

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 17, 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-1914

DC #16

Ind. No. 1052/08

Christopher DeJesus,
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about January 26, 2010,

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

And a calendar call having been held by the Clerk of the Court on May 17, 2012, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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

Ordered that the aforesaid motion is withdrawn as moot, the appeal having been perfected.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 17, 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-1899

DC #1

Case No. 4971C/05

Demoyne Anderson,
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about April 16, 2010,

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

And a calendar call having been held by the Clerk of the Court on May 17, 2012, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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

Ordered that appellant's time in which to perfect the appeal is enlarged to the December 2012 Term of this Court and counsel is directed to so perfect.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 17, 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-1903

DC #5

Ind. No. 2667/07

Michael Brizan, also known as Michael
Brizen,

Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about December 18, 2007,

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

And a calendar call having been held by the Clerk of the Court on May 17, 2012, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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

Ordered that appellant's time in which to perfect the appeal is enlarged to the December 2012 Term of this Court and counsel is directed to so perfect.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 17, 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-1908

DC #10

Ind. No. 4849/09

Jose Cantero,
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about March 11, 2010,

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

And a calendar call having been held by the Clerk of the Court on May 17, 2012, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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

Ordered that appellant's time in which to perfect the appeal is enlarged to the December 2012 Term of this Court and counsel is directed to so perfect.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 17, 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-1915

DC #17

Ind. No. 4558/04

Amir Douglas,
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about May 24, 2007,

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

And a calendar call having been held by the Clerk of the Court on May 17, 2012, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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

Ordered that appellant's time in which to perfect the appeal is enlarged to the December 2012 Term of this Court and counsel is directed to so perfect.

ENTER:



DEPUTY CLERK

CORRECTED ORDER - JULY 19, 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 July 17, 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, M-1916
DC #18
-against- Ind. Nos. 3964/07
Will Dunbar, 3109/07
Defendant-Appellant. 1029/07
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about December 22, 2009,

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

And a calendar call having been held by the Clerk of the Court on May 17, 2012, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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

Ordered that appellant's time in which to perfect the appeal is enlarged to the December 2012 Term of this Court and counsel is directed to so perfect.

ENTER:



DEPUTY CLERK

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

M-1922

DC #23

-against-

Ind. No. 374/78

Kevin Goldbeck,
Defendant-Appellant.

-----X

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

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

And a calendar call having been held by the Clerk of the Court on May 17, 2012, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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

Ordered that appellant's time in which to perfect the appeal is enlarged to the December 2012 Term of this Court and counsel is directed to so perfect.

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DEPUTY CLERK

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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-1923

DC #24

Ind. No. 293/06

John Hamlett,
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about January 22, 2008,

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

And a calendar call having been held by the Clerk of the Court on May 17, 2012, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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

Ordered that appellant's time in which to perfect the appeal is enlarged to the December 2012 Term of this Court and counsel is directed to so perfect.

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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-1924

DC #25

Ind. No. 2502/06

John Hamlett,
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about November 19, 2008,

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

And a calendar call having been held by the Clerk of the Court on May 17, 2012, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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

Ordered that appellant's time in which to perfect the appeal is enlarged to the December 2012 Term of this Court and counsel is directed to so perfect.

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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-1929

DC #30

Ind. No. 2035/02

George Hyde,
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the order of the Supreme Court, Bronx County, rendered on or about December 23, 2009,

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

And a calendar call having been held by the Clerk of the Court on May 17, 2012, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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

Ordered that appellant's time in which to perfect the appeal is enlarged to the December 2012 Term of this Court and counsel is directed to so perfect.

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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-1933

DC #33

Ind. No. 1921/08

Eldred Leitzsey, also known as
Eldred E. Leitzsey,
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about February 17, 2009,

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

And a calendar call having been held by the Clerk of the Court on May 17, 2012, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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

Ordered that appellant's time in which to perfect the appeal is enlarged to the December 2012 Term of this Court and counsel is directed to so perfect.

