

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 May 17, 2011.

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

-----X  
Melissa Luftman,

Plaintiff-Respondent,

-against-

Fashion 21, Inc., et al.,

Defendants,

-and-

The Original, Inc.,

Defendant-Appellant.  
-----X

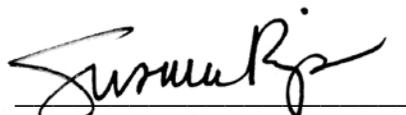
M-1576X  
Index No. 107761/06

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about January 4, 2011 (mot. seq. no. 006),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 4, 2011, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 17, 2011.

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

-----X

Jesus Solis,

Plaintiff-Respondent,

-against-

M-1313

Index No. 108282/08

Health Advocates for Older People  
Housing Development Fund Company, Inc.,  
doing business as Carnegie East House,

Defendant-Appellant.

-----X

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

And counsel for defendant-appellant, Law Offices of Edward Garfinkel (James K. O'Sullivan, of counsel), having moved for an order deeming the appeal withdrawn,

Now, upon reading and filing the 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It is ordered that the motion is granted and the appeal is deemed withdrawn.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 May 17, 2011.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
John W. Sweeny, Jr.  
Karla Moskowitz  
Rolando T. Acosta  
Sallie Manzanet-Daniels, Justices.

-----X

In the Matter of

Samron Troy G., and  
Ronald Anthony G., Jr.,

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

**M-1421**  
Docket No. B4229/10  
B25324/09

-----  
Catholic Guardian Society and Home  
Bureau, et al.,  
Petitioners-Respondents,

Ronald G.,  
Respondent-Appellant.

-----  
Michael Scherz, Esq., Lawyers for  
Children,  
Attorney for the Children.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeals from orders of the Family Court, New York County, entered on or about January 20, 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 sua sponte consolidating the aforesaid appeals, and (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Geoffrey P. Berman, Esq., 2005 Palmer Avenue, #76, Larchmont, NY 10538, Telephone No. (914) 834-3053, as counsel for purposes of prosecuting the consolidated appeals; (2) directing

the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor<sup>1</sup> **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect the consolidated appeals, 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

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 17, 2011.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Richard T. Andrias  
Rolando T. Acosta  
Sheila Abdus-Salaam, Justices.

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

-against- **M-1213**  
Ind. No. 2308/08

Ross Campbell,  
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, Bronx County, rendered on or about November 23, 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 May 17, 2011.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Richard T. Andrias  
Diane T. Renwick  
Sheila Abdus-Salaam, Justices.

-----X  
New York City Campaign Finance Board,  
Plaintiff-Respondent,

-against-

Garth Marchant,  
Defendant-Appellant,

**M-1515**  
Index No. 403573/05

-and-

Nse Udo, as Treasurer of Friends of  
Garth Marchant, et al.,  
Defendants.

-----X

Defendant-appellant having renewed his motion for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, entered on or about December 7, 2010, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is 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 May 17, 2011.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
John W. Sweeny, Jr.  
Karla Moskowitz  
Rolando T. Acosta  
Sallie Manzanet-Daniels, Justices.

-----X  
Carlton Mackay,  
Plaintiff-Appellant,

-against-

M-1307  
Index No. 101934/08

Edward C. Yoon and Gene S. Yoon,  
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about May 20, 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 September 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 May 17, 2011.

Present - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
David B. Saxe  
James M. Catterson  
Rolando T. Acosta, Justices.

-----X  
James L. Melcher,  
Plaintiff-Appellant-Respondent/  
Plaintiff-Respondent,

-against-

M-856  
Index No. 604047/03

Apollo Medical Fund Management L.L.C.  
and Brandon Fradd,  
Defendants-Respondents-Appellants/  
Defendants-Appellants.

-----X

An appeal and cross appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about September 8, 2009, and appeals having been taken from the order of said Court entered on or about January 8, 2010, and from the judgment of said Court entered on or about February 2, 2010,

And an order of this Court having been entered on January 25, 2011 (M-6058), inter alia, striking portions of plaintiff-respondent's brief,

And plaintiff-respondent having moved for leave to appeal to the Court of Appeals from the aforesaid order (M-6058),

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. (See Appeal Nos. 4759/4764, decided simultaneously herewith.)

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 May 17, 2011.

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

-----X  
Poah One Acquisition Holding V  
Limited,

Plaintiff-Respondent,

-against-

M-1551  
Index No. 600917/10

Gilbert Richard Armenta and E Oliver  
Capital Group LLC,

Defendants-Appellants.  
-----X

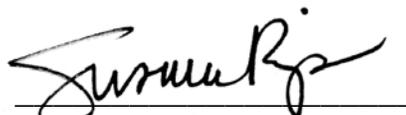
An appeal having been taken from the order of the Supreme Court, New York County, entered on or about October 8, 2010,

And Davidson & Grannum, LLP, (Sandra D. Grannum, of counsel), having moved to withdraw as appellate counsel of the record for defendants-appellants,

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 Sandra D. Grannum, Esq., is permitted to withdraw as appellate counsel of record for defendants-appellants.

