

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 14, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

M-2675  
Ind. No. 5464N/12

Jose Silva,  
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about August 6, 2013,

Now, upon reading and filing the stipulation of the parties hereto, dated May 13, 2014, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 August 14, 2014.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Darcel D. Clark  
Barbara R. Kapnick, Justices.

-----X  
32 Gramercy Park Owners Corp.,  
Plaintiff-Respondent,

-against-

M-3010  
Index No. 112712/11

Diane Conniff,  
Defendant-Appellant,

John/Jane Doe,  
Defendants.

-----X

Defendant-appellant having moved for a stay of defendant's continued disposition pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about May 15, 2014,

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

It is ordered that the motion is denied and the interim relief granted by an order of a Justice of this Court, dated June 10, 2014, is hereby vacated.

ENTER:



\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 14, 2014.

Present: Hon. Karla Moskowitz, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Darcel D. Clark  
Barbara R. Kapnick, Justices.

-----X

Sandton Credit Opportunities Master  
Fund II, LP,  
Plaintiff-Respondent,

**M-3243**

Index No. 650260/13

-against-

Juno Healthcare Staffing System,  
Inc., et al.,  
Defendants-Appellants.

-----X

Appeals having been taken from an order of the Supreme Court, New York County, entered on or about May 13, 2014 and from a judgment of said Court entered on or about May 30, 2014,

And defendants-appellants having moved for consolidation of the aforesaid appeals, and for a stay of enforcement of the aforesaid judgment entered on or about May 30, 2014 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 only to the extent of permitting defendants-appellants to prosecute the consolidated appeals upon 9 copies of one record and of one set of defendants-appellants' points covering said appeals. So much of the motion which seeks a stay 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 August 14, 2014.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Darcel D. Clark  
Barbara R. Kapnick, Justices.

-----X

The People of the State of New York  
ex rel. Gene Benito,  
Petitioner-Appellant,

-against-

M-3185  
Index No. 400432/14

Antonio Cuin, Warden, M.D.C.,  
Respondent.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, entered on or about April 21, 2014, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that said 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 serve one copy of such brief upon the attorney for respondent and file ten 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.

The Clerk of Supreme Court, New York County, is directed to have transcribed the minutes of the proceedings held therein, if any, for inclusion in the record on appeal, with a copy to appellant's counsel, the cost thereof to be charged against the City of New York from funds available therefor and any other fees in connection therewith.

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 August 14, 2014.

Present: Hon. Karla Moskowitz, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Darcel D. Clark  
Barbara R. Kapnick, Justices.

-----X  
Carmen Figueroa, as Administratrix  
of the Estate of Ines Arce,  
Plaintiff-Respondent,

-against-

Regeis Care Center and Regeis Care  
Center, LLC,  
Defendants-Appellants.

**M-3241**  
**M-3388**  
Index No. 21204/11

-----X

Defendants-appellants having moved for an enlargement of time to perfect their appeal taken from an order of the Supreme Court, Bronx County, entered on or about April 19, 2013 (M-3241),

And plaintiff-respondent having cross-moved for the dismissal of defendants' appeal (M-3388),

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 on or before September 29, 2014 for the December 2014 Term, with no further enlargements to be granted (M-3241). Plaintiff's cross motion to dismiss defendants' appeal is granted unless defendants perfect their appeal for said December 2014 Term (M-3388).

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 August 14, 2014.

Present: Hon. Karla Moskowitz, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Darcel D. Clark  
Barbara R. Kapnick, Justices.

-----X

In the Matter of the Application of  
Danny Rossi,  
Petitioner-Respondent,

-against-

**M-3338**

Index No. 100565/13

The New York City Department of Health  
and Mental Hygiene,  
Respondent-Appellant,

For an Order or Judgment Pursuant to  
Article 78 of the Civil Practice Law  
and Rules.

-----X

In the Matter of the Application of  
Elizabeth A. Rossi,  
Petitioner-Respondent,

-against-

Index No. 100562/13

The New York City Department of Health  
and Mental Hygiene,  
Respondent-Appellant,

For an Order or Judgment Pursuant to  
Article 78 of the Civil Practice Law  
and Rules.

