

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 16, 2012.

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

-----X
Barbara Scelzo,
Plaintiff-Respondent,

-against-

Acklinis Realty Holding LLC and
Acklinis Yonkers Realty, LLC,
Defendants-Appellants,

Best Buy Co. Inc. and Best Buy
Stores, Inc.,
Defendants-Appellants,

M-130X
Index No. 7654/07

Lewiston Construction Companies, LLC,
Defendant-Appellant,

-and-

Anthony V. Carella M.D., et al.,
Defendants.

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

Appeals having been taken from an order of the Supreme Court, Bronx County, entered on or about March 31, 2011,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" January 10, 2012, and due deliberation having been had thereon,

It is ordered that the appeals are withdrawn in accordance with the aforesaid stipulation.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 16, 2012.

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

-----X
AXA Art Insurance Corporation, as
Subrogee of Steven A. Cohen,
Plaintiff-Respondent,

-against-

M-4093
Index No. 105968/08

Arenson Office Furnishing, Inc.,
Defendant-Appellant.

-----X

An appeal having been taken from order of the Supreme Court, New York County, entered on or about June 30, 2011 (mot. seq. no. 002),

Now, upon reading and filing the stipulation of the parties hereto, dated September 1, 2011, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the October 2011 Term, is withdrawn in accordance with the aforesaid stipulation, the underlying action having been settled.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 16, 2012.

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

-----X
In the Matter of a Proceeding for
Custody/Visitation Under Article 6
of the Family Court Act.

Pedro A.,
Petitioner-Respondent,

M-329
Docket No. V24039/09

-against-

Susan M.,
Respondent-Appellant.

Beth Ann Krause, Esq., The Children's
Law Center, Attorney for the subject
child, Alesandra A.,
Appellant.

-----X
An appeal having been taken by respondent-appellant mother,
Susan M., from the order of the Family Court, Bronx County, entered
on or about April 25, 2011, and said appeal having been perfected,

And The Children's Law Center (Beth Ann Krause, of counsel),
attorney for the subject child Alesandra A., having taken an appeal on
the child's behalf from the said order of the Family Court, Bronx
County, entered on or about April 25, 2011,

And The Children's Law Center (Janet Neustaetter, of counsel),
attorney for the subject child, having moved to withdraw their
aforesaid appeal,

Now, upon the reading and filing the papers with respect to the
motion, and the correspondence of The Children's Law Center (Janet
Neustaetter, of counsel), attorney for the subject child, dated
January 11, 2012, and due deliberation having been had thereon,

It is ordered that the appeal taken on behalf of the subject
child is deemed withdrawn in accordance with the aforesaid
correspondence. The perfected appeal taken by respondent-appellant
mother remains extant.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 16, 2012.

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-173
Ind. No. 196N/09

Dashawn Cassidy,
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 9, 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 February 16, 2012.

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

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

-against-

M-174
Ind. No. 3505N/08

Hector Castillo,
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 24, 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 February 16, 2012.

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-177
Ind. No. 3677/11

Kaubar Dobbins,
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 22, 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 February 16, 2012.

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-179
Ind. No. 4607/10

Henry Darden,
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 14, 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 February 16, 2012.

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

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

-against- M-182
Ind. No. 2433N/11

Alain Fils-Aime,
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 1, 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.

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 February 16, 2012.

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-184
Ind. Nos. 3898N/10
5303/10

Damon Freeman,
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 9, 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 February 16, 2012.

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

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

-against- M-190
Ind. No. 4501/10

Wayne Hayward,
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 December 16, 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.

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 February 16, 2012.

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-192
Ind. No. 89/11

Jaquan Layne,
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 29, 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 February 16, 2012.

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

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

-against-

M-196
Ind. No. 181/11

Martin Martinez,
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 December 16, 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 February 16, 2012.

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-197
Ind. No. 1028N/10

Kain Melendez,
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 1, 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 February 16, 2012.

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-198
Ind. No. 89/11

Habiyb Mohammed,
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 29, 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.

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 February 16, 2012.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
David B. Saxe
Karla Moskowitz
Rolando T. Acosta
Helen E. Freedman, Justices.