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 May 17, 2011.

Present: Hon. Peter Tom, Justice Presiding  
Richard T. Andrias  
David Friedman  
Sheila Abdus-Salaam  
Nelson S. Román, Justices.

-----X

Lillian Cohen,

Plaintiff-Appellant,

-against-

The City of New York,

Defendant-Respondent.

-----X

M-1522  
Index No. 118228/06

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about June 3, 2010 (mot. seq. no. 002),

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 September 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 May 17, 2011.

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

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

Nilda Macri, Spouse of Deceased  
Police Officer Frank Macri,  
Petitioner-Respondent,

For a Judgment Pursuant to Article 78 of the Civil Practice Law and Rules,  
M-926  
Index No. 115286/09

-against-

Raymond W. Kelly, as Police Commissioner of the City of New York, and a Chairman of the Board of Trustees of the Police Pension Fund, Article II, The Board of Trustees of the Police Pension Fund, Article II, and the City of New York,  
Respondents-Appellants.

-----X

Respondents-appellants having moved for an enlargement of time in which to perfect the appeal from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about May 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 on or before July 11, 2011 for the September 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 May 17, 2011.

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

-----X  
Sidikie Kamara,  
Plaintiff-Appellant,

-against-

M-1218  
Index No. 121883/07

Raphael Ambert, also known as "Ray  
Ambert," et al.,  
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about October 2, 2009 (mot. seq. no. 002),

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to on or before July 11, 2011 for the September 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 May 17, 2011.

Present - Hon. Peter Tom, Justice Presiding,  
Angela M. Mazzarelli  
David Friedman  
Diane T. Renwick  
Leland G. DeGrasse, Justices.

-----x  
In the Matter of the Application of  
Mark A. Landis, Temporary Guardian  
of the Property,

Petitioner-Respondent,

For the appoint a guardian for

M-1612  
Index No. 500155/10

Lea D., also known as Claire H.,  
also known as Claire D.,  
Respondent-Appellant,

An Alleged Incapacitated Person.  
-----x

Separate appeals having been taken to this Court from orders of the Supreme Court, New York County, entered on or about February 23, 2011 (mot. seq. no. 001), and March 21, 2011 (mot. seq. no. 003), respectively,

And respondent-appellant having moved for injunctive relief preventing the temporary guardian from accessing personal and medical records, 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 continuing the interim relief granted by an order of a Justice of this Court entered April 6, 2011, further such restrictions as are extant, if any, on the temporary guardian's authority to release to the court evaluator medical records containing information necessary for the court evaluator's report to the

(M-1612)

-2-

May 17, 2011

Court, are hereby vacated. The motion is otherwise denied, without prejudice to further proceedings in Supreme Court.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 17, 2011.

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

-----X

In the Matter of

Brandon R., also known as  
Brandon Lee R., also known as  
Brandan R.,

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

- - - - -

Children's Aid Society,  
Petitioner-Respondent,

M-1335B  
Docket No. B-16833/09

Chrystal R., also known as  
Chrystal Michelle R., also known as  
Crystal R.,  
Respondent-Appellant.

- - - - -

Hal Silverman, Esq.,  
Lawyers for Children, Inc.,  
Attorney for the Child.

-----X

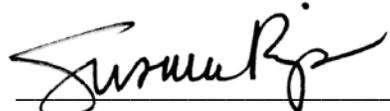
Respondent-appellant mother having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about December 3, 2010, and for assignment of counsel, a free copy of the transcript, and for related relief,

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, Morningside Heights Legal Services, Inc., Philip M. Genty, Esq., 435 W. 116<sup>th</sup> Street, New York, New York 10027, Telephone No. (212) 854-3123, as counsel for purposes of prosecuting the appeals, (2) directing the Clerk of said

Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor<sup>1</sup> **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) counsel for 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. **Counsel for appellant is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** The order of this Court entered on May 10, 2011 (M-1335) is hereby recalled and vacated. The stay granted by the order of a Justice of this Court entered May 10, 2011 (M-1335A) is continued on condition that the appeal be perfected in accordance with the direction contained in this order (numbered 3), and the prior condition contained therein is vacated.

ENTER:

  
CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 17, 2011.

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

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

-against-

M-1336  
Ind. No. 6769/99

Roberto Estremera,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from an order of **resentence** of the Supreme Court, New York County, entered on or about November 19, 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:

  
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 May 17, 2011.