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DEPUTY CLERK

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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-1938

DC #38

Ind. No. 4443/08

Gary McIntosh,
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about June 30, 2010,

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

And a calendar call having been held by the Clerk of the Court on May 17, 2012, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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

Ordered that appellant's time in which to perfect the appeal is enlarged to the December 2012 Term of this Court and counsel is directed to so perfect.

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DEPUTY CLERK

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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-1942

DC #41

Ind. No. 328N/09

Carlos Ortiz,
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about May 18, 2010,

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

And a calendar call having been held by the Clerk of the Court on May 17, 2012, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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

Ordered that appellant's time in which to perfect the appeal is enlarged to the December 2012 Term of this Court and counsel is directed to so perfect.

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DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 17, 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-1951

DC #49

Ind. No. 1714/09

Nelson Rodriguez,
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about December 17, 2009,

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

And a calendar call having been held by the Clerk of the Court on May 17, 2012, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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

Ordered that appellant's time in which to perfect the appeal is enlarged to the December 2012 Term of this Court and counsel is directed to so perfect.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 17, 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-1953

DC #51

Ind. No. 6040/08

Edward Saldano,
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about May 12, 2010,

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

And a calendar call having been held by the Clerk of the Court on May 17, 2012, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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

Ordered that appellant's time in which to perfect the appeal is enlarged to the December 2012 Term of this Court and counsel is directed to so perfect.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 17, 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-1956

DC #54

Ind. No. 2594/08

Marlon Sullivan,
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about January 4, 2010,

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

And a calendar call having been held by the Clerk of the Court on May 17, 2012, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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

Ordered that appellant's time in which to perfect the appeal is enlarged to the December 2012 Term of this Court and counsel is directed to so perfect.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 17, 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-1963

DC #59

Ind. No. 7117/02

Rovell Washington,
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about June 25, 2008,

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

And a calendar call having been held by the Clerk of the Court on May 17, 2012, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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

Ordered that appellant's time in which to perfect the appeal is enlarged to the December 2012 Term of this Court and counsel is directed to so perfect.

ENTER:



DEPUTY CLERK

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

Joseph P. and Ariana H.,

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

M-1994
D.C. #90
Docket Nos. NA8889/08
NA13289/08

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

-against-

Cindy H.,
Respondent-Appellant.

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

-----X

An appeal having been taken to this Court from the order of the Family Court, New York County, entered on or about May 13, 2010,

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

And a calendar call having been held by the Clerk of the Court on May 17, 2012, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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

Ordered that appellant's time in which to perfect the appeal is enlarged to the December 2012 Term and counsel is directed to so perfect.

ENTER:

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

DEPUTY CLERK

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

M-1936

DC #36

-against-

Ind. No. 6013/02

Cleveland Lovett,
Defendant-Appellant.

-----X

Consolidated appeals having been taken to this Court by defendant from the judgment of Supreme Court, New York County, rendered August 19, 2003 and an order of the Supreme Court, New York County, entered on or about February 7, 2006, **denying resentence**, and an order of said Court entered on or about December 7, 2005,

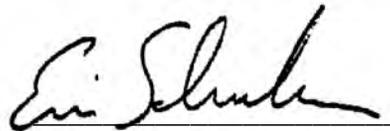
And said appeals not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 17, 2012, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeals,

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

Ordered that appellant's time in which to perfect the consolidated appeals is enlarged to the December 2012 Term of this Court and counsel is directed to so perfect.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 17, 2012.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
David B. Saxe
James M. Catterson
Rosalyn H. Richter, Justices.

-----X
The People of the State of New York
by Andrew M. Cuomo, etc.,
Plaintiff-Respondent,

-against-

Maurice R. Greenberg, et al.,
Defendants-Appellants.

M-2368

M-2558

Index No. 401720/05

SEALED

- - - - -
The Chamber of Commerce of the
United States of America,
Amicus Curiae.
-----X

Defendants-appellants having moved 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 May 8, 2012 (Appeal Nos. 5294, 5295, 5296 and 5297) [M-2368],

And The Chamber of Commerce of the United States of America, having moved for leave to file a brief amicus curiae in support of defendants-appellants' aforesaid motion [M-2558],

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

It is ordered that defendants-appellants' motion [2368], to the extent it seeks reargument, is denied. So much of said motion which seeks leave to appeal to the Court of Appeals is granted, and this Court, pursuant to CPLR 5713, certifies that the following question of law, decisive of the correctness of

its determination, has arisen, which in its opinion ought to be reviewed by the Court of Appeals:

"Was the order of this Court, which modified and otherwise affirmed the order of the Supreme Court, properly made?"

