

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 10, 2013.

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

-----X

Abdo H. Aldalali,  
Plaintiff-Respondent,

-against-

M-3450X  
Index No. 300299/12

Allstate Sprinkler Corp., et al.,  
Defendants-Appellants.

-----X

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

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 27, 2013, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 10, 2013.

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

-----X  
Madison/65 Owner LLC,  
Plaintiff-Respondent,

-against-

M-3622X  
Index No. 651465/12

Weatherley 65<sup>th</sup> Street, LLC,  
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about September 24, 2012,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 11, 2013, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 10, 2013.

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

-----X  
Noemi Rosas,  
Plaintiff-Respondent,

-against-

M-3624X  
Index No. 301968/09

Abyssinian Development Corp., et al.,  
Defendants-Appellants.  
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about December 24, 2012,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 10, 2013, and due deliberation having been had thereon,

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

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 10, 2013..

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

-----X  
Clifton Burt, M.D.,  
Plaintiff-Appellant,

-against-

M-3626X  
Index No. 651134/12

Secure Telemedicine, LLC, et al.,  
Defendants-Respondents.

-----X

An appeals having been taken from orders of the Supreme Court, New York County, entered on or about September 14, 2012 and December 20, 2012 (mot. seq. no. 002), respectively,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 10, 2013, and due deliberation having been had thereon,

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

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 10, 2013.

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

-----X

In Re: Avon Products, Inc.  
Shareholders Litigation

-----  
Jeffrey Feinman, et al.,  
Plaintiffs-Appellants,

-against-

M-3627X  
Index No. 651087/12

Andrea Jung, et al.,  
Defendants-Respondents,

-and-

Avon Products, Inc., etc.,  
Nominal Defendant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 13, 2013 (mot. seq. no. 003),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 9, 2013, and due deliberation having been had thereon,

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

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 10, 2013.

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

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

-against-

Jamel McRae,  
Defendant-Appellant.

M-3708  
Ind. Nos. 5886/03  
3917/03

-----X

Appeals having been taken from judgments of **resentence** of the Supreme Court, New York County, rendered on or about September 20, 2011 and October 11, 2011, respectively,

Now, upon reading and filing the stipulation of the parties hereto, dated June 11, 2013, 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 September 10, 2013.

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

-----X

The People of the State of New York,  
Respondent,

-against-

M-3709  
Ind. No. 873/11

Joe Herring,  
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of **resentence** of the Supreme Court, New York County, rendered on or about December 19, 2011,

Now, upon reading and filing the stipulation of the parties hereto, dated February 11, 2013, and due deliberation having been had thereon,

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

ENTER:



\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 10, 2013.

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

-----X

The People of the State of New York,  
Respondent,

-against-

M-3711  
Ind. No. 1300/10

Dwayne Carter,  
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about December 23, 2010,

Now, upon reading and filing the stipulation of the parties hereto, dated June 14, 2013, and due deliberation having been had thereon,

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 10, 2013.

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

-----X

The People of the State of New York,  
Respondent,

-against-

M-3734  
Ind. No. 5277/11

Robert Bookard,  
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about March 20, 2012,

Now, upon reading and filing the stipulation of the parties hereto, dated July 3, 2013, and due deliberation having been had thereon,

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 10, 2013.

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

-----X  
200 Park, L.P.,  
Plaintiff-Appellant-Respondent,

-against-

M-3623X  
Index No. 652431/12

OP 200 Park Avenue Tower, L.L.C.,  
And Global Leveraged Capital  
Management, L.L.C.,  
Defendants-Respondents-Appellants.

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

An appeal and cross appeal having been taken from orders of the Supreme Court, New York County, entered on or about March 25, 2013,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 10, 2013, and due deliberation having been had thereon,

It is ordered that the notice of appeal and notice of cross appeal 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 September 10, 2013.

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

-----X

Bonnie Watkins and Sam Watkins,  
Plaintiffs-Respondents,

-against-

M-3605  
Index No. 150201/08

City of New York,  
Defendant-Respondent,

1009 5th Avenue LLC,  
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about September 6, 2012,

Now, upon reading and filing the stipulation of the parties hereto, dated July 10, 2013, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the September 2013 Term, is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 10, 2013.

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

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

-against-

M-3513  
Ind. No. 4335/12

Michael A. Algarin,  
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 May 28, 2013, 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 September 10, 2013.

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

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

-against-

M-3514  
Ind. No. 317/13

Richard Abreu,  
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 June 13, 2013, 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 September 10, 2013.

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

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

-against-

M-3515  
Ind. No. 399/13

Reginald Claverie,  
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 May 28, 2013, 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 September 10, 2013.

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

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

-against-

M-3516  
Ind. No. 1782/12

Gilliam Cordero,  
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 June 12, 2013, 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 September 10, 2013.

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

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

-against-

M-3517  
Ind. No. 1380N/12

Joseph Danclaire,  
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 11, 2013, 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 September 10, 2013.

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

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

-against-

M-3518  
Ind. No. 1087/12

Andre R. Dennis, also known as James Jones,  
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 May 22, 2013, 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 September 10, 2013.

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

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

-against-

M-3519  
Ind. No. 3661/12

Adam Doctor,  
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 May 8, 2013, 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 September 10, 2013.