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

-----x  
The People of the State of New York  
ex rel. Joseph Fulton, also known as  
Ricky Saunders,  
Petitioner-Appellant,

-against-

M-1351  
Index No. 340235/10

Warden, Rikers Island Correctional  
Facility and New York State Division  
of Parole,  
Respondents-Respondents.

-----x

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County, entered on or about June 24, 2010, which dismissed a habeas corpus proceeding, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for the assignment of counsel,

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

It is ordered that said motion is denied, with leave to renew upon petitioner-appellant's submission of a detailed notarized affidavit, in compliance with CPLR 1101(a), including a statement of facts to show the merit of contentions. Sua sponte, enlarge the time to perfect the appeal to the September 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 May 17, 2011.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Dianne T. Renwick  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----X  
Leon O. Woods,  
Respondent-Respondent,

-against-

M-1409  
Index No. 17360/06

M.B.D. Community Housing Corporation  
doing business as M.B.D. Management  
Corporation, et al.,  
Defendants-Appellants.  
-----X

Defendants-appellants having moved for an enlargement of time in which to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about January 19, 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 September 2011 Term, with no further enlargements to be granted.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 17, 2011.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Dianne T. Renwick  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----x

Ian Gavigan,  
Plaintiff-Respondent-Appellant,

-against-

M-1247  
Index No. 109761/06

The City of New York,  
Defendant-Appellant-Respondent,

-and-

Petrocelli Electric Company, Inc.,  
et al.,  
Defendants.

-----x

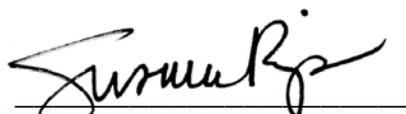
An appeal and cross appeal having been taken from the order of the Supreme Court, New York County entered on or about December 15, 2009 (mot. seq. nos. 001, 002),

And defendant-appellant-respondent having moved for an enlargement of time in which to perfect the direct 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 enlarging the time in which to perfect the appeal and cross appeal to the September 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 May 17, 2011.

Present: Hon. Richard T. Andrias, Justice Presiding  
David B. Saxe  
James M. Catterson  
Sheila Abdus-Salaam  
Sallie Manzanet-Daniels, Justices.

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

-against-

M-1135  
Ind. No. 2594/10

Charles Smith,  
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 November 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, 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 May 17, 2011.

Present: Hon. Richard T. Andrias, Justice Presiding  
David B. Saxe  
James M. Catterson  
Sheila Abdus-Salaam  
Sallie Manzanet-Daniels, Justices.

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

-against-

M-1153  
Ind. No. 4169/10

Jerredy Baez, also known as  
J Black,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about December 2, 2010, for leave to prosecute the appeal as a poor person 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 deeming the moving papers as a timely filed notice of appeal and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 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 May 17, 2011.

Present: Hon. Richard T. Andrias, Justice Presiding  
David B. Saxe  
James M. Catterson  
Sheila Abdus-Salaam  
Sallie Manzanet-Daniels, Justices.

-----X

In the Matter of the Application of  
the State of New York,  
Petitioner-Respondent,

M-1104  
Index No. 406721/07  
SCID No. 30061/08

For Civil Management Pursuant to  
Article 10 of the Mental Hygiene Law,

-against-

Floyd Y.,  
Respondent-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about July 7, 2010,

And respondent-appellant having moved, pursuant to Mental Hygiene Law §10.13[c], for leave to prosecute, as a poor person, the aforesaid appeal, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for the assignment of counsel,

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

Ordered that the motion is granted to the extent of 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 General of the State of New York and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record.

Marvin Bernstein, Esq., Director of Mental Hygiene Legal Services, 41 Madison Avenue, 26<sup>th</sup> Floor, New York, NY 10010, Telephone No. (646) 386-5891, is assigned as counsel for purposes of prosecuting the appeal on respondent's behalf.

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 May 17, 2011.

Present: Hon. Richard T. Andrias, Justice Presiding  
David B. Saxe  
James M. Catterson  
Sheila Abdus-Salaam  
Sallie Manzanet-Daniels, Justices.

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

Respondent,

-against-

M-1119  
Ind. No. 4825/06

Shannon Alexander,

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 14, 2010, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is 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 pay the fee of trial counsel, George Sheinberg, Esq., and to post the \$4,500 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 May 17, 2011.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,  
David B. Saxe  
James M. Catterson  
Sheila Abdus-Salaam  
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,

Appellant,

-against-

M-1170  
Ind. No. 7490/99

Arden Houghton, also known as  
Arden Haughton,

Defendant-Respondent.

-----X

The People having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about June 29, 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 September 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 May 17, 2011.

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

-----X

Olga Nazario,  
Plaintiff-Respondent,

-against-

The New York City Housing Authority,  
Defendant-Appellant.