-----X

In The Matter of the Application of  
Richard Rivera,  
Petitioner-Respondent,

-against-

Index No. 100563/13

The New York City Department of Health  
and Mental Hygiene,  
Respondent-Appellant,

For an Order or Judgment Pursuant to  
Article 78 of the Civil Practice Law  
and Rules.

-----X

-----X  
 In the Matter of the Application of  
 Rebah Belkebir,  
 Petitioner-Respondent,

-against-

Index No. 100564/13

The New York City Department of Health  
 and Mental Hygiene,  
 Respondent-Appellant,

For an Order or Judgment Pursuant to  
 Article 78 of the Civil Practice Law  
 and Rules.

-----X

Appeals having been taken by the respondent-appellant  
 Department of Health and Mental Hygiene taken from (four) orders of  
 the Supreme Court, New York County, each entered on or about  
 September 10, 2014, in the above-captioned actions,

And respondent-appellant having moved for consolidation of  
 the aforesaid appeals, and for an enlargement of time to perfect  
 said 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  
 permitting respondent-appellant to prosecute the consolidated appeals  
 upon 9 copies of one record and of one set of appellant's points  
 covering the appeals. The time to perfect the consolidated appeals  
 is enlarged to the January 2015 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 August 14, 2014.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Darcel D. Clark  
Barbara R. Kapnick, Justices.

-----X  
Alma Garnett, As Liquidating Trustee

of Bolan International, Inc.,  
Plaintiffs-Appellants,

M-3431  
Index No. 114079/08

-against-

Fox, Horan & Camerini, LLP,  
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about April 9, 2013, said appeal having been perfected,

And defendant-respondent having moved to adjourn the aforesaid appeal from the calendar for the September 2014 Term to the February 2015 Term,

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

Ordered that the motion is granted to the extent of adjourning the appeal to the February 2015 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 August 14, 2014.

Present: Hon. Karla Moskowitz, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Darcel D. Clark  
Barbara R. Kapnick, Justices.

-----X

Artcorp Inc.,  
Plaintiff-Appellant,

-against-

**M-3242**

Index No. 653878/13

Citirich Realty Corp.,  
Defendant-Respondent.

-----X

An appeal having been taken from of the Supreme Court, New York County, entered on or about June 20, 2014,

And plaintiff-appellant having moved for relief in the nature of a preliminary appellate injunction pursuant to CPLR 5518, prohibiting defendant from taking measures to terminate the commercial lease pending the outcome of plaintiff's appeal of the aforesaid Supreme Court's denial of a Yellowstone injunction,

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 granting a preliminary appellate injunction pursuant to CPLR 5518 enjoining lease termination on condition plaintiff perfects the appeal for the December 2014 Term of the 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 August 14, 2014.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Darcel D. Clark  
Barbara R. Kapnick, Justices.

-----X  
Bradley C. Aldrich, et al.,  
Plaintiffs-Respondents,

-against-

M-3199

Index No. 602803/07

Northern Leasing Systems, Inc.,  
et al.,  
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about August 13, 2013 (mot. seq. no. 011),

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 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 August 14, 2014.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Darcel D. Clark  
Barbara R. Kapnick, Justices.

-----X  
Abdelhamid Goma and Nesreen Goma,  
Plaintiffs-Respondents.

-against-

M-3084  
Index No. 309831/12

Forego Taxi Corp., et al.,  
Defendants-Appellants.

-----X

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

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 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 August 14, 2014.

PRESENT - Hon. Karla Moskowitz, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Darcel D. Clark  
Barbara R. Kapnick, Justices.

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

-against-

M-3483  
Ind. No. 3891/11

Calvin Reed,  
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 October 22, 2012, 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 December 8, 2014 for the February 2015 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 August 14, 2014.

Present: Hon. Karla Moskowitz, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Darcel D. Clark  
Barbara R. Kapnick, Justices.

-----X  
Brenda Pomerance, on behalf of herself  
and in the right of 310 West 52 Street  
Condominium Association,  
Plaintiffs-Respondents,

-against-

**M-3522**

Index No. 650129/11

Brian Scott McGrath, Board of Managers  
of the 310 West 52 Street Condominium  
Association, Carl Chernoff, Bonnie  
Goldner, Alexander Moshinsky, John  
Gates, Charles Hsu, Michael Nutt,  
Rachel Oppen, also known as Rachel  
Matuszak, and Karen Hudak,  
Defendants-Appellants.