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

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

-against-

M-3520  
Ind. No. 1601/10

Christopher Flores, also known as  
Christopher Hones,  
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 May 8, 2013, 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 September 10, 2013.

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

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

-against-

M-3521  
Ind. No. 4566N/12

Lamont Johnson,  
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 May 9, 2013, 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 September 10, 2013.

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

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

-against-

M-3522  
Ind. No. 2282/12

Lamont Jackson,  
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 May 23, 2013, 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 September 10, 2013.

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

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

-against-

M-3523  
Ind. No. 5540/10

Damon Kleba,  
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 May 22, 2013, 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 September 10, 2013.

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

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

-against-

M-3524  
Ind. No. 3349/12

Wilfred Matthews,  
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 June 3, 2013, 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 September 10, 2013.

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

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

-against-

M-3525  
Ind. No. 5359/11

Kevin McLean,  
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 May 15, 2013, 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 September 10, 2013.

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

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

-against-

M-3527  
Ind. No. 2411/12  
Case No. 50571C/12

Mark A. Navarro,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about May 2, 2013, 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 September 10, 2013.

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

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

-against-

M-3528  
Ind. No. 3986/11

Nelson R. Rosa,  
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 June 7, 2012, 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 September 10, 2013.

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

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

-against-

M-3529  
Ind. No. 4804/12

Anthony Strickland,  
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 May 22, 2013, 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 September 10, 2013.

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

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

-against-

M-3530  
Ind. No. 3505/12

Kelvin Otunyo,  
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 May 23, 2013, 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 September 10, 2013.

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

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

-against-

M-3531  
Ind. No. 3044/11

Anibal Ortiz,  
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 May 9, 2013, 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 September 10, 2013.

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

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

-against-

M-3532  
Ind. No. 5895/11

Shamel Wiggins,  
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 May 15, 2013, 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 September 10, 2013.

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

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

-against-

M-3533  
Ind. No. 1200/13

Emma Williams,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about May 22, 2013, 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 September 10, 2013.

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

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

-against-

M-3537  
Ind. No. 3491/12  
SCI No. 546/13

Victor Hernandez,  
Defendant-Appellant.  
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgments of the Supreme Court, New York County, rendered on or about May 8, 2013, 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 September 10, 2013.

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

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

-against-

M-3538  
Ind. No. 745/13

Jose Narvaez,  
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 May 22, 2013, 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 September 10, 2013.

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

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

-against-

M-3539  
Ind. No. 5045/10

Kendall Brown, also known as Kendell Brown,  
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 May 16, 2013, 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 September 10, 2013.

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

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

-against-

M-3540  
Ind. No. 4592/10

James E. Umstead,  
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 20, 2012, 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 September 10, 2013.

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

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

-against-

M-3541  
Ind. No. 2477/12

Jahson Holmes, also known as  
Jah'son Holmes,  
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 May 3, 2013, 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 September 10, 2013.

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

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

-against-

M-3548  
Ind. No. 40/12

Luis Rodriguez,  
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 May 23, 2013, 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 September 10, 2013.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
David Friedman  
Karla Moskowitz  
Paul G. Feinman, Justices.

-----X

Manuel Borbon,  
Plaintiff-Appellant,

-against-

**M-3407**

Index No. 6074/07

Juan C. Pescoran, et al.,  
Defendants-Respondents.

-----  
[And a Third-Party Action]

-----X

Plaintiff-appellant having moved for reconsideration/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 23, 2013 (Appeal Nos. 10166-10166A), and for related relief,

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

It is ordered that the motion is denied.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 10, 2013.

Present: Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
Dianne T. Renwick  
Leland G. DeGrasse, Justices.

-----X

In re Jack J. Grynberg, et al.,

Petitioners-Appellants,

**SEALED**

**M-3318**

-against-

Index No. 116840/04

BP Exploration Operating Company  
Limited, et al.,

Respondents-Respondents.

-----X

Petitioners-appellants having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on May 16, 2013 (Appeal Nos. 10110-10111N),

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 September 10, 2013.

PRESENT - Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
Dianne T. Renwick  
Leland G. DeGrasse, Justices.

-----X  
Bari Yunis Schorr,  
Plaintiff-Respondent,

-against-

M-3263  
Index No. 305587/11

David Evan Schorr,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on May 16, 2013 (Appeal No. 10107), 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 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 September 10, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
Rolando T. Acosta  
David B. Saxe  
Helen E. Freedman, Justices.

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

-against-

M-2442  
Ind. No. 723/06

Luis Vives,  
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on April 14, 2009 (Appeal No. 317), unanimously affirming a judgment of the Supreme Court, New York County (Daniel P. Fitzgerald, J.), rendered on December 21, 2006,

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 the correspondence from defendant-appellant dated July 10, 2013, and due deliberation having been had thereon,

It is ordered that said application is deemed withdrawn.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the first Judicial Department in the County of New York on September 10, 2013.

PRESENT - Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Judith J. Gische  
Darcel D. Clark, Justices.

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

-against-

M-3915  
Ind. No. 4287/10

Kyle Robinson,  
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 April 5, 2013, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 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 September 10, 2013.