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

-against-

M-5836
Ind. No. 791/10

Reynel Vega,
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 March 21, 2011, 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 February 16, 2012.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
David B. Saxe
Karla Moskowitz
Rolando T. Acosta
Helen E. Freedman, Justices.

-----X
Jacob Ginsburg,
Plaintiff-Appellant,

-against-

M-5835
Index No. 600630/08

Douglas Dussel Pritchard, also
known as Douglas D. Pritchard,
also known as Douglas P. Pritchard,
et al.,
Respondents-Respondents.

-----X

An order of this Court having been entered on September 29, 2011 (M-3145), inter alia, consolidating the appeals taken from orders of the Supreme Court, New York County, entered on or about December 2, 2009 (mot. seq. no. 004) and on or about June 7, 2011 (mot. seq. no. 005), respectively,

And plaintiff-appellant having moved for an enlargement of time in which to perfect the aforesaid consolidated 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 consolidated appeals to the September 2012 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 February 16, 2012.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Richard T. Andrias
Leland G. Degrasse
Rosalyn H. Richter
Sheila Abdus-Salaam, Justices.

-----X
Satellite Asset Management, L.P.,
Plaintiff-Respondent,

-against-

Fifth Avenue Building Company, LLC,
Defendant-Appellant.
-----X

M-111
Index No. 116699/10

Defendant-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on January 3, 2012 (Appeal No. 6442),

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 February 16, 2012.

Present - Hon. Peter Tom, Justice Presiding,
James M. Catterson
Leland G. DeGrasse
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----x
In the Matter of the Application for
the Custody and Guardianship of

"No Given Name" F., also known as
Ryquell F., also known as
Ryquell H.,

M-5458

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

Docket No. B-340/10

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

Toya F.,
Respondent-Appellant.

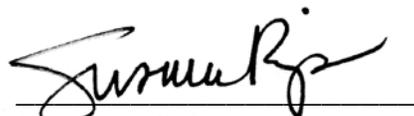
- - - - -
Steven Banks, Esq., The Legal Aid
Society, Juvenile Rights Division,
Attorney for the Child.

-----x
Petitioner-respondent Agency having moved for dismissal of
the appeal from the order of the Family Court, Bronx County,
entered on or about November 8, 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 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 March 20, 2012.

Present: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
James M. Catterson
Rosalyn H. Richter
Sheila Abdus-Salaam, Justices.

-----X

In the Matter of

Giovannie Sincere M.,
and Joseph Anthony R.,

M-83A

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

Docket Nos. **B-4250/10**
B-32278/10

Abbott House, et al.,
Petitioners-Respondents,

Dennis M., also known as
Dennis Jay M.,
Respondent-Appellant.

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

-----X

Respondent-appellant father having moved for leave to prosecute, as a poor person, the appeal from orders of the Family Court, New York County, both entered on or about December 8, 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, Julian Hertz, Esq., 15 Sherwood Drive, Larchmont, NY 10538, Telephone No. (914) 834-5461, 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.** (The order of this Court entered on February 16, 2012 [M-83] recalled and vacated.)

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 February 16, 2012.

Present: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
James M. Catterson
Rosalyn H. Richter
Sheila Abdus-Salaam, Justices.

-----X

In the Matter of

Khaliah T.,

M-5849

A Proceeding for Custody and/or Visitation Under Article 6 of the Family Court Act.

Docket No. V26372/10

- - - - -

Lorna T.,
Petitioner-Appellant,

-against-

Desiree Dannielle S.C.,
Respondent-Respondent.

- - - - -

Paul Sweeney, Esq.,
Attorney for the Child.

-----X

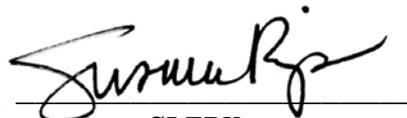
Petitioner-appellant grandmother, Lorna T., having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about October 27, 2011, and for assignment of counsel, a free copy of the transcript, and for related relief,

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, Richard L. Herzfeld, Esq., 61 Broadway, Suite #1900, New York, NY 10006, Telephone No. (212) 818-9019, 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.** (See M-85, decided simultaneously herewith.)