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

Ordered that motion filed by The Chamber of Commerce of the United States of America [M-2558] is granted to the extent of accepting said movant's papers submitted as amicus curiae in conjunction with defendants-appellants' instant motion [M-2368].

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 17, 2012.

Present: Hon. Peter Tom, Justice Presiding,
Karla Moskowitz
Rosalyn H. Richter
Sheila Abdus-Salaam
Nelson S. Román, Justices.

-----X
Princes Point, LLC, etc.,

Plaintiff-Appellant,

-against-

AKRF Engineering, P.C., et al.,

Defendants-Respondents.
-----X

M-2422
Index No. 601849/08

Plaintiff-appellant having moved 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 April 19, 2012 (Appeal No. 6259N),

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:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 17, 2012.

Present : Hon. Peter Tom, Justice Presiding,
David Friedman
Helen E. Freedman
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

Musa Callistro, an Infant, by his Mother
and Natural Guardian Jessica Rivera,
Plaintiff-Appellant

M-2262

Index No. 15816/07

-against-

Michael W. Bebbington, M.D., et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved 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 April 3, 2012 (Appeal No. 6367 and 6368),

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

It is ordered that the motion, to the extent it seeks reargument, is denied. So much of the motion which seeks leave to appeal to the Court of Appeals is granted, and this Court, pursuant to CPLR 5713, certifies that the following question of law, decisive of the correctness of its determination, has arisen, which in its opinion ought to be reviewed by the Court of Appeals:

"Was the order of this Court, which affirmed the judgment of the Supreme Court and dismissed the appeal from an order of the same Court as subsumed in the appeal from the aforesaid judgment, properly made?"

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

ENTER:



DEPUTY CLERK

CORRECTED ORDER – September 14, 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 July 17, 2012.

Present: Hon. Peter Tom, Justice Presiding,
Karla Moskowitz
Helen E. Freedman
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
In re Perry Bellamy,
Petitioner-Respondent,

-against-

M-4995
Index No. 401463/98

The New York City Police Department,
Respondent-Appellant.

-----X

Petitioner-respondent having moved 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 September 8, 2011 (Appeal Nos. 3997 and 3997A), and for an enlargement of time to file certain documents with respect to said 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, to the extent it seeks reargument, is denied. So much of the motion which seeks leave to appeal to the Court of Appeals is granted, and this Court, pursuant to CPLR 5713, certifies that the following question of law, decisive of the correctness of its determination, has arisen, which in its opinion ought to be reviewed by the Court of Appeals:

"Was the order of this Court, which reversed **the judgment and order (separate papers)** of the Supreme Court, properly made?"

This Court further certifies that its determination was made as a matter of law and not in the exercise of discretion. So much of petitioner's motion which seeks an enlargement of time to file certain documents, is denied, as moot.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 17, 2012.

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

-----X
In the Matter of

Khadijah Destiny H.,

Application for the Guardianship and
Custody of a Child Pursuant to the
Provisions §384-b of the Social Services
Law of the State of New York.

M-2587
Docket No. B-25386/09

- - - - -
New Alternatives for Children, Inc.,
Petitioner-Respondent,

Carmella Maria R.,
Respondent-Appellant.

- - - - -
Jessica M. Brown, Esq.,
Attorney for the Child.

-----X

Petitioner-respondent having moved for dismissal of the appeal taken from the order of the Family Court, Bronx County, entered on or about July 29, 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, without prejudice to renewal after July 28, 2012.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 17, 2012.

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

-----X

In the Matter of

Jorge V., Jr., and Rosemary V.,

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

M-2810

Docket Nos. NN30605/10
NN30606/10

Administration for Children's
Services,
Petitioner-Respondent,

Jorge V.,
Respondent-Appellant.