Present : Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Judith J. Gische  
Darcel D. Clark, Justices.

-----X  
The People of the State of New York  
ex rel. Jamel Clark,  
Petitioner-Appellant,

-against-

**M-3927**  
Index No. 340291/13

Warden, Rikers Island Correctional Facility, et al.,  
Respondents-Respondents.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, dated May 31, 2013 and entered on or about June 10, 2013, which dismissed a habeas corpus proceeding, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for assignment of counsel,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the Attorney General of the State of New York and files 8 reproduced copies of such brief, together with the original record, with this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record. So much of the motion which seeks assignment of counsel is denied. The Clerk of the Supreme Court, Bronx County, is directed to transmit the original record to 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 September 10, 2013.

Present: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Judith J. Gische  
Darcel D. Clark, Justices.

-----X

In the Matter of a Custody and/  
or Visitation Proceeding Under  
Article 4 of the Family Court Act.

- - - - -

Pedro S.,  
Petitioner-Appellant,

-against-

Ana Liza B.,  
Respondent-Respondent.

- - - - -

Anna Schissel, Esq., Lawyers  
for Children,  
Attorney for the Children.

-----X

**M-3974**  
Docket Nos. V-43275/10  
V-43276/10  
V-18527/10  
V-18526/10  
V-6876-05/11D  
V-6875-05/11D

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 August 30, 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 denied, with leave to renew upon submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), which addresses the respondent's representation by counsel in Family Court and whether counsel was retained, and explaining why such funds are not available for the appeal, and upon proof of service of the motion upon appellant's counsel, Randall Carmel, Esq., and adjourning the appeal to the December 2013 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 September 10, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Judith J. Gische  
Darcel D. Clark, Justices.

-----X  
SSR II, LLC,  
Plaintiff-Appellant,

-against-

M-3816  
Index No. 652793/11

John Hancock Life Insurance  
Company (U.S.A.), et al.,  
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from a judgment of the Supreme Court, New York County, entered on or about October 17, 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 granted to the extent of enlarging the time to perfect the appeal to the January 2014 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 September 10, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Judith J. Gische  
Darcel D. Clark, Justices.

-----X  
Kim Swift,  
Plaintiff-Appellant,

-against-

M-3817  
Index No. 300595/08

New York Transit Authority,  
American Transit, Inc., Ralph  
Brown and Norcia Paulino,  
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about October 1, 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 granted to the extent of enlarging the time to perfect the appeal to the January 2014 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 September 10, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Darcel D. Clark, Justices.

-----X  
The United States Life Insurance  
Company in the City of New York,  
Plaintiff-Appellant,

-against-

M-3657  
Index No. 112060/09

Dina Kupferstein, et al.,  
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about September 17, 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 granted to the extent of enlarging the time to perfect the appeal to the January 2014 Term, with no further enlargements to be granted.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 10, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Judith J. Gische  
Darcel D. Clark, Justices.

-----X  
Michael H. Smith, as Guardian Ad Litem  
for L.H. and B.R.,  
Plaintiffs-Appellants,

-against-

New York Society for the Deaf, Joel  
Ziev and Pearl Johnson,  
Defendants-Respondents.

**SEALED**

M-3504

Index No. 115111/99

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about August 15, 2012 (mot. seq. no. 012).

And plaintiffs-appellants having moved for an enlargement of time to perfect 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 enlarging the time to perfect the appeal to the January 2014 Term, with no further enlargements to be granted.

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 10, 2013.

Present - Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Judith J. Gische  
Darcel D. Clark, Justices.

-----x  
325 Wadsworth Realty, LLC,  
Plaintiff-Respondent, M-3689

-against- Index No. 603339/09

J. Klein Associates, etc.,  
Defendant-Appellant,

American International Specialty Lines  
Insurance Company,  
Defendant.

- - - - -  
J. Klein Associates, LLC,  
Third-Party Plaintiff-Appellant,

-against- Index No. 590443/10

Program Brokerage Corporation,  
Third-Party Defendant-Respondent.

-----x  
Defendant/third-party plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about October 2, 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 granted to the extent of enlarging the time to perfect the appeal to the January 2014 Term, with leave to seek a further enlargement, if necessary.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 10, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Judith J. Gische  
Darcel D. Clark, Justices.

-----X  
U.S. Bank, etc.,  
Plaintiff-Respondent,

-against-

Sinckler-Wilson Properties, Inc.,  
a New York Corporation, et al.,  
Defendants-Appellants.

M-3762  
Index No. 381119/11

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about April 30, 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 granted to the extent of enlarging the time to perfect the appeal to the January 2014 Term, with no further enlargements to be granted.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 10, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Judith J. Gische  
Darcel D. Clark, Justices.

-----X  
Robert Burton,  
Plaintiff-Appellant,

-against-

M-3597  
Index No. 600739/10

Emanuela Lupu, Esq., et al.,  
Defendants-Respondent.

-----X

Plaintiff-appellant having moved for an order enlarging the time to perfect the appeals from the orders of the Supreme Court, New York County, entered on or about September 4, 2012 (mot. seq. no. 003) and September 5, 2012 (mot. seq. no. 002), 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 to perfect the appeals, which are sua sponte consolidated, to the January 2014 Term, with no further enlargements to be granted. Appellants are permitted to prosecute the appeals upon 9 copies of one record and one copy of appellants' points covering the aforesaid appeals.