-----X

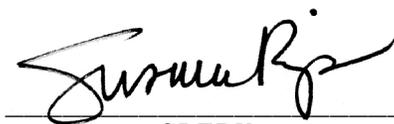
An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 30, 2014,

And defendants-appellants having moved for a stay of all lower court proceedings pending hearing and determination of the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties, dated July 11, 2014, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of staying all proceedings in the trial court pending determination of the appeal in accordance with the aforesaid stipulation of the parties, dated July 11, 2014.

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 August 14, 2014.

PRESENT - Hon: Karla Moskowitz, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Darcel D. Clark  
Barbara R. Kapnick, Justices.

-----X

Allen Bodner, etc.,  
Plaintiff-Appellant-  
Respondent-Appellant,

-against-

M-3546  
Index No. 653442/11

Harry Grunstein,  
Defendant-Respondent-  
Appellant-Respondent,

Leonard Grunstein, et al.,  
Defendants-Respondents.

-----X

An appeal and cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about April 25, 2013 (mot. seq. no. 006), and plaintiff having also taken an appeal from the order of said Court entered on or about December 17, 2013 (mot. seq. no. 011), said appeals having been perfected on a "joint appendix",

And defendants-respondents having moved for an order dismissing plaintiffs appeals or for enlargements of time for defendant Harry Grunstein to perfect his cross appeal and for defendants-respondents to file their respondents' brief with respect to the appeal from the order entered on or about December 17, 2013, and for other relief,

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

It is ordered that the motion is granted to the extent of adjourning the perfected appeals to the December 2014 Term, and permitting defendants to file any supplemental appendix, without prejudice to defendants seeking the costs thereof directly on appeal, and the motion is otherwise 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 August 14, 2014.

Present: Hon. Karla Moskowitz, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Darcel D. Clark  
Barbara R. Kapnick, Justices.

-----X  
TBA Global, LLC,  
Petitioner-Appellant,

TBA Global Holdings,  
Petitioner,

**SEALED**  
**M-3209**  
Index No. 650161/13

-against-

Fidus Partners, LLC,  
Respondent-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 13, 2014,

And petitioner-appellant having moved for a stay of certain arbitration pending hearing and determination of the aforesaid appeal, and to seal certain documents within 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, to the extent it seeks a stay of arbitration is granted on condition the aforesaid appeal is perfected on or before September 2, 2014 for the November 2014 Term. So much of the motion which seeks to seal certain portions of the record is granted to the extent of sealing, in their entirety, Exhibits 6 and 7 of the affirmation of Luke A. Connelly, Esq., dated June 23, 2014 filed in support of the instant motion said exhibits to be filed in a separate volume of the record under seal. The Clerk is directed to file the aforementioned documents under seal.

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 August 14, 2014.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Darcel D. Clark  
Barbara R. Kapnick, Justices.

-----X  
Anthony Gordon, Martina Gordon,  
Plaintiffs-Appellants-Respondents,

-against-

M-3479  
Index No. 103951/12

476 Broadway Realty Corp.,  
Defendant-Respondent-Appellant,

Board of Managers of 476 Broadway  
Condominium,  
Defendant,

"John Doe" and "Jane Doe",  
Counterclaim Defendants.

-----X

Appeals having been taken from the order of the Supreme Court, New York County, entered on or about May 21, 2014 (mot. seq. no. 003) and the amended order of said Court entered on or about July 2, 2014 (mot seq no. 004),

And plaintiffs-appellants having moved for an order pursuant to CPLR 5519[c] staying the eviction pending hearing and determination of the appeal taken therefrom, and for related relief,

Now, upon reading and filing the papers with respect to the motion, including the correspondence from David E. Frazer, Esq., counsel for plaintiffs-appellants dated July 30, 2014, 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 August 14, 2014.

PRESENT: Hon. David B. Saxe, Justice Presiding,  
Karla Moskowitz  
Helen E. Freedman  
Judith J. Gische  
Barbara R. Kapnick, Justices.

-----x

The People of the State of New York,  
Respondent,

-against-

M-1565  
Ind. No. 5749/09

Arthur Franklin,  
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 January 9, 2012,

And retained counsel for defendant-appellant having moved for an order granting counsel leave to appear as retained counsel on appeal and for an enlargement of time to perfect same,

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 2014 Term and otherwise denied, as unnecessary.