Lisa H. Blitman, Esq.,
Attorney for the Children.

-----X

Linda McCarthy, Esq., Family Court attorney for the subject children, having moved on said children's behalf for leave to respond, as poor persons, to the appeal from the order of the Family Court, Bronx County, entered on or about March 20, 2012, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Lisa H. Blitman, Esq., 225 Broadway, Suite 1203, New York, NY 10007, Telephone No. (212) 724-2792, as counsel for purposes of 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:

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

DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 17, 2012.

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

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

-against- **M-2668**
Ind. No. 6519/09

Jose Antonetty,
Defendant-Appellant.

-----X

An order of this Court having been entered on March 31, 2011 (M-876) granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about January 3, 2011, and assigning Steven Banks, Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Steven Banks, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Glenn R. Abolafia, Esq., 80 Wall Street, Suite 815, New York, NY 10005, Telephone No. (212) 227-4716, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 17, 2012.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
Karla Moskowitz
Dianne T. Renwick
Helen E. Freedman, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-1386
Ind. No. 5073/96

Manuel Martinez,
Defendant-Appellant.

-----X

An order of this Court having been entered on November 15, 2011 (M-3619) assigning Simone Petromelis, Esq., as counsel to prosecute defendant's appeal from the judgment of the Supreme Court, New York County, rendered on or about May 9, 2008; and a motion having been made to relieve such counsel, and for other relief,

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

It is ordered that the motion is granted to the extent of striking the designation of Simone Petromelis, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Lawrence J. Sheehan, Esq., 84011 Grand Concourse, Bronx, NY 10451, Telephone No. (718) 401-7724 as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 17, 2012.

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

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

-against-

M-2312
Case No. 41727C/05

Fernando Santana,

Defendant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, Bronx County, rendered on or about July 17, 2006, for leave to prosecute the appeal as a poor person, 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. (CPL 460.30)

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 17, 2012.

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

-----X

The People of the State of New York,
ex rel. Jonathan M. Kirshbaum, Esq.,
on behalf of Daniel Omolukun,
Petitioner-Appellant,

M-2784

-against-

Index No. 401036/12

Dora B. Schriro, Commissioner of the
New York City Department of Corrections,

-and-

Anyone having Custody of Petitioner,
Defendants-Respondents.

-----X

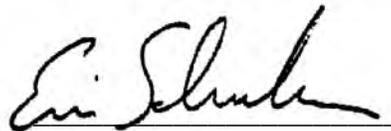
An appeal having been taken from the judgment of the Supreme Court, New York County, entered on or about May 15, 2012 denying and dismissing petitioner's petition for a writ of habeas corpus,

And petitioner-appellant having moved for a preference in the hearing of the aforesaid appeal, leave to prosecute said appeal as a poor person, assignment of appellate counsel and for release from custody or reasonable bail, and related relief, pending hearing and determination of said 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 directing the Clerk to maintain the appeal on the calendar for the November 2012 Term, if so perfected. The motion is otherwise denied, with leave to renew upon explanation of whether access is available to petitioner of certain frozen settlement funds.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 17, 2012.

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

-----X
Century Indemnity Company, as successor to CCI Insurance Company, as successor to Insurance Company of North America, and TIG Insurance Company, formerly known as International Insurance Company, with respect to policies numbered 5220113076 and 5220282357,

Plaintiffs-Appellants,

-against-

Liberty Mutual Insurance Company,
et al.,

Defendants-Respondents.
-----X

SEALED
M-2638
Index No. 105491/10

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about August 1, 2011, and said appeal having been perfected,

And plaintiffs-appellants having moved to enlarge the record on appeal to include certain papers, 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:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 17, 2012.

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

-----X
John Burton, et al.,
Plaintiffs-Appellants-Respondents,

-against-

CW Equities, LLC, M-1246
Defendant-Respondent-Appellant, Index No. 17566/07
86180/07
T.F.N. Development Corp., doing business 84101/09
as East Coast Construction Group,
Defendant-Respondent.