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 September 10, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Judith J. Gische  
Darcel D. Clark, Justices.

-----X  
Jorge Flores,  
Plaintiff-Respondent,

-against-

BAM Produce, Inc., etc.,  
Defendant-Appellant,

M-3631  
Index No. 304754/09

-and-

Hunts Point Terminal Produce  
Cooperative Association, Inc.,  
et al.,  
Defendants-Respondents.

-----X

Defendant-appellant BAM Produce, Inc. having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about July 20, 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 granted to the extent of enlarging the time to perfect the appeal to the February 2014 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 September 10, 2013.

Present: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Karla Moskowitz  
Sallie Manzanet-Daniels  
Darcel D. Clark, Justices.

-----X  
In the Matter of the Application of  
Pannette Smith,  
Petitioner,

**M-3378**

For a Judgment Pursuant to Article 78 Index No. 103549/11  
of the Civil Practice Law and Rules,

-against-

New York City Housing Authority,  
Respondent.

-----X

An appeal having been taken by petitioner from a judgment of the Supreme Court, New York County, entered on or about September 29, 2011,

And an order of this Court having been entered on June 6, 2013 (M-1462/M-1865), granting respondent's motion to dismiss the aforesaid appeal [M-1462], and denying petitioner's cross motion to enlarge the time to perfect said appeal [M-1865],

And petitioner having moved for reconsideration of this Court's order entered on June 6, 2013 (M-1462/M-1865) dismissing petitioner's appeal,

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

Ordered that the motion is 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 September 10, 2013.

Present: Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

-----X

1626 Second Avenue LLC,  
Plaintiff-Respondent,

-against-

**M-2459**

**M-2520**

Index No. 603492/09

Steven Salsberg,  
Defendant-Respondent-Appellant,

Nick Camaj,  
Defendant-Appellant-Respondent.

-----X

Defendant-appellant-respondent, Nick Camaj, having moved for reargument of the decision and order of this Court entered on April 2, 2013 (Appeal No. 9701) [M-2459],

And defendant-respondent-appellant, Steven Salsberg, having moved for the same relief [M-2520],

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 September 10, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,  
Karla Moskowitz  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----X  
In re Sylvan Lawrence  
Deceased.

- - - - -  
Richard S. Lawrence, et al.,  
Plaintiffs-Appellants-Respondents,

-against-

M-3325  
File 175/82

Graubard Miller, et al.,  
Defendants-Respondents-Appellants.

- - - - -  
Richard S. Lawrence, et al.,  
Intervenors-Appellants-Respondents.

-----X

Defendants-respondents-appellants C. Daniel Chill and Elaine M. Reich having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on May 23, 2013 (Appeal No. 8321-8321A),

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

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

"Was the order of this Court, which modified the decree of the Surrogate's Court and affirmed a previous order of the Surrogate's Court, properly made?"

This Court further certifies that its determination was made as a matter of law and not in the exercise of discretion (See M-3026 and M-3412, 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 September 10, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,  
Karla Moskowitz  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----X

In re Sylvan Lawrence  
Deceased.

- - - - -

Richard S. Lawrence, et al.,  
Plaintiffs-Appellants-Respondents,

-against-

M-3026  
File 175/82

Graubard Miller, et al.,  
Defendants-Respondents-Appellants.

- - - - -

Richard S. Lawrence, et al.,  
Intervenors-Appellants-Respondents.

-----X

Defendant-respondent-appellant Steven Mallis having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on May 23, 2013 (Appeal No. 8321-8321A),

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

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

"Was the order of this Court, which modified the decree of the Surrogate's Court and affirmed a previous order of the Surrogate's Court, properly made?"

This Court further certifies that its determination was made as a matter of law and not in the exercise of discretion (See M-3325 and M-3412, 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 September 10, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,  
Karla Moskowitz  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----X  
In re Sylvan Lawrence  
Deceased.

- - - - -  
Richard S. Lawrence, et al.,  
Plaintiffs-Appellants-Respondents,

-against-

M-3412  
File 175/82

Graubaud Miller, et al.,  
Defendants-Respondents-Appellants.

- - - - -  
Richard S. Lawrence, et al.,  
Intervenors-Appellants-Respondents.

-----X

Defendant-respondent-appellant Graubaud Miller 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 23, 2013 (Appeal No. 8231-8231A),

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, insofar as it seeks reargument, is denied.

It is further ordered that the motion, to the extent it 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 the decree of the Surrogate's Court and affirmed a previous order of the Surrogate's Court, properly made?"

This Court further certifies that its determination was made as a matter of law and not in the exercise of discretion (See M-3026 and M-3325, 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 September 10, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Judith J. Gische  
Darcel D. Clark, Justices.

-----X  
Almando Aponte,  
Plaintiff-Respondent,

-against-

M-3896  
Index No. 300881/08

City of New York, 1034 A.S.J. Housing  
Development Fund Corporation and South  
Bronx Community Management Company, Inc.,  
Defendants-Appellants.