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 August 14, 2014.

PRESENT: Hon. David B. Saxe, Justice Presiding,  
Karla Moskowitz  
Helen E. Freedman  
Judith J. Gische  
Barbara R. Kapnick, Justices.

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

-against-

M-1641  
Ind. No. 164/13

Keith Hall,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about February 19, 2014, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth the amount and sources of funds to pay trial counsel's fee and to post the \$10,000 bail in the Supreme Court, the disposition thereof, and an explanation as to why similar funds are not available to prosecute 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 August 14, 2014.

PRESENT: Hon. David B. Saxe, Justice Presiding,  
Karla Moskowitz  
Helen E. Freedman  
Judith J. Gische  
Barbara R. Kapnick, Justices.

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

-against-

M-1683  
Ind. No. 3744/11

Rafael Sanabria,  
Defendant-Appellant.

-----X

An order of this Court having been entered on February 27, 2014 (M-262), granting defendant leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about November 1, 2013, and assigning Robert S. Dean, Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Robert S. Dean, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York, 10007, Telephone No. 212-402-4100, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

ENTER:

  
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 August 14, 2014.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Paul G. Feinman  
Judith J. Gische, Justices.

-----X  
The Mayor of the City of New York,  
Plaintiff-Respondent,

-against-

M-1884  
Index No. 451369/12

The Council of the City of New York,  
Defendant-Appellant,

-and-

Hector Figueroa, et al.,  
Intervenors-Defendants-Appellants.  
-----X

Defendant-appellant and intervenors-defendants-appellants having moved for an enlargement of time to perfect their respective appeals from the order of the Supreme Court, New York County, entered on or about August 5, 2013,

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 December 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 August 14, 2014.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
David B. Saxe  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

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

-against-

M-1813  
Ind. No. 1649/12

Tyshawn Stevens,  
Defendant-Appellant.  
-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about October 15, 2013, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of deeming the moving papers a timely filed notice of appeal as timely filed and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11(b)(2) 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.

Seymour W. James, Jr., 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 August 14, 2014.

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

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

-against-

**M-2269**  
Ind. No. 960/12

Larry Brown,  
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about October 15, 2012, and said appeal having been perfected,

And defendant-appellant having moved for an order enlarging the record on appeal to include defendant's arrest report and a certain letter sent to defendant from defense counsel, and for related relief,

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

It is ordered that the motion is 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 August 14, 2014.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
David B. Saxe  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

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

-against-

M-1726  
Ind. No. 1320N/12

Rafael Olivares,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about February 21, 2014,

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

It is ordered that the motion is granted to the extent of deeming the notice of appeal timely filed.

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 August 14, 2014.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
David B. Saxe  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

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

-against-

M-1725  
Ind. No. 4759/12

Sean Johnson,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about February 19, 2014, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of deeming the notice of appeal as timely filed and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11(b)(2) 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.

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11<sup>th</sup> 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 August 14, 2014.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
David B. Saxe  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

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

-against-

M-1386  
Ind. No. 1100/10

Jose Espinal,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about May 7, 2013, 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 granted to the extent of deeming the moving papers a timely filed notice of appeal as timely filed and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files ten reproduced copies of such brief, together with the original record, with 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.

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York, 10007, Telephone No. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 14, 2014,

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Richard T. Andrias  
David B. Saxe  
Barbara R. Kapnick, Justices.

-----X

Lamont K. Billings,  
Plaintiff-Respondent,

-against-

M-2770  
Index No. 76088/13

Chanize L. Billings,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Supreme Court, Bronx County, entered on or about October 10, 2013, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that said 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 serve one copy of such brief upon the attorney for respondent and file ten 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.

The Clerk of Supreme Court, Bronx County, is directed to have transcribed the minutes of the proceedings held therein, if any, for inclusion in the record on appeal, with a copy to appellant's counsel, the cost thereof to be charged against the City of New York from funds available therefor and any other fees in connection therewith. Sua sponte, the time to perfect the appeal is enlarged to on or before September 29, 2014 for the December 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 August 14, 2014.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Richard T. Andrias  
David B. Saxe  
Barbara R. Kapnick, Justices.

