-02882-10
V-02882-10/10A
V-14731-10
V-14731-10/10A

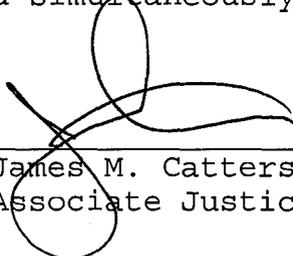
Pei-Fong K.,
Respondent-Appellant.
-----X

Respondent-appellant mother having moved for a stay of the temporary order of visitation entered in the office of the Family Court, New York County, on or about March 28, 2011, 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 granted and the temporary order of visitation is stayed pending hearing and determination of the appeal. (See M-1751, decided simultaneously herewith.)

Dated: New York, New York



James M. Catterson
Associate Justice

Entered: July 7, 2011

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 7, 2011.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Leland G. DeGrasse
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----x
In the Matter of Tracy A. Bloodsaw
(admitted as Tracy Ann Bloodsaw),
an attorney and counselor-at-law:

Departmental Disciplinary Committee
for the First Judicial Department,
Petitioner,

M-1244

Tracy A. Bloodsaw,
(OCA Atty. Reg. No. 2842870),
Respondent.

-----x
The Departmental Disciplinary Committee for the First Judicial Department, by Jorge Dopico, its Chief Counsel (Kevin M. Doyle, of counsel) having moved this Court on April 19, 2011, for an order pursuant to 22 NYCRR 603.4(e)(1)(i) and (iv), immediately suspending respondent (who, as Tracy Ann Bloodsaw, was admitted to practice as an attorney and counselor-at-law in the State of New York at a Term of the Appellate Division of the Supreme Court for the Second Judicial Department on January 14, 1998) from the practice of law until further order of this Court, based upon her failure to cooperate with a Committee investigation into allegations of professional misconduct, and her failure or refusal to pay money owed to a client, actions which immediately threaten the public interest,

And respondent having failed to appear herein and having failed to interpose a response to the motion,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, and upon the Opinion Per Curiam filed herein, it is unanimously,

Ordered that the motion is granted and respondent is suspended from the practice of law in the State of New York, effective the date hereof, until such time as disciplinary matters pending before the Committee have been concluded and until further order of this Court, and it is further,

Ordered that respondent is commanded to desist and refrain from the practice of law in any form, either as principal or agent, clerk or employee of another; that respondent is forbidden to appear as an attorney or counselor-at-law before any court, judge, justice, board, commission or other public authority; that respondent is forbidden to give to another an opinion as to the law or its application or any advice in relation thereto. Respondent is directed to fully comply with the provisions of Title 22, Section 603.13, of the Rules of this Court, a copy of which is annexed hereto and made a part 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 7, 2011.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David Friedman
John W. Sweeny, Jr.
James M. Catterson, Justices.

-----x

In the Matter of Cary M. Hirshon
(admitted as Cary Martin Hirshon),
(OCA Atty. Reg. No. 2532844),
a suspended attorney:

Petitioner,

M-1310

For Reinstatement to the Bar
of the State of New York,

Departmental Disciplinary Committee
for the First Judicial Department,
Respondent.

-----x

An order of this Court having been entered on June 28, 2005 (M-610), inter alia, immediately suspending petitioner (who, as Cary Martin Hirshon, was admitted to practice as an attorney and counselor-at-law in the State of New York at a Term of the Appellate Division of the Supreme Court for the Second Judicial Department on May 5, 1993) from the practice of law in the State of New York, effective the date thereof, for an indefinite period of time upon the grounds he was suffering from a mental condition which made it impossible for him to adequately defend himself, and holding the proceeding in abeyance until further order of this Court,

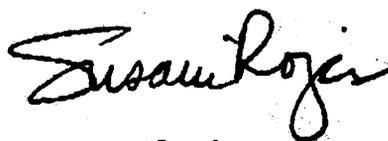
And petitioner, by his attorneys Hinshaw & Culbertson, LLP (Hal R. Lieberman, of counsel), having submitted a petition to this Court on May 4, 2011, for an order pursuant to Judiciary Law § 90 and 22 NYCRR § 603.16(e), reinstating him as an attorney and counselor-at-law in the State of New York,

And the Departmental Disciplinary Committee for the First Judicial Department, by Jorge Dopico, its Chief Counsel (Kevin E.F. O'Sullivan and Jeremy S. Garber, of counsel) having submitted an affirmation and supplemental affirmation to this Court stating, inter alia, that they do not oppose petitioner's application for reinstatement,

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

Ordered that the petition is granted, and petitioner is reinstated as an attorney and counselor-at-law in the State of New York, effective the date hereof.

ENTER:

A handwritten signature in cursive script, appearing to read "Susan Rojas".

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 7, 2011.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
David Friedman
John W. Sweeny
Leland G. DeGrasse, Justices.

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

Departmental Disciplinary Committee
for the First Judicial Department,
Petitioner,

M-2689

Anthony Joseph Tuths,
admitted on 9-23-1997, at a
Term of the Appellate Division,
Third Department,
(OCA Atty. Reg. No. 2843340)
Respondent.