-----X

Defendants-appellants having moved for a stay of proceedings including discovery pending hearing and determination of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about December 19, 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 granted on condition defendants-appellants perfects their appeal on or before November 4, 2013 for the January 2014 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 September 10, 2013.

Present - Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Judith J. Gische  
Darcel D. Clark, Justices.

-----x  
Kenneth Heller,  
Plaintiff-Respondent,

-against-

M-4145  
Index No. 652994/12

Mark Moody, Esq. and M.W. Moody, LLC,  
Defendants-Appellants.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about July 23, 2013,

And defendants-appellants having moved for a stay of enforcement of a certain judgment pending hearing and determination of the appeal, and for related relief,

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

It is ordered that the motion is granted on condition the appeal is perfected on or before November 4, 2013 for the January 2014 Term, and on further condition that defendants-appellants post an undertaking in the amount of \$30,000 within 30 days of the date of entry hereof. Upon failure to fulfill either condition, plaintiff-respondent may move on notice to vacate the aforesaid 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 September 10, 2013.

Present - Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Judith J. Gische  
Darcel D. Clark, Justices.

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

-----  
Alfredo J. T.,  
Petitioner-Respondent,  
  
-against-

M-3769  
Docket Nos. V-22463/10  
V-28879/10  
V-33130/12

Jodi D.,  
Respondent-Appellant.

-----x  
A purported appeal having been taken from a temporary order of visitation of the Family Court, Bronx County, entered on or about June 13, 2013,

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

Now, upon reading and filing the papers with respect to the motion, and the correspondence dated September 3, 2013 from Michael L. Paikin, Esq., counsel for respondent-appellant, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn in accordance with the aforesaid correspondence.

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 September 10, 2013.

Present: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Judith J. Gische  
Darcel D. Clark, Justices.

-----X  
In Re: New York City Asbestos Litigation:  
-----X

Gail Herlihy, Individually and as  
Executrix of the Estate of Arthur  
Herlihy,  
Plaintiff-Respondent,

**M-3956**  
Index No. 190149/11

-against-

A.F. Supply Corp., et al.,  
Defendants,

Munaco Packing & Rubber Co., Inc.,  
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about January 7, 2013,

And defendant having moved for leave to enlarge the record on appeal,

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

Ordered that the motion is denied.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 10, 2013.

Present - Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Judith J. Gische  
Darcel D. Clark, Justices.

-----x  
Hudson-Spring Partnership, L.P.,

Plaintiff-Respondent,

-against-

M-4031  
Index No. 652229/10

P+M Design Consultants, Inc.,

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 23, 2012, and said appeal having been perfected,

And plaintiff-respondent having moved for an enlargement of the record on appeal to include a certain affidavit (Exhibit E to the moving papers),

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

It is ordered that the motion is denied and, sua sponte, the appeal is adjourned to the October 2013 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 September 10, 2013.

Present - Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Judith J. Gische  
Darcel D. Clark, Justices.

-----x  
Board of Managers of the Lenox Grand  
Condominium,  
Plaintiff-Respondent,

-against-

DSW Lenox LLC,  
Defendant-Appellant,

M-4006  
Index No. 112834/09

-and-

Country Bank, et al.,  
Defendants.

-----x  
An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about December 20, 2012 (mot. seq. no. 005), and said appeal having been perfected,

And plaintiff-respondent having moved for leave to strike portions of the record on appeal and defendant-appellant's brief as it contains materials de hors the record, 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 denied, without prejudice to raising said issues upon hearing of the appeal.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 10, 2013.

Present: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Judith J. Gische  
Darcel D. Clark, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

**M-3902**

Ind. No. 1694/01

Anthony Hill,  
Defendant-Appellant.

-----X

Defendant-appellant, in connection with an appeal taken from the judgment of the Supreme Court, New York County, rendered on or about May 29, 2009, having moved for leave to file a pro se supplemental brief and for related relief,

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

It is ordered that the motion is granted to the extent of directing defendant to serve and file 8 copies of his pro se supplemental brief on or before November 4, 2013 for the January 2014 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 September 10, 2013.

Present - Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Judith J. Gische  
Darcel D. Clark, Justices.

-----x

Aaron Elkin,  
Plaintiff-Appellant,

-against-

M-4090  
Index No. 105411/08

Andrea Labis,  
Defendant-Respondent.

-----x

Appeals having been taken to this Court from orders of the Supreme Court, New York County, both entered on or about April 25, 2011; and an appeal having been from the order of said Court entered on or about January 20, 2012,

And plaintiff-appellant having moved for an extension of time to file a reply brief, and for oral argument,

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 an extension of time to file a reply brief, is denied as academic, the appeal having been adjourned to the October 2013 Term by the order of a Justice of this Court dated August 9, 2013. The motion, to the extent it seeks oral argument, is denied, without prejudice to plaintiff-appellant making such request directly to the Clerk of the Court pursuant to 22 NYCRR 600.11(f).

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 September 10, 2013.

Present - Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Judith J. Gische  
Darcel D. Clark, Justices.

-----x

The People of the State of New York,  
Respondent,

-against-

M-2606  
Ind. No. 6287/07

Jerome Ford, Jr.,  
Defendant-Appellant.