-----X  
Mark Rieser,  
Petitioner-Respondent,

-against-

M-2663  
Index No. 103424/12

New York City Department of  
Education,  
Respondent-Appellant.

-----X

Respondent-appellant having moved for an enlargement of time to perfect the appeal from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about July 25, 2013,

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 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 August 14, 2014.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Richard T. Andrias  
David B. Saxe  
Barbara R. Kapnick, Justices.

-----X  
In the Matter of the Application of  
Gaetano Vaccaro,  
Petitioner-Respondent,

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

M-2683  
Index No. 104435/12

-against-

Board of Education of the City School  
District of the City of New York,  
et al.,  
Respondents-Appellants.

-----X

Respondents-appellants having moved for an enlargement of time to perfect the appeal from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about July 21, 2013,

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 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 August 14, 2014.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Richard T. Andrias  
David B. Saxe  
Barbara R. Kapnick, Justices.

-----X  
Christian UDoyle, Administrator of  
Obianuju UDoyle and Christian UDoyle,  
Individually,  
Plaintiff-Appellant,

-against-

Westchester-Bronx OB/GYN P.C.,  
et al.,  
Defendants-Respondents.

M-2644  
Index No. 14842/06

-----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 August 9, 2013,

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 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 August 14, 2014.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Richard T. Andrias  
David B. Saxe  
Barbara R. Kapnick, Justices.

-----X  
City of New York,  
Plaintiff-Appellant,

-against-

M-2669  
Index No. 400078/07

Child Development Support Corp.,  
Defendant-Respondent.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from orders of the Supreme Court, New York County, entered on or about October 18, 2012 (mot. seq. no. 002) and July 29, 2013 (mot. seq. no. 004), 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 December 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 August 14, 2014.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Richard T. Andrias  
David B. Saxe  
Barbara R. Kapnick, Justices.

-----X  
Sandra Campbell,  
Plaintiff-Appellant,

-against-

M-2690  
Index No. 100606/10

Mabel M. Fischetti,  
Defendant-Respondent.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about June 13, 2013 (mot. seq. no. 002),

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the December 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 August 14, 2014.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Rolando T. Acosta  
Dianne T. Renwick  
Richard T. Andrias  
Helen E. Freedman, Justices.

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

-----  
Claire G.,  
Respondent-Respondent,

M-1921  
Docket No. F-35735-12/12A

-against-

Bruno S.,  
Petitioner-Appellant.

-----X

An appeal having been taken from an order of the Family Court, New York County, entered on or about January 29, 2014,

And petitioner-appellant having moved for a stay of proceedings pending hearing and determination of the aforesaid appeal, leave to prosecute the appeal as a poor person 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 August 14, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
David B. Saxe  
Paul G. Feinman  
Judith J. Gische, Justices.

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

-against-

M-2129  
Ind. No. 2445/10

Denise Wearing,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of **resentence** of the Supreme Court, New York County, rendered on or about March 20, 2014, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, of the **resentence**. 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, 11<sup>th</sup> 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 August 14, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
Leland G. DeGrasse  
Sallie Manzanet-Daniels  
Paul G. Feinman, Justices.

-----X  
In the Matter of the Application of  
Samantha Diop,  
Petitioner,

For a Judgment Pursuant to Article 78 M-1897  
of the Civil Practice Law and Rules, Index No. 401345/13

-against-

New York City Housing Authority,  
Whitman Houses,  
Respondent.

-----X

An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about April 14, 2014, to review a determination of respondent,

And petitioner, pro se, having moved for leave to prosecute, as a poor person, the aforesaid proceeding, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that said motion is granted to the extent of permitting the proceeding to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serve one copy of such brief upon the attorney for respondent and file ten 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. The Clerk of Supreme Court, New York County, is directed to have transcribed the minutes of the proceedings held therein, if any, for inclusion in the record on appeal, with a copy to appellant's counsel, the cost thereof to be charged against the City of New York from funds available therefor and any other fees in connection therewith.

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 August 14, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
Leland G. DeGrasse  
Sallie Manzanet-Daniels  
Paul G. Feinman, Justices.

-----X  
Francia Rodriguez, as Administratrix  
of the Estate of Angel Rodriguez,  
Plaintiff-Respondent,

-against-

M-1353  
Index No. 25347/97

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

Higraban of N.Y., Inc. and Statbrook  
Contracting Company, Inc.,  
Defendants-Appellants.