-----X

The New York City Housing Authority,  
Third-Party Plaintiff-Appellant,

-against-

Antoine Mitchell and Michael Jordan,  
Third-Party Defendants-Respondents.

-----X

Defendant/third-party plaintiff-appellant having moved for an order staying the trial in the above-entitled action 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.

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 May 17, 2011.

PRESENT: Hon. David B. Saxe, Justice Presiding,  
David Friedman  
Helen E. Freedman  
Rosalyn H. Richter  
Sheila Abdus-Salaam, Justices.

-----X  
Edward Lassen,  
Plaintiff-Appellant,

-against-

M-1566  
Index No. 307630/08

Dunkin' Donuts Incorporated  
and Dunkin' Brands, Inc.,  
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about June 28, 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 September 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 May 17, 2011.

PRESENT: Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
Leland G. DeGrasse  
Sheila Abdus-Salaam  
Nelson S. Román, Justices.

-----X  
Luis Casas, by his Guardian,  
Betty Casas,  
Plaintiff-Respondent,

-against-

M-1215  
Index No. 115106/04

Consolidated Edison Company of New  
York, Inc.,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for dismissal of the appeal taken from order of the Supreme Court, New York County, entered on or about October 31, 2006,

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 May 17, 2011.

PRESENT: Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
Leland G. DeGrasse  
Sheila Abdus-Salaam  
Nelson S. Román. Justices.

-----X

The Lansco Corporation,  
Plaintiff-Respondent,

-against-

M-1346  
Index No. 601089/10

Strike Holdings LLC,  
Defendant-Respondent,

-and-

GFI Realty Services, Inc.,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for a stay of all proceedings pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about January 27, 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

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

BEFORE: Hon. JAMES M. MCGUIRE  
Justice of the Appellate Division

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

Respondent,

M-1777  
Ind. No. 4456/06

-against-

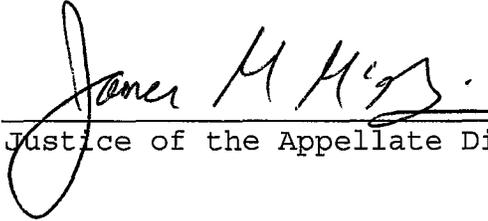
HANS ALEXANDER,

CERTIFICATE GRANTING  
LEAVE TO APPEAL  
TO THE COURT OF APPEALS

Defendant-Appellant.  
-----X

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

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

  
Justice of the Appellate Division

Dated: May 3, 2011  
New York, New York

ENTERED: **MAY 17 2011**

\*Description of Order:

Supreme Court, New York County, entered on October 24, 2008.  
App. Div., First Dept., Appeal No. 1979, affd on March 29, 2011.

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

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

BEFORE: Hon. Rolando T. Acosta  
Justice of the Appellate Division

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

M - 1354  
Ind. No. 3806/2004

-against-

CERTIFICATE  
DENYING LEAVE

Kenneth Lewis,

Defendant.

-----X

I, Rolando T. Acosta, 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, Bronx County, entered on or about January 19, 2011, is hereby denied.



Hon. Rolando T. Acosta  
Associate Justice

Dated: May 2, 2011  
New York, New York

ENTERED: **MAY 17 2011**

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

BEFORE: Sallie Manzanet-Daniels  
Justice of the Appellate Division

-----x  
Lydia D.,  
Plaintiff-Respondent,

-against-

Thomas B., IV,  
Defendant-Appellant.  
-----x

M-4912  
M-1030  
Docket Nos.  
30-F-14747/06  
30-F-3040/06

An appeal having been taken to this Court from the judgment of the Family Court, New York County, entered on or about December 10, 2010,

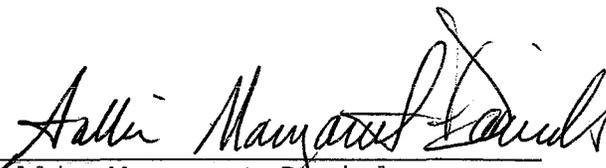
And defendant-appellant having moved, by separate motions, for a stay of execution of the aforesaid judgment pending hearing and determination of the appeal taken therefrom,

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

It is ordered that the motions are granted to the extent of staying execution of the judgment, on condition defendant-appellant, within 20 days of the date of entry hereof, posts an undertaking in the amount of \$112,739.45 in counsel fees, representing \$100,000 plus interest in the amount of \$2,739.45, and on further condition that defendant-appellant perfects the appeal on or before July 11, 2011 for the September 2011 Term. Upon failure to fulfill either condition plaintiff-respondent may move *ex parte* for vacatur of the aforesaid stay.

Dated: New York, New York

Entered: **MAY 17 2011**

  
Sallie Manzanet-Daniels  
Associate Justice