-----x

An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, rendered on or about December 21, 2009,

And an order of this Court having been entered on April 18, 2013 (M-928), *inter alia*, enlarging the time to perfect the appeal, and directing the People to file certain materials to the extent available with the Court under seal as exhibits for *in camera* review in conjunction with the appeal,

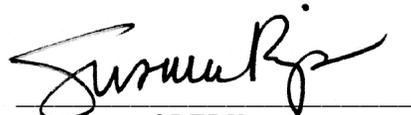
And defendant-appellant having moved for modification of the order of this Court entered on April 18, 2013 (M-928) to the extent of directing the production of all sealed minutes and motion papers for *in camera* review, including those that exist beyond those referenced in the prior order, and to state that after this Court conducts said *in camera* review, to provide them to appellate counsel "subject to any necessary protective order or redactions",

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 People to provide the sealed affirmations of the Assistant District Attorneys in question and the minutes of the sealed court proceedings held on December 17, 2008, November 9, 2009, November 12, 2009, and November 16, 2009 to defendant's appellate counsel; said records shall be maintained in the exclusive possession of said counsel,

defendant's appellate counsel is permitted to review the minutes of the sealed court proceedings held on November 17, 2009 at the New York County District Attorney's Office; all copies of sealed materials disclosed to defendant's appellate counsel shall be redacted to the extent of redacting all portions highlighted in blue in the copies of the sealed exhibits that have been provided to this Court; any arguments raised on appeal concerning any sealed materials are to be set forth in a separate submission filed under seal, and shall be used for the exclusive purpose of litigating this appeal; all sealed materials shall be used for the exclusive purpose of litigating this appeal, and no sealed materials pertaining to this case, or copies or records thereof, shall be provided, in whole or in part, to defendant, his associates, his family members, or any other members of the public. Sua sponte, the time to perfect appeal is enlarged to the February 2014 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 September 10, 2013.

Present: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Judith J. Gische  
Darcel D. Clark, Justices.

-----X

Nomura Asset Acceptance Corporation  
Alternative Loan Trust, etc.,  
Plaintiff-Appellant,

**M-3891**

**M-3892**

-against-

Index No. 653541/11

Nomura Credit & Capital, Inc.,  
Defendant-Respondent.

-----X

Ace Securities Corp., etc.,  
Plaintiff-Respondent,

Index No. 650980/12

-against-

DB Structured Products, Inc.,  
Defendant-Appellant.

-----X

An appeal having been taken by plaintiff-appellant, Nomura Asset Acceptance Corporation Alternative Loan Trust, etc., from an order of the Supreme Court, New York County, entered on or about May 15, 2013 [Index No. 653541/11],

And an appeal having been taken by defendant-appellant, DB Structured Products, Inc., from an order of the same Court, entered on or about May 14, 2013, and said appeal having been perfected [Index No. 650980/12],

And the defendant-appellant DB Structured Products, Inc. [M-3891] and defendant-respondent Nomura Credit & Capital, Inc. [M-3892] having moved by separate motions for an order coordinating oral argument of the aforesaid appeals to the extent of adjourning defendant-appellant, DB Structured Products, Inc.'s perfected appeal to the November 2013 Term, and directing that plaintiff-appellant, Nomura Asset Acceptance Corporation Alternative Loan Trust's non-perfected appeal be perfected for said November 2013 Term, and directing the Clerk of this Court to calendar said appeals for hearing together,

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 September 10, 2013.

Present: Hon. Rolando T. Acosta, Justice Presiding,  
Dianne T. Renwick  
Rosalyn H. Richter  
Paul G. Feinman, Justices.

-----X  
George Ricketts, et al.,  
Plaintiffs-Respondents,

-against-

Cuffe Auto Sales, Inc.,  
Defendant-Appellant,

M-3463  
Index Nos. 306836/09  
83842/11

"John Doe", etc.,  
Defendant.

- - - - -  
[And a Third-Party Action]  
-----X

Defendant-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 May 28, 2013 (Appeal No. 10217),

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 September 10, 2013.

Present: Hon. Dianne T. Renwick, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X  
Karlo Morato-Rodriguez,  
Plaintiff-Respondent,

-against-

**M-3245**

Index No. 303634/09

Riva Construction Group, Inc., et al.,  
Defendants,

1412 Broadway, LLC.,  
Defendant-Appellant.  
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about August 3, 2012,

And defendant-appellant having moved to withdraw 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 deemed withdrawn.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 10, 2013.

PRESEMT: Hon. Dianne T. Renwick, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

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

-against-

M-3292  
Ind. No. 5365/10

Raymundo Sepulveda,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Ronald A. Zweibel, J.) entered on or about February 25, 2013, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL 460.70) two transcripts of the stenographic minutes of the SORA hearing and any other proceedings before Justice Zweibel as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Steven Banks, Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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 September 10, 2013.

Present: Hon. Dianne T. Renwick, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

In the Matter of

The R. Children,

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

**M-3546**

Docket Nos. B-4713-6/12

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

Diana P.,  
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 from an order of the Family Court, Bronx County, entered on or about June 25, 2013, 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, Kenneth M. Tuccillo, Esq., 591 Warburton Avenue, #576, Hastings on Hudson, New York, NY 10706 Telephone No. (914) 439-4843, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family

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

---

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 10, 2013.