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 February 16, 2012.

Present: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
James M. Catterson
Rosalyn H. Richter
Sheila Abdus-Salaam, Justices.

-----X

In the Matter of

Khaliah T.,

M-85

A Proceeding for Custody and/or Visitation Under Article 6 of the Family Court Act.

Docket No. V26372/10

Lorna T.,
Petitioner-Appellant,

-against-

Desiree Dannielle S.C.,
Respondent-Respondent.

Paul Sweeney, Esq.,
Attorney for the Child.

-----X

Respondent-respondent having moved for leave to respond, as a poor person, to the appeal from the order of the Family Court, Bronx County, entered on or about October 27, 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, Leslie S. Lowenstein, Esq., 567 Sunset Drive, Woodmere, NY 11598, Telephone No. (516) 994-6831, 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 petitioner-appellant and 8 copies thereof are filed with this Court. (See M-5849, 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 February 16, 2012.

Present: Hon. Peter Tom, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Karla Moskowitz
Leland G. DeGrasse, Justices.

-----X
In the Matter of the Application
of Theodore Smith,

Petitioner-Appellant,

For a Judgment, etc.,

-against-

M-327
Index No. 108154/10

The New York City Department of
Education,

Respondent-Respondent.
-----X

Petitioner-appellant 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 March 18, 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 enlarging the time in which to perfect the appeal to the June 2012 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 February 16, 2012.

Present: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
James M. Catterson
Rosalyn H. Richter
Sheila Abdus-Salaam, Justices.

-----X
Janice Miller,

Plaintiff-Appellant,

-against-

Elrac Inc., et al.,

Defendants-Respondents.
-----X

M-5573

M-262

Index No. 103808/08

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about December 29, 2010 (mot. seq. no. 003),

And plaintiff-appellant having moved for an enlargement of time in which to perfect the aforesaid appeal (M-5573),

And defendants-respondents having cross-moved for an order dismissing same (M-262),

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-5573) is granted on condition the appeal is perfected on or before March 19, 2012 for the June 2012 Term. The cross motion (M-262) to dismiss the appeal is granted unless the appeal is perfected for said June 2012 Term. Upon failure to so perfect, an order dismissing the appeal may be entered ex parte, provided defendants-respondents serve a copy of this order upon plaintiff-appellant within 10 days after the date of entry hereof.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 16, 2012.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Karla Moskowitz
Leland G. DeGrasse, Justices.

-----X
Gloria Clark,
Plaintiff-Respondent,

-against-

M-165
Index No. 104820/09

Jay Realty Corp.,
Defendant-Appellant,

Guiding Eyes for the Blind, Inc.
and James Gardner,
Defendants-Respondents.

-----X

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about November 28, 2011, and said appeal having been perfected,

And defendant-appellant having moved for a stay of trial pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is granted.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 16, 2012.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Karla Moskowitz
Leland G. DeGrasse, Justices.

-----X
Israel Cortes and Emma Cortes,
Plaintiffs-Respondents,

-against-

M-332
Index No. 115671/07

Boston Properties Limited
Partnership, 42nd St. Development
Project, Inc. and Times Square
Tower Associates, 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, New York County, entered on or about October 18, 2011 (mot. seq. no. 002),

Now, upon reading and filing the papers with respect to the motion and the stipulation between the parties dated January 11, 2012, and due deliberation having been had thereon,

It is ordered that the motion is granted on condition the appeal is perfected on or before March 19, 2012 for the June 2012 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 February 16, 2012.

Present - Hon. Peter Tom, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Karla Moskowitz
Leland G. DeGrasse, Justices.