-----X
An order of this Court having been entered on October 21, 2010 [M-3067.1310], inter alia, suspending the above-named respondent from practice as an attorney and counselor-at-law in the State of New York, effective immediately, and until the further order of this Court, for failure to comply with Judiciary Law §468-a,

And respondent having moved for an order granting reinstatement as an attorney and counselor-at-law in the State of New York,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, and it appearing that respondent complied with Judiciary Law §468-a on or about February 17, 2011, subsequent to the effective date of the aforesaid order,

It is ordered that the motion is granted and respondent is reinstated as an attorney and counselor-at-law in the State of New York, effective the date 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 7, 2011.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
David B. Saxe
James M. Catterson
Leland G. DeGrasse
Helen E. Freedman, Justices.

-----X
In the Matter of Glenn J. Caldwell
(admitted as Glenn James Caldwell),
(OCA Atty. Reg. No. 1090489),
a suspended attorney:

Petitioner,

For Reinstatement to the Bar
of the State of New York,

M-1830

Departmental Disciplinary Committee
for the First Judicial Department,
Respondent.

-----X
An unpublished order of this Court having been entered on May 9, 2003 (M-2147), inter alia, appointing a Hearing Panel to conduct a hearing and file a report in the above-referenced proceeding on formal charges against petitioner (who was admitted to practice as an attorney and counselor-at-law in the State of New York at a Term of the Appellate Division for the First Judicial Department on February 10, 1975),

And an order of this Court having been entered on February 16, 2006 (M-1475), inter alia, suspending petitioner from the practice of law in the State of New York for a period of three years, effective March 20, 2006 and until further order of this Court,

And petitioner pro se having submitted a petition to this Court on June 3, 2011, seeking an order pursuant to 22 NYCRR 603.14 reinstating him as an attorney and counselor-at-law in the State of New York,

July 7, 2011

And the Departmental Disciplinary Committee for the First Judicial Department, by Jorge Dopico, its Chief Counsel (Norma I. Lopez, of counsel) having submitted an affirmation in opposition to the petition, requesting that the matter be referred to a Referee or Hearing Panel of the Committee for a hearing and recommendation concerning whether petitioner meets the standards for reinstatement set forth in 22 NYCRR 603.14(b),

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

Ordered that the petition is granted only to the extent of referring this matter, pursuant to 22 NYCRR 603.14(g), to the Committee to designate a Hearing Panel to conduct a hearing, where petitioner will have the burden of establishing by clear and convincing evidence that he has fully complied with the order of suspension and that he possesses the requisite character and general fitness to resume the practice of law and otherwise meets the standards for reinstatement set out in Section 603.14(b) of the Rules of this Court; and directing petitioner to show cause forthwith before the Hearing Panel, which shall hold a hearing within 90 days from the date of entry hereof and issue a report and recommendation to this Court.

ENTER:

A handwritten signature in black ink, appearing to read "Susan Rojas". The signature is written in a cursive, flowing style.

Clerk

PM ORDERS

ENTERED ON

JULY 7, 2011

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 7, 2011.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----x
In the Matter of

Isabella B.,

A Child Under 18 Years of Age Alleged to be Neglected Under Article 10 of the Family Court Act.

The Commissioner of Social Services,
Petitioner-Appellant,

M-2852
Docket No. NN-22474/11

Mary B.,
Respondent-Respondent.

Steven Banks, Esq., The Legal Aid Society, Juvenile Rights Division,
Attorney for the Child.

-----x

An appeal having been taken to this Court from the order of the Family Court, New York County, entered on or about June 16, 2011,

And petitioner-appellant having moved for a stay of the order 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 denied, and the interim relief granted by an order of a Justice of this Court dated June 17, 2011, is vacated. Petitioner-appellant is directed to perfect the appeal on or before September 6, 2011 for the November 2011 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 7, 2011.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X
Daniel O'Keefe,
Plaintiff-Respondent,

-against-

M-2619
Index No. 650641/11

221 West 82nd LLC,
Defendant-Appellant.
-----X

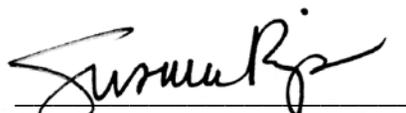
A purported appeal having been taken to this Court from an Order to Show Cause of the Supreme Court, New York County, entered on or about March 16, 2011, granting certain relief pending determination of a motion,

And defendant-appellant having moved for vacatur of the aforesaid relief granted on or about March 16, 2011, and for a stay of an order of the Supreme Court, New York County, entered on or about June 2, 2011,

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, to the extent it seeks vacatur of the relief granted on or about March 16, 2011, is denied, said Order to Show Cause having been superceded by the order of Supreme Court, New York County, entered on or about June 2, 2011. The motion, to the extent it seeks a stay of the order entered June 2, 2011, is denied, without prejudice to renewal upon submission of a timely filed notice of appeal from said order.

ENTER:


CLERK