Present: Hon. Dianne T. Renwick, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

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

-against-

**M-3366**  
Ind. No. 3097/09

Andre A. Velez, also known as Andre Velez,

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, New York County, rendered on or about October 20, 2011, 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.

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 September 10, 2013.

Present: Hon. Dianne T. Renwick, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X  
In the Matter of

Breanna S. and  
Justin S.,

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

**M-3502**

Docket Nos. B-45153-4/10

-----  
Edwin Gould Services for Children,  
et al.,  
Petitioners-Respondents,

Nereida V.,  
Respondent-Appellant.

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

-----X  
Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about June 20, 2013, 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, Geanine Towers, Esq., 179 Bay Ridge Avenue, Brooklyn, NY 11220, Telephone No. (718) 759-1000, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of

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

---

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 10, 2013.

Present: Hon. Dianne T. Renwick, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X  
Anthony Dawson,

Plaintiff-Appellant,

-against-

**M-3295**

Index No. 303492/08

Metropolitan Exposition Services, Inc.,  
et al.,

Defendants-Respondents.

-----X

Defendant-respondent, Metropolitan Exposition Services, Inc., having moved for dismissal of the appeal taken from an order of the Supreme Court, Bronx County, entered on or about April 6, 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 granted and the appeal is dismissed as against the aforesaid movant Metropolitan Exposition Services, Inc.

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 September 10, 2013.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

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

-against-

M-3555  
Ind. No. 4512/02

Steven Darbasie,  
Defendant-Appellant.

-----X

An order of this Court having been entered on December 27, 2012 (M-5440), inter alia, granting defendant leave to file a pro se supplemental brief in connection with the appeal from a judgment of the Supreme Court, New York County, rendered on or about June 12, 2003,

And defendant having moved for an extension of time in which to file the 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 November 4, 2013 for the January 2014 Term, to which Term the appeal is adjourned, with no further adjournments to be granted. 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 September 10, 2013.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

In the Matter of the Application of  
Jose A. Maldonado, doing business as  
Alex 123 Auto Repair, Jose I. Diaz,  
Luis A. Ortiz, Jose A. Maldonado,  
and Jose A. Holguin,  
Petitioners,

M-3481  
Index No. 260506/12

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

-against-

State of New York Department of Motor  
Vehicles, et al.,  
Respondents.

-----X

An Article 78 proceeding to review a determination of respondents, having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, Bronx County, entered on or about January 23, 2013,

And petitioners' counsel having moved to withdraw the proceeding and to permit counsel to withdraw or, in the alternative, for an enlargement of time to perfect the aforesaid proceeding,

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 allowing counsel to withdraw as attorney for petitioners for the purposes of the proceeding; so much of the motion seeking withdrawal of the proceeding is denied. The time to perfect the proceeding is enlarged to the January 2014 Term, without prejudice to a motion by petitioners, through new counsel, to withdraw the appeal, if so advised.

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 September 10, 2013.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X  
Leticia Delgado and Cesar Delgado,  
Individually and as Parents and  
Natural Guardians of Joshua Delgado,  
an infant,  
Plaintiffs-Respondents,

M-3317  
Index No. 350568/08

-against-

Gloria Murray, CNM, et al.,  
Defendants-Appellants,  
-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about August 23, 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 granted to the extent of enlarging the time to perfect the appeal to the December 2013 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 September 10, 2013.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X  
Janice Quintero,  
Plaintiff-Respondent,

-against-

M-3321  
Index No. 115901/08

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

-and-

Samuel B. Borger and Chaya Malka Borger,  
Defendants-Respondents.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about August 20, 2012 (mot. seq. no. 005),

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the December 2013 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 September 10, 2013.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X  
Pawel Wilkowski,  
Plaintiff-Respondent,

-against-

M-3390  
Index No. 105214/05

New York City Transit Authority,  
et al.,  
Defendants-Appellants,

-and-

The Lillian Goldman Family, LLC,  
et al.,  
Defendants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, New York County, entered on or about May 7, 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 granted to the extent of enlarging the time to perfect the appeal to the December 2013 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 September 10, 2013.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

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

-against-

M-3487  
Ind. No. 4526/09

Robert Mangieri,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, rendered on or about August 24, 2011,

And defendant-appellant having moved for an enlargement of time to perfect the aforesaid appeal,

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

Ordered that the motion is granted enlarging the time to perfect the appeal to the January 2014 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 September 10, 2013.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X  
Michael Notaro, et al.,  
Plaintiffs-Respondents,

-against-

M-3567  
Index No. 309543/09

1075 Units, LLC,  
Defendant-Appellant,  
  
1075 Concourse Tenants Corp.,  
Defendant.

-----X

Defendant-appellant 1075 Units, LLC having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about January 10, 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 granted to the extent of enlarging the time to perfect the appeal to the January 2014 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 September 10, 2013.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X  
Lynda Dufresne-Simmons, as Guardian  
of the Person and Property of  
William Simmons,  
Plaintiff-Respondent,

-against-

Wingate, Russotti & Shapiro, LLP,  
Defendant-Appellant.  
-----X

M-3615  
Index No. 307170/08

Defendant-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about September 25, 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 granted to the extent of enlarging the time to perfect the appeal to the January 2014 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 September 10, 2013.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

Sedina Levin,  
Plaintiff-Appellant,

-against-

M-3357

Index No. 400309/10

New York City Health and Hospitals  
Corporation (Harlem Hospital Center),  
Defendant-Respondent.