-----x
Martha L. Siegel, as Executrix of the
Last Will and Testament of Herbert
A. Siegel, deceased, M-67
Plaintiff-Respondent, M-255
Index No. 114101/10
-against-

Lloyd M. Siegel,
Defendant-Appellant.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about April 15, 2011, and said appeal having been perfected,

And defendant-appellant having moved (M-67) for a stay of proceedings, including discovery pending hearing and determination of the aforesaid appeal, or for alternative relief,

And plaintiff-respondent having cross-moved (M-255) for leave to strike defendant-appellant's brief an record on appeal, and for other relief,

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-67) is granted to the extent of staying all proceeding pending hearing and determination of the appeal on condition defendant re-files his brief and record on appeal as directed below, and it is further,

Ordered that the cross motion (M-255) is granted to the extent of striking defendant-appellant's brief and record on appeal; defendant is directed to serve and file a corrected brief and record as set forth in Exhibit C. to the affirmation of Richard J. Evans, Esq., submitted in support of the cross motion

(M-255), on or before March 19, 2012 for the June 2012 Term, to which Term the appeal is adjourned. The Clerk is directed to accept the corrected brief and record on appeal without further fee.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 16, 2012.

PRESENT - Hon. Peter Tom, Justice Presiding,
David B. Saxe
John W. Sweeny, Jr.
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
Lijo Panghat, M.D.,
Claimant-Appellant,

-against-

M-26
Claim No. 118300

New York State Division of Human
Rights,
Defendant-Respondent.

-----X

Claimant-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on November 22, 2011 (Appeal No. 6123),

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 February 16, 2012.

PRESENT - Hon. Peter Tom, Justice Presiding,
David B. Saxe
John W. Sweeny, Jr.
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
IMP Plumbing and Heating Corp.,
Plaintiff-Respondent,

-against-

M-5682
Index No. 115242/08

317 East 34th Street, LLC., et al.,
Defendants,

NYU Hospital Centers,
Defendant-Appellant.

-----X

Plaintiff-respondent having moved for reargument of the decision and order of this Court entered on November 22, 2011 (Appeal No. 6116),

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 February 16, 2012.

PRESENT - Hon. Peter Tom, Justice Presiding,
David B. Saxe
Karla Moskowitz
Leland G. Degrasse
Sheila Abdus-Salaam, Justices.

-----X

In re Best Payphones, Inc.,
Petitioner-Appellant,

-against-

M-5377
M-5651

Environmental Control Board of the
City of New York, et al.,
Respondents-Respondents.

Index No. 112128/08

-----X

Petitioner-appellant having moved, by separate motions, for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on October 25, 2011 (Appeal No. 5821),

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 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 February 16, 2012.

PRESENT - Hon: Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Leland G. Degrasse
Sheila Abdus-Salaam
Sallie Manzanet-Daniels, Justices.

-----X
Kiwon Standen,
Plaintiff,

-against-

M-5815
Index No. 307023/10

Daniel Standen,
Defendant.

- - - - -
Cohen Goldstein Silpe, LLP,
Non-Party Movant.
-----X

Non-party movant Cohen Goldstein Silpe, LLP having moved for leave to appeal to this Court from the order of the Supreme Court, New York County, entered on or about November 17, 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 February 16, 2012.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
Karla Moskowitz
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----X

In the Matter of

Alexander L.,

M-5563

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

Docket No. NN32364/10

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

Andrea L.,
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 appeal from the order of fact Finding of the Family Court, New York County, entered on or about April 27, 2011 and from the order of Disposition of said Court entered on or about November 16, 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, Dora M. Lassinger, Esq., 6 Howland Road, East Rockaway, NY 11518, Telephone No. (516) 887-8987, 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 February 16, 2012.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
Karla Moskowitz
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----X

In the Matter of

Diamond Lee P.,

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

M-5864
Docket No. B31229/09

Administration for Children's Services,
Petitioner-Respondent,

Paula C., also known as Paula T.,
Respondent-Appellant.

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

-----X

Respondent-appellant 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 October 24, 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, Neal D. Futerfas, Esq., 50 Main Street, Suite 1000, White Plains, NY 10606, Telephone No. (914) 682-2171, 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 February 16, 2012.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
Karla Moskowitz
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

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

Janice M., Docket Nos. O-14000/11
Petitioner-Appellant, O-14000-11/11A

M-164

-against-

Terrance J.,
Respondent-Respondent.
-----X

Respondent-respondent having moved for leave to respond, as a poor person, to the appeal from the order of the Family Court, New York County, entered on or about June 6, 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, NY 11791, Telephone No. (516) 921-8800, 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 petitioner-appellant and 8 copies thereof are filed with this Court.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 16, 2012.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
Karla Moskowitz
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----X

In the Matter of a Proceeding for Support Under Article 4 of the Family Court Act

Andre Asim M., Docket No. P2669/09
Petitioner-Appellant, **M-5376**

-against-

Madeline N.,
Respondent-Respondent.