- - - - -
[And Other Third-Party Actions]

-----X

Defendant-respondent-appellant having moved 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 February 14, 2012 (Appeal Nos. 6789-6790),

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

It is ordered that the motion, to the extent it seeks reargument, is granted and upon reargument, the decision and order of this Court entered on February 14, 2012 (Appeal Nos. 6789-6790) is recalled and vacated and a new decision and order substituted therefor. (See Appeal Nos. 6789-6790, decided simultaneously herewith.) The motion, to the extent it seeks leave to appeal to the Court of Appeals, is denied as moot.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 17, 2012.

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

-----X
Burnett Williams,
Plaintiff-Respondent,

-against-

M-2756
Index No. 23644/05

City of New York, Metropolitan
Transportation Authority and
New York City Transit Authority,
Defendants-Appellants.
-----X

Defendants-appellants having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, Bronx County, entered on or about July 28, 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 November 2012 Term.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 17, 2012.

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

-----X
Jeffrey Hoffman,
Plaintiff-Respondent,

-against-

Helm Capital Group, Inc., M-2186
Defendant-Respondent, Index No. 603109/08

-and-

Russell Hoffman,
Non-Party Arrestee-Appellant.
-----X

Non-party appellant Russell Hoffman having moved for a stay of incarceration pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about April 23, 2012,

And an order by a Justice of this Court dated April 30, 2012, having granted an interim stay of incarceration,

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 September 4, 2012 for the November 2012 Term. (See M-2747 decided simultaneously herewith).

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 17, 2012.

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

-----X
Jeffrey Hoffman,
Plaintiff-Respondent,

-against-

Helm Capital Group, Inc., M-2747
Defendant-Respondent, Index No. 603109/08

-and-

James Michael Lenihan,
Non-Party Warrantee-Arrestee.
-----X

Non-party warrantee-arrestee James Michael Lenihan having moved for to stay enforcement of any arrest warrant pending hearing and determination of the appeal taken from the orders of the Supreme Court, New York County, entered on or about May 25, 2012 and May 30, 2012, respectively,

And an order by a Justice of this Court dated June 11, 2012, having granted an interim stay,

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 September 4, 2012 for the November 2012 Term. (See M-2186 decided simultaneously herewith).

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 17, 2012.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
James M. Catterson
Karla Moskowitz
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----x
David Martinez,

Plaintiff-Respondent,

-against-

M-2572
Index No. 76314/10

Maria Grullon,

Defendant-Appellant.
-----x

Defendant-appellant having moved for a stay of proceedings pending hearing and determination of the appeal from the order of the Supreme Court, Bronx County, entered on or about March 15, 2012,

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:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 17, 2012.

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

-----X

Luis Carasquilo,
Plaintiff-Respondent,

-against-

M-2641
Index No. 18594/01

Macombs Village Associates,
Macombs Village Development Corp.,
and Ashton Management,
Defendants-Appellants,

Malik Saunders and Dean Jones,
Defendants.

-----X

Defendants-appellants having moved for a stay of trial pending hearing and determination of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about February 3, 2011, and said appeal having been perfected,

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:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 17, 2012.

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

-----X

The People of the State of New York
ex rel. Niklas Lucich,
Petitioner-Appellant,

-against-

Warden of Riker's Island Correctional
Facility and New York City Department
of Corrections,
Respondent-Respondent.

-----X

M-2644
Docket Nos. 9687/12
9688/12
Index No. 401105/12

An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, entered on or about May 21, 2012, denying and dismissing appellant's petition for a writ of habeas corpus,

And an order by a Justice of this Court having been entered on June 5, 2012, denying petitioner's application seeking release on his own recognizance but granting petitioner interim bail on each of the related docket numbers,

And petitioner having moved for a release on his own recognizance, 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 to the extent of continuing the relief granted by a Justice of this Court on June 5, 2012, pending hearing and determination of the appeal taken therefrom and otherwise denied.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 17, 2012.

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

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

Vasile M.,
Petitioner-Appellant,

-against-

Lilliana V.,
Respondent-Respondent.