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

Consolidated appeals having been taken by defendants Higraban of N.Y., Inc. and Statbrook Contracting Company, Inc., from orders of the Supreme Court, Bronx County, entered on or about April 4, 2012 and October 28, 2003, respectively,

And defendants-appellants having moved for an 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 December 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 August 14, 2014.

Present - Hon. Karla Moskowitz, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Darcel D. Clark  
Barbara R. Kapnick, Justices.

-----X  
Carribean Produce, Inc.,  
Plaintiff-Appellant,

-against-

M-3457  
Index No. 85797/07

Kwak Import Co., Inc., also known  
as and formerly known as Kwak  
Trading Co., Inc.,  
Defendants-Respondents.

-----X  
Kwak Import Co., Inc.,  
Plaintiff-Respondent,

-against-

Index No. 75079/06

Carribean Produce, Inc.,  
Defendant-Appellant.

-----X  
Kwak's Import Co., Inc.,  
Plaintiff-Respondent,

-against-

Index No. 308937/09

Carribean Produce, Inc. and Pyong H.  
Yun,  
Defendants-Appellants.

-----X

An appeal having been taken to this Court from the judgment of the Supreme Court, Bronx County, entered on or about December 17, 2013,

And an order of this Court having been entered on April 24, 2014 (M-1217), granting a stay of enforcement of a judgment with respect to payment of interest on a principal judgment amount on condition the appeal be perfected for the September 2014 Term, and otherwise denying the motion,

And defendant-respondent Kwak Import Co., Inc. having moved for reargument/renewal of the order of this Court entered on April 24, 2014 (M-1217),

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

It is ordered that the motion is denied. (See M-2733, 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 August 14, 2014.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
Leland G. DeGrasse  
Paul G. Feinman  
Barbara R. Kapnick, Justices.

-----X  
Carribean Produce, Inc.,  
Plaintiff-Appellant,

-against-

M-2733  
Index No. 85797/07

Kwak Import Co., Inc., also known  
as and formerly known as Kwak  
Trading Co., Inc.,  
Defendants-Respondents.

-----X  
Kwak Import Co., Inc.,  
Plaintiff-Respondent,

-against-

Index No. 75079/06

Carribean Produce, Inc.,  
Defendant-Appellant.

-----X  
Kwak's Import Co., Inc.,  
Plaintiff-Respondent,

-against-

Index No. 308937/09

Carribean Produce, Inc. and Pyong H.  
Yun,  
Defendants-Appellants.

-----X

An appeal having been taken to this Court from the judgment of the Supreme Court, Bronx County, entered on or about December 17, 2013,

And an order of this Court having been entered on April 15, 2014 [Corrected Order April 23, 2014] (M-937), denying defendant-respondent's motion for dismissal of certain portions of the appeal pertaining to an award of interest,

And defendant-respondent Kwak Import Co., Inc. having moved for reargument of the order of this Court entered on April 15, 2014 (M-937),

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

It is ordered that the motion is denied. (See M-3457, 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 August 14, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
Leland G. DeGrasse  
Sallie Manzanet-Daniels  
Paul G. Feinman, Justices.

-----X

Cheryl White-Grier,  
Petitioner-Appellant,

-against

M-1774  
Index No. 100369/13

United Federation of Teachers, and  
Evelyn DeJesus, Manhattan Borough  
Representative,  
Respondents.

-----X

Petitioner-appellant, pro se, having moved for leave to prosecute, as a poor person, the appeal from an order of the Supreme Court, New York County, entered on or about February 19, 2014, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that said 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 August 14, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
David B. Saxe  
Sallie Manzanet-Daniels  
Paul G. Feinman, Justices.

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

-against-

M-1942  
Ind. No. 898/12

Manuel Castellanos,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about April 2, 2013, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of deeming the moving papers a timely filed notice of appeal as timely filed and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11(b)(2) 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.

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11<sup>th</sup> 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 August 14, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
David B. Saxe  
Sallie Manzanet-Daniels  
Paul G. Feinman, Justices.