Tennille M. Tatum-Evans, Esq.,
Attorney for the Child.

-----X

Respondent-respondent mother having moved for leave to respond, as a poor person, to the appeal from the order of the Family Court, New York County, entered on or about March 17, 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, 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 petitioner-appellant and 8 copies thereof are filed with this Court. (See M-5855 and M-5834, 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 February 16, 2012.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
Karla Moskowitz
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of a Proceeding for
Support Under Article 4 of the
Family Court Act.

Andre Asim M., Petitioner-Appellant, **M-5834**
Docket No. P2669/09

-against-

Madeline N.,
Respondent-Respondent.

Tennille M. Tatum-Evans, Esq.,
Attorney for the Child.
-----X

Brian J. Carley, Esq., Family Court attorney for subject child, having moved on the child's behalf for leave to respond, as a poor person, to the appeal from the order of the Family Court, New York County, entered on or about March 17, 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, Tennille M. Tatum-Evans, Esq., 260 Convent Avenue, Suite #34, New York, NY 10031, Telephone No. (347) 645-6660, 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 petitioner-appellant and 8 copies thereof are filed with this Court. (See M-5855 and M-5376, 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 February 16, 2012.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
Karla Moskowitz
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of a Proceeding for
Support Under Article 4 of the
Family Court Act.

- - - - -
Andre Asim M., Docket No. P2669/09
Petitioner-Appellant,

-against-

Madeline N.,
Respondent-Respondent.

- - - - -
Tennille M. Tatum-Evans, Esq.,
Attorney for Subject Child.

-----X
Petitioner-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Family Court, New York County, entered on or about March 17, 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 enlarging the time in which to perfect the appeal to on or before March 19, 2012 for the June 2012 Term. (See M-5376 and M-5834, 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 February 16, 2012.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Rolando T. Acosta
Sheila Abdus-Salaam, Justices.

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

Appellant,

-against-

M-4638
Ind. No. 6738/02

Sean Austin,

Defendant-Respondent.
-----X

The People having moved for an enlargement of time in which to perfect the appeal taken from the judgment of **resentence** of the Supreme Court, New York County, rendered on or about March 23, 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 June 2012 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 February 16, 2012.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Rolando T. Acosta
Sheila Abdus-Salaam, Justices.

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

Appellant,

-against-

Jerry Williams,

M-74
Ind. Nos. 9280/99
5364/04

Defendant-Respondent.
-----X

The People having moved for an enlargement of time in which to perfect the appeal taken from the judgment of **resentence** of the Supreme Court, New York County, rendered on or about March 17, 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 June 2012 Term. (The order of this Court entered January 5, 2012 [M-4638E] 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 February 16, 2012.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Rolando T. Acosta
Sheila Abdus-Salaam, Justices.

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

Appellant,

-against-

Mike Joseph,

Defendant-Respondent.
-----X

M-75

Ind. No. 6800/03

The People having moved for an enlargement of time in which to perfect the appeal taken from the judgment of **resentence** of the Supreme Court, New York County, rendered on or about April 27, 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 June 2012 Term. (The order of this Court entered January 5, 2012 [M-4638D] 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 February 16, 2012.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Rolando T. Acosta
Sheila Abdus-Salaam, Justices.

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

Appellant,

-against-

M-76

Ind. No. 7490/99

Arden Haughton, also known as
Arden Houghton,

Defendant-Respondent.
-----X

The People having moved for an enlargement of time in which to perfect the appeal taken from the judgment of **resentence** of the Supreme Court, New York County, rendered 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 June 2012 Term. (The order of this Court entered January 5, 2012 [M-4638C] 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 February 16, 2012.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Rolando T. Acosta
Sheila Abdus-Salaam, Justices.