M-2745
Docket Nos. V-30651-10/12
V-30652-10/12

-----X
Petitioner-appellant having moved to stay the dismissal effect of the order of the Family Court, Bronx County, entered on or about June 7, 2012 in the above-entitled action and for related relief, pending hearing and determination of the appeal taken therefrom,

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

It is ordered that the motion is granted and the interim relief granted by a Justice of this Court on June 11, 2012 is continued, on condition that the appeal is perfected on or before September 4, 2012 for the November 2012 Term.

ENTER:



DEPUTY CLERK

CORRECTED ORDER - JULY 19, 2012

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in in the County of New York on July 17, 2012.

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

-----X

Linda Strauss,

Plaintiff-Respondent,

-against-

M-2822

Index No. 12131/08

Babak Saadatmand,

Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County entered on or about June 7, 2012,

And defendant-appellant having moved to stay enforcement of the aforesaid order including certain pendente lite child support pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is denied.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 17, 2012.

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

-----X
Gama Aviation Inc., Gama Leasing
Limited,
Plaintiffs-Appellants,

-against-

M-2821
Index No. 651710/10

Sandton Capital Partners, L.P.,
KB Acquisition, LLC, et al.,
Defendants-Respondents.

-----X
KB Acquisition, LLC,
Counterclaim Plaintiff-Respondent,

-against-

Gama Aviation Inc., Gama Leasing
Limited,
Counterclaim Defendants-Appellants,

-and-

Gama Holdings Limited,
Additional Counterclaim
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 2, 2012 (mot. seq. nos. 008 - 009),

And plaintiffs-appellants having moved to stay so much of the aforesaid order appealed as compelled the production of certain documents, pending hearing and determination of the appeal,

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

It is ordered that the motion is granted on condition that the appeal is perfected on or before September 4, 2012 for the November 2012 Term. Upon failure to so perfect, an order vacating the stay may be entered ex parte, provided that respondents serve a copy of this order upon appellants within 10 days after the date of entry hereof.

ENTER:

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

DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 17, 2012.

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

-----X

The People of the State of New York,

Respondent,

-against-

M-2690

Ind. No. 2877/09

Keith Johnson,

Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about July 19, 2011, and to continue the stay of execution of sentence thereof, pending hearing and determination of said 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 continuing the stay of execution of sentence granted by a Justice of Supreme Court, Bronx County, on July 19, 2011, on the same terms and conditions and on condition defendant perfects the appeal on or before October 1, 2012 for the December 2012 Term.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 17, 2012.

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

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

-against-

M-2769
Ind. No. 1406/09

Quavas Sims,
Defendant-Appellant.

-----X

Defendant-appellant, in connection with the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about November 8, 2010, having moved for leave to file a pro se supplemental brief and for related relief,

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

It is ordered that the motion is granted to the extent of directing defendant to serve and file 8 copies of his pro se supplemental brief on or before October 1, 2012 for the December 2012, 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:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 17, 2012.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

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

-against-

M-2341
Ind. No. 1580/03

Luis J. Rodriguez, also known as
Luis Rodriguez-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 February 26, 2009 and a judgment of **resentence** of the same Court, rendered on or about April 29, 2009, respectively, 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, in compliance with CPLR 1101, setting forth the terms of defendant's retainer agreement with trial counsel, and an explanation as to why similar funds are not available to prosecute this appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 17, 2012.

Present - Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Leland G. DeGrasse
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----x
Wendy Hakim Jaffe,

Plaintiff-Respondent,

-against-

M-2832
Index No. 309111/08

Robert Jaffe,

Defendant-Appellant.
-----x

An appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about June 11, 2012 (mot. seq. no. 007),

And defendant-appellant having moved for a stay of the order with respect to the imposition of certain pendente lite child support expenses pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is denied.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 17, 2012.

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

-----X
Roy W. Lennox,
Plaintiff-Appellant,

-against-

M-2796
Index No. 309930/11

Joan E. Weberman,
Defendant-Respondent.