-----X  
Claudia Ewart,  
Plaintiff-Appellant,

-against-

M-1992  
Index No. 307387/12

Shapiro, Beilly & Aronowitz, LLP,  
et al.,  
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 July 2, 2013,

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 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 August 14, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Karla Moskowitz  
Leland G. DeGrasse  
Rosalyn H. Richter  
Barbara R. Kapnick, Justices.

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

-against-

M-1856  
Ind. No. 2108/11

Juan Rodriguez,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from an amended judgment of **resentence** of the Supreme Court, Bronx County, rendered on or about November 21, 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) one transcript 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, 11<sup>th</sup> 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 August 14, 2014.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
John W. Sweeny, Jr.  
Karla Moskowitz  
Rosalyn H. Richter  
Darcel D. Clark, Justices.

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

-against-

**M-1151**

Ind. No. 1159/12

William Singleton,  
Defendant-Appellant.

-----X

An order of this Court having been entered on October 2, 2012 (M-3699), inter alia, assigning Steven Banks, Esq., Legal Aid Society, succeeded as Attorney-in-Chief by Seymour W. James, Jr., as counsel to prosecute defendant's appeal from the judgment of the Supreme Court, New York County, rendered on July 5, 2012,

And counsel having moved for an order abating the appeal by reason of defendant-appellant's death, remanding the matter to the trial court to vacate the judgment of conviction, and dismissing the indictment,

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 dismissing the appeal because of defendant-appellant's death on March 9, 2013, and remanding the matter to the Supreme Court, New York County, for proceedings to vacate the judgment of conviction and to dismiss the indictment. (See *People v. Matteson*, 75 NY2d 745; *People v. Mintz*, 20 NY2d 753, 770.)

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 August 14, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
David Friedman  
Karla Moskowitz  
Helen E. Freedman  
Barbara R. Kapnick, Justices.

-----X

George Hayes,  
Petitioner-Appellant,

-against

M-1843  
Index No. 401406/13

Special Narcotics Courts,  
Respondents.

-----X

Petitioner-appellant, pro se, having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, entered on or about December 16, 2013, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that said 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 August 14, 2014.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
In the Matter of

Naqi T. and Nadia N.,

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

**M-3219**

Docket Nos. NN-7894/12  
NN-7895/12

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

Marlena S.,  
Respondent-Appellant,

Shaka T.,  
Non-Party Respondent-Respondent.

-----  
Seymour W. James, Jr., Esq.,  
The Legal Aid Society,  
Juvenile Rights Division,  
Attorney for the Children.

-----X

Non-party respondent-respondent having moved for leave to respond, as a poor person, to the appeal from the order of Fact Finding of the Family Court, New York County, entered on or about January 17, 2014, and from the Order of Disposition of the same Court and Judge entered on or about January 23, 2014, 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, Larry S. Bachner, Esq., 153-01 Jamaica Avenue, Suite #201, Jamaica, NY 11432, Telephone No. (917) 378-0176, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for respondent-appellant and 8 copies thereof are filed with this Court. (See M-962, decided simultaneously herewith.)

ENTER:

A handwritten signature in black ink, appearing to read "Susan R. Jones". The signature is written in a cursive style with a large initial "S".

---

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 August 14, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

M-2606  
Ind. No. 1455/13

Delores Bennett,  
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 March 12, 2014, 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) one transcript 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.

Seymour W. James, Jr., 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 August 14, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against- M-2608  
Ind. No. 2487/13

Zachary Clemons,  
Defendant-Appellant.  
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 25, 2014, 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) one transcript 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 August 14, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

M-2609  
Ind. No. 3732/13

Kareem Cates,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 8, 2014, 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) one transcript 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.

Seymour W. James, Jr., 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 August 14, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

M-2610  
Ind. No. 331/13

Jhonel Feliciano,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about February 7, 2014, 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) one transcript 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.

Seymour W. James, Jr., 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 August 14, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

M-2611  
Ind. No. 5476/11

Rogelio Ferrer,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 9, 2014, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 14, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

M-2613  
Ind. No. 1339N/13

Jonathan Gonzalez,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 15, 2014, 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) one transcript 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.

Seymour W. James, Jr., 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 August 14, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

Desean Hill, also known as Dayday,  
Defendant-Appellant.