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

Appellant,

-against-

William Footman,

Defendant-Respondent.
-----X

M-77
Ind. No. 4477/01

The People having moved for an enlargement of time in which to perfect the appeal taken from the judgment of **resentence** of the Supreme Court, New York County, rendered on or about September 17, 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 June 2012 Term. (The order of this Court entered January 5, 2012 [M-4638B] 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 February 16, 2012.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Rolando T. Acosta
Sheila Abdus-Salaam, Justices.

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

Appellant,

-against-

M-78

Ind. No. 4795/03

Sherill Dudley, also known as
Terry Grant,

Defendant-Respondent.
-----X

The People having moved for an enlargement of time in which to perfect the appeal taken from the judgment of **resentence** of the Supreme Court, New York County, rendered on or about April 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 June 2012 Term. (The order of this Court entered January 5, 2012 [M-4638A] 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 February 16, 2012.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
Karla Moskowitz
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----x
Akron Scott,
Plaintiff-Appellant,

-against-

M-42
Index No. 301983/07

Westmore Fuel Company Incorporated,
et al.,
Defendants-Respondents.

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

-----x
An appeal having been taken to this Court from the order of the Supreme Court, Bronx County, entered on or about January 21, 2011, and said appeal having been perfected,

And defendants-respondents Westmore Fuel Company Incorporated and Purdy Avenue Terminals, LLC having moved for an enlargement of time to file a respondents' 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 adjourning the appeal to the June 2012 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 February 16, 2012.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Leland G. DeGrasse
Rosalyn H. Richter
Sheila Abdus-Salaam, Justices.

-----X
In the Matter of the Trust Created
Under an Agreement dated April 2,
1951, Settled by

Hyman Alpert,

for the Benefit of Zane Alpert.

M-5865
Surrogate's Court
File No. 4515/75

-----X
In the Matter of the Trust Created
Under an Agreement dated April 4,
1951, Settled by

Hyman Alpert,

for the Benefit of Gail Alpert Kramer.

Lois Katz and Faya Cohen,
Co-Executors Respondents-Appellants.

-----X
In the Matter of the Trust Created
under an Agreement Dated April 6, 1951,
Settled by

Hyman Alpert,

for the Benefit of Lynn Alpert Scheck.

-----x

Consolidated appeals having been taken to this Court from orders of the Surrogate's Court, New York County, entered on or about January 14, 2010,

And co-executors respondents-appellants having moved for an enlargement of time in which to perfect the aforesaid consolidated 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 consolidated appeals to the September 2012 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 February 16, 2012.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
James M. Catterson
Karla Moskowitz
Dianne T. Renwick
Sheila Abdus-Salaam, Justices.

-----X
In re Marsiste Adolphe,
Petitioner-Appellant,

-against-

M-5866
Index No. 115047/09

New York City Board of Education,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on November 15, 2011 (Appeal No. 6020),

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 February 16, 2012.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
David Friedman
John W. Sweeny, Jr.
James M. Catterson, Justices.

-----X

In re Wayne Tatum,
Petitioner,

-against-

M-4336

Index No. 117435/05

Martin Horn, Commissioner of the
New York City Department of
Corrections, et al.,
Respondents.

-----X

A decision and order of this Court having been entered on February 15, 2012 (Appeal No. 248), confirming determination of respondents and dismissing this Article 78 proceeding transferred to this Court by order of the Supreme Court, New York County, entered on March 1, 2006,

And petitioner having moved to vacate the aforesaid decision and order of this Court entered on February 15, 2007 (Appeal No. 248),

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 February 16, 2012.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
Manuel Borbon,
Plaintiff-Appellant,

-against-

M-5650
Index No. 6074/07

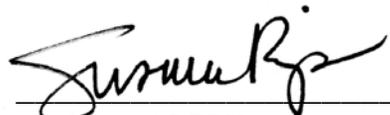
Juan C. Pescoran, et al.,
Defendants-Respondents,
-----X
(And a third-party action)
-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeals from judgments of the Supreme Court, Bronx County, entered on or about February 9, 2011 and March 22, 2011, respectively,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeals to the June 2012 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 February 16, 2012.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X

In the Matter of the Application of

Hakim Quick, Jr., an Infant by his
Mother and Natural Guardian,
Theresa Wilson,
Petitioner-Respondent,

-against-

M-245
Index No. 350521/10

The New York City Health and
Hospitals Corporation,
Respondent-Appellant.