-----X

Appeals having been taken from the orders of the Supreme Court, New York County, entered on or about February 12, 2012 and March 30, 2012, respectively, and said appeals having been perfected,

And plaintiff-appellant having moved to stay pendente lite maintenance as directed in the aforesaid orders appealed, pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is denied.

ENTER:



DEPUTY CLERK

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

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

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

M-2586
Ind. No. 593/2009

-against-

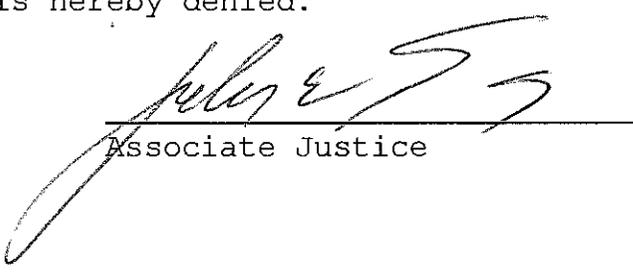
CERTIFICATE
DENYING LEAVE

Gaetano D'Attore,

Defendant.

-----X

I, John W. Sweeny, Jr., a Justice of the Appellate
Division, First Judicial Department, do hereby certify that,
upon application timely made by the above-named defendant for
a certificate pursuant to Criminal Procedure Law, sections
450.15 and 460.15, and upon the record and proceedings herein,
there is no question of law or fact presented which ought to
be reviewed by the Appellate Division, First Judicial
Department, and permission to appeal from the order of the
Supreme Court, Bronx County, entered on or about February 7,
2012 (Eugene Oliver, Jr., J.) is hereby denied.



Associate Justice

Dated: June 27, 2012
New York, New York

ENTERED: July 17, 2012

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,
Respondent,

M-2876
Ind. No. 2545/08

-against-

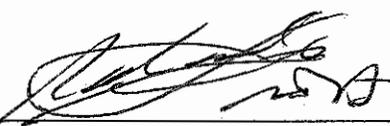
CERTIFICATE
GRANTING LEAVE

James Kinney,
Defendant-Appellant.

-----X

I, Rolando T. Acosta, a Justice of the Appellate Division, First Judicial Department, do hereby certify that in the proceedings herein questions of law or fact are involved which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is hereby granted to the above-named defendant to appeal to the Appellate Division, First Judicial Department, from the order of the Supreme Court, New York County, entered on or about May 24, 2012.

Dated: July 3, 2012
New York, New York



Hon. Rolando T. Acosta
Associate Justice

ENTERED JUL 17 2012

NOTICE: Within 15 days from the date hereon, an appeal must be taken, and this certificate must be filed with the notice of appeal. An appeal is taken by filing, in the Clerk's office of the criminal court in which the order sought to be appealed was rendered, a written notice in duplicate that appellant appeals to the Appellate Division, First Judicial Department (Section 460.10, subd. 4, CPL), together with proof that another copy of the notice of appeal has been served upon opposing counsel. The consolidated appeals (see footnote) must be argued within 120 days from the date of the notice of appeal, unless the time to perfect the appeal(s) is enlarged by the court or a justice thereof.

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

BEFORE: Hon. Rosalyn H. Richter
Justice of the Appellate Division

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

M-2152
Ind. No. 3105/94

-against-

Jose Salgado,
Defendant-Appellant.
-----X

Defendant, pro se, moves pursuant to CPL 460.30 subd. 1 for an enlargement of time in which to seek a certificate granting leave to appeal to the Appellate Division pursuant to CPL 460.15 and CPL 450.15 subd. 1 with respect to the orders of the Supreme Court, New York County, dated August 4, 2011, which denied defendant's application pursuant to CPL 440.10 to vacate a judgment rendered by said Court, and to proceed as a poor person.

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is ordered that defendant's time in which to seek a certificate granting leave to appeal to this Court is enlarged to on or before October 1, 2012. That part of defendant's motion requesting poor person's relief in connection herewith, is denied with leave to renew upon submission of motion for leave to appeal.¹

Dated: June 20, 2012
New York, New York

Entered: July 17, 2012



Hon. Rosalyn H. Richter
Associate Justice

6/20/12