-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about February 24, 2012 and from an order of the same Court and Justice entered on or about November 30, 2012, respectively,

And an order of this Court having been entered on April 25, 2013 (M-828), consolidating the aforesaid appeals and enlarging the time to perfect same to the September 2013 Term,

And plaintiff-appellant having moved for a further enlargement of time 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 to perfect the consolidated appeals to the January 2014 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 September 10, 2013.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X  
Aristides Giron,  
Plaintiff-Respondent,

-against-

M-3451  
Index No. 302202/10

Mack-Cali Realty Corporation,  
Defendant-Appellant.

- - - - -  
(And other actions)

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about April 18, 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 granted to the extent of enlarging the time to perfect the appeal to the February 2014 Term, with leave to seek further enlargements, if necessary.

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 10, 2013.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

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

-against-

M-3490  
Index No. 4657/88

Florentino Burgos,  
Defendant-Respondent.

-----X

The People having moved for an enlargement of time to perfect the appeal from orders of the Supreme Court, New York County, entered on or about July 2, 2012 and September 21, 2012, 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 to perfect the appeal to the March 2014 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 September 10, 2013.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Roselyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

Young Woo & Associates, LLC and  
YWA Two Eagles, LLC,  
Plaintiffs-Respondents,

-against-

M-3440  
Index No. 652208/10

Andrew Y. Kim,  
Defendant-Appellant,

Sahn Eagle LLC,  
Non-Party Appellant,

Christine Rodriguez,  
Non-Party Appellant.

-----X

Appeals having been taken from the order of the Supreme Court, New York County, entered on or about March 28, 2012,

And defendant-appellant Andrew Y. Kim and non-party appellant Sahn Eagle LLC, having moved for an enlargement of time to perfect their appeal from the aforesaid order,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeals to the May 2014 Term.

ENTER:

  
CLERK

APPELLATE DIVISION: FIRST JUDICIAL DEPARTMENT

BEFORE: Hon. David B. Saxe  
Justice of the Appellate Division

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

Respondent,

M-1681  
NY Co.  
Ind. No. 5108/08

-against-

CERTIFICATE  
GRANTING LEAVE

Elvis Nunez,

Defendant-Appellant.  
-----X

I, David B. Saxe, 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 October 16, 2012.<sup>1</sup>

Dated: New York, New York  
August 26, 2013

**ENTERED** SEP 10 2013

  
Justice of the Appellate Division

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 appeal (or 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.

<sup>1</sup>In the event defendant has an existing (direct) appeal from a judgment, such appeal shall be consolidated with the appeal from the aforesaid order; and any poor person relief granted with respect to the appeal from the judgment shall be extended to cover the appeals so consolidated.

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,

-against-

Jamal Grant,  
Defendant.

M-3312  
Ind. No. 1573/03

CERTIFICATE  
DENYING LEAVE

-----X

I, Rosalyn H. Richter, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon the application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about May 17, 2013, is hereby denied.

  
\_\_\_\_\_  
Hon. Rosalyn H. Richter

Dated: July 25, 2013  
New York, New York

ENTERED: SEP 10 2013

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,

M-3425  
Ind. No. 8515/89

-against-

ORDER DENYING LEAVE  
UPON REARGUMENT

Michael Melendez,  
Defendant.

-----X

I, Rosalyn H. Richter, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application made by the above-named defendant for reargument of the order of a Justice of this Court (M-1682), entered on April 30, 2013, which denied his motion for a certificate pursuant to Criminal Procedure Law, section 460.15, the motion for reargument/renewal is granted because the Court supplemented its decision and upon reargument/renewal, leave to appeal from the order of the Supreme Court, Bronx County, entered on or about December 12, 2012, as amended on or about May 1, 2013, is hereby denied.

  
\_\_\_\_\_  
Hon. Rosalyn H. Richter

Dated: July 22, 2013  
New York, New York

ENTERED

SEP 10 2013

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,

-against-

Leroy Dorsey,  
Defendant.

M-3571  
Ind. No. 1114/85

CERTIFICATE  
DENYING LEAVE

-----X

I, Rosalyn H. Richter, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon the application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about April 8, 2012, is hereby denied. The portion of the motion that seeks assignment of counsel is denied. The portion of the motion which seeks poor person relief is granted.

  
\_\_\_\_\_  
Hon. Rosalyn H. Richter

Dated: July 26, 2013  
New York, New York

ENTERED: SEP 10 2013

PM ORDERS

ENTERED ON

SEPTEMBER 10,  
2013

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 September 10, 2013.

Present: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Judith J. Gische  
Darcel D. Clark, Justices.

-----X  
Kisshia Simmons-Grant,

Plaintiff-Respondent,

-against-

Quinn Emanuel Urquhart & Sullivan,  
LLP,

Defendant-Appellant.  
-----X

**M-4099**  
Index No. 150935/13

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 13, 2013, and said appeal having been perfected,

And defendant-appellant having moved for a stay of all proceedings including discovery 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