-----X

Respondent-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 April 25, 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 enlarging the time in which to perfect the appeal to the September 2012 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 February 16, 2012.

Present - Hon. David B. Saxe, Justice Presiding,
David Friedman
James M. Catterson
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----x
In the Matter of

Leia Amanda M.,

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

- - - - -
McMahon Services for Children, a program of Good Shepherd Services, et al.,
Petitioners-Respondents,

M-112
Docket No. B15347/10

Brenda Lee R.,
Respondent-Appellant.

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

-----x

Petitioner-respondent Agency having moved for dismissal of the appeal from the order of the Family Court, Bronx County, entered on or about May 4, 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 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 February 16, 2012.

Present - Hon. David B. Saxe, Justice Presiding,
Karla Moskowitz
Helen E. Freedman
Rosalyn H. Richter, Justices.

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

Respondent,

-against-

M-3995A
SCI No. 47028C/10

Roberto Duran,

Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about July 29, 2011, 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 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.

The Bronx Defenders (Mark Loudon-Brown, of counsel), 860 Courtlandt Avenue, Bronx, NY 10451, Telephone No. (718) 838-7846, is assigned as counsel for defendant-appellant for purposes of the appeal, and Goodwin Procter, LLP is pro bono counsel on 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. The order of this Court entered on December 27, 2011 (M-3995) 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 February 16, 2012.

Present: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Leland G. DeGrasse
Nelson S. Román, Justices.

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

-against-

M-298
Ind. No. 1458/01

Joel Stella,
Defendant-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about January 6, 2010, **denying resentence**,

And the People 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 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 February 16, 2012.

Present: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Leland G. DeGrasse
Nelson S. Román, Justices.

-----X

In the Matter of

M-250

Damien L.-M., Docket Nos. NN34498/11
Sumyiah M., NN34499/11
Makki A., and NN34500/11
Mellaki A., NN34501/11

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,
Petitioner-Respondent,

Yoshiko M.,
Respondent-Appellant.

- - - - -

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

-----X

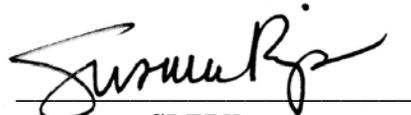
Respondent-appellant mother having moved for leave to prosecute, as a poor person, the appeal taken from the orders of the Family Court, New York County, entered on or about December 6, 2011, and for assignment of counsel, a free copy of the transcript, and for related relief,

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, Susan Jacobs, Esq., Center for

Family Representation, 40 Worth Street, Suite #605, New York, NY 10013 (212) 691-0950, Telephone No. (212) 691-0950, 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 February 16, 2012.

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

-----X
Joyce Asabor,
Plaintiff-Appellant,

-against-

M-308
Index No. 104088/06

Archdiocese of New York, et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for a stay of all proceedings, including trial, pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about November 21, 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 on condition that the appeal is perfected on or before March 19, 2012 for the June 2012 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 February 16, 2012.

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

-----X
Sule Cabukyuksel, et al.,
Plaintiffs,

-against-

M-20
Index No. 108356/08

Ascot Properties, LLC,
Defendants.

-----X
Laskin Law P.C.,
Nonparty Petitioner-Respondent,

-against-

Marc E. Verzani,
Nonparty Respondent-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on August 25, 2011 (mot. seq. no. 004),

And nonparty respondent-appellant Marc E. Verzani having moved for a stay of enforcement of the 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 is denied, and the interim relief granted by an order of a Justice of this Court dated January 4, 2012, 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 February 16, 2012.

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

-----X
In the Matter of a Proceeding for
Support Under Article 4 of the
Family Court Act.

William P.,
Petitioner-Respondent,

-against-

M-289
Docket No. U-17027/08

Yojacni, P.,
Respondent-Appellant.

-----X

Respondent-appellant mother having moved for leave to prosecute, as a poor person, the appeal from the order of the Family Court, Bronx County, entered on or about July 6, 2011, for a free copy of the transcript, and for other relief,

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

Ordered that the motion is granted to the extent of
(1) 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;**
(2) 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 (3) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this

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

Court, **within 60 days** of receipt of the transcripts. **Pro bono counsel, Morrison & Foerster LLP, 1250 Avenue of the Americas, New York, New York 10104 (J. Alexander Lawrence and Reema Abdelhamid, of counsel)** is directed to immediately serve a copy of this order upon the Clerk of the Family 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 February 16, 2012.

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

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

-against-

M-214
Ind. No. 5804/06

Lionel Johnson,
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to file a pro se supplemental brief in connection with an appeal from a judgment of the Supreme Court, New York County, rendered on or about May 28, 2009, 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 8 copies of his pro se supplemental brief on or before July 9, 2012 for the September 2012 Term, to which Term the appeal is adjourned. The Clerk of the Court is directed to forward to the Warden at the State correctional facility wherein defendant is incarcerated a transcript of the minutes relating to defendant's appeal, said transcript to be made available to appellant and returned by appellant to this Court when submitting the pro se supplemental brief hereto. The appeal will not be heard unless and until all material furnished to appellant has been returned.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 16, 2012.

PRESENT - Hon. David Friedman, Justice Presiding,
Leland G. Degrasse
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

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

-against-

M-5636
Ind. No. 1794/07

Larnell Hughes,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on November 9, 2010 (Appeal No. 3344), unanimously affirming a judgment of the Supreme Court, New York County (James A. Yates, J.), rendered on June 26, 2008,

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

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

It is ordered that said application is denied.

ENTER:



CLERK

PM ORDERS

ENTERED ON

FEBRUARY 16, 2012

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 16, 2012.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
John W. Sweeny, Jr.
Karla Moskowitz
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
Jasmine Zheng and A.T., on behalf of
themselves and all others similarly
situated,

Plaintiffs-Appellants,

M-595
Index No. 400806/11

-against-

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

-----X

An appeal having been taken to this Court from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about October 6, 2011, and said appeal having been perfected,

And plaintiffs-appellants having moved for an order in the nature of a preliminary appellate injunction pursuant to CPLR 5518 prohibiting defendants-respondents from discontinuing Advantage rent payments to Advantage Landlords on behalf of any Advantage Tenants whose Advantage rent subsidy agreements have not yet expired, pending 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.

All concur except Moskowitz, J., who dissents and would grant the stay.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 16, 2012.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
James M. Catterson
Sheila Abdus-Salaam
Sallie Manzanet-Daniels, Justices.

-----x
IGS Realty Co., Inc., doing business as
IGS Realty Co.,
Plaintiff-Respondent,

M-94

-against-

Index No. 603561/09

James H. Brady,
Defendant-Appellant.

West Side Loft, Inc.,
Plaintiff-Appellant,

-against-

Index No. 600740/09

IGS Realty Co., L.P., doing business as
IGS Realty Co.,
Defendant-Respondent.
-----x

Appeals having been taken to this Court by defendant-appellant James H. Brady from the order and judgment of the Supreme Court, New York County, entered on or about November 4, 2011 (mot. seq. no. 003) and November 21, 2011, respectively [Index No. 630561/09],

And an appeal having been taken having been taken by plaintiff West Side Loft, Inc. from the order of the Supreme Court, New York County, entered on or about June 15, 2011 (mot. seq. no. 005) [Index No. 600740/09],

And defendant-appellant having moved for consolidation of the aforesaid appeals, and for a stay of the orders and judgment pending hearing and determination of 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 staying the orders and judgment, including any execution thereon, on condition the appeals are perfected on or before March 19, 2012 for the June 2012 Term. The appeals taken from the order and judgment under Index No. 603561/09 are consolidated, and defendant-appellant is directed to prosecute the aforesaid appeals (Index No. 603561/09) upon 8 copies of one record and one set of appellant's points covering the appeals. The Clerk is directed to calendar the consolidated appeals (Index No. 603561/09) for hearing together with the plaintiff's appeal from the order entered June 15, 2011 (Index No. 600740/09) during the June 2012 Term.

ENTER:


CLERK