M-2616  
Ind. No. 615/13  
Case Nos. 2972C-73C/13  
Ind. No. 335/13

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgments of the Supreme Court, Bronx County, rendered on or about April 9, 2014, 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) one transcript 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 August 14, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

M-2623  
Ind. No. 1913/11

Sammy Sampson,  
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 March 28, 2014, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 14, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzaelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

M-2622  
Ind. No. 4407/12

John Robinson,  
Defendant-Appellant.  
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 3, 2014, 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) one transcript 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 August 14, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

M-2620  
Ind. No. 24/12

Jamal McLeod,  
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 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 14, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

M-2619  
Ind. No. 384/12

Latoya Louallen, also known as  
Sparkle,  
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 April 11, 2014, 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) one transcript 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.

Seymour W. James, Jr., 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 August 14, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

Brenda Hernandez,  
Defendant-Appellant.

M-2617  
Ind. No. 2058/12  
Case No. 30076C/12

-----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 April 7, 2014, 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) one transcript 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 August 14, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzaelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

M-2625  
Ind. Nos. 1795/13  
62/13

Randle Toussaint,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from judgments of the Supreme Court, New York County, rendered on or about October 1, 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) one transcript 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.

Seymour W. James, Jr., 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 August 14, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

M-2626  
Ind. No. 4315/13

Armando Torriente,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 16, 2014, 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) one transcript 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.

Seymour W. James, Jr., 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 August 14, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

M-2627  
Ind. No. 724/13

Ralph Stokes,  
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 1, 2014, 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) one transcript 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.

Seymour W. James, Jr., 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 August 14, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
In Re: New York Judicial District  
Asbestos Litigation Index No. 590486/12  
-----X

Dorothy Cullens, as Administratrix  
for the Estate of Joseph L. Cullens  
and Dorothy Cullens, Individually,  
Plaintiffs,

-against-

A.O. Smith Water Products, et al., M-1605  
Defendants. Index No. 113473/04  
-----X

Kohler Co.,  
Third Party Plaintiff-Respondent,

-against-

MVC Heating Corporation,  
Third-Party Defendant,  
  
Bell Fuel Oil, LLC, Individually and  
as Successor-in-Interest to MVC  
Heating Corporation,  
Third-Party Defendant-Appellant.  
-----X

An appeal having been taken by third-party defendant-appellant from the order of the Supreme Court, New York County, entered on or about February 21, 2013,

Now, upon reading and filing the stipulation of the parties hereto, dated January 27, 2014, and due deliberation having been had thereon,

It is ordered that the aforesaid appeal, previously perfected for the January 2014 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 August 14, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
Lafayette Boynton Housing Corporation  
and World Class Management Inc.,  
Plaintiffs-Appellants,

-against-

M-3497  
Index No. 306111/10

First Mercury Insurance Company,  
Defendant-Respondent.

-----X

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

Now, upon reading and filing the stipulation of the parties hereto, dated July 3, 2014, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the October 2014 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 August 14, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
Elizabeth Zamot,  
Plaintiff-Respondent,

-against-

M-3216  
Index No. 310692/08

Jinmu Zhang,  
Defendant-Appellant.  
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about September 16, 2013,

Now, upon reading and filing the stipulation of the parties hereto, dated June 10, 2014, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the May 2014 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 August 14, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
State of New York,  
Plaintiff-Respondent,

-against-

Robert H. Van Zandt,  
Defendant-Appellant,

Kimmarie Gervasi Van Zandt,  
Defendant-Respondent,

M-2928  
Index No. 450713/12

Van Zandt Agency, Inc., et al.,  
Defendants,

-and-

Patricia A. Van Zandt and Helene  
Van Zandt,  
Relief Defendants-Appellants.

-----X

Appeals having been taken from an order of the Supreme Court, New York County, entered on or about August 27, 2013,

Now, upon reading and filing the stipulation of the parties hereto, dated May 29, 2014, and due deliberation having been had thereon,

It is ordered that the appeals, previously perfected for the March 2014 Term, 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 August 14, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
In the Matter of

Anibal E.,  
Petitioner-Appellant,

-against-

Altagracia G.,  
Respondent-Respondent,

Jack G.,  
Respondent-Respondent.

M-3282  
Docket Nos. O-27926/12  
O-27945/12

-----X  
An appeal having been taken from the order of the Family Court, New York County, entered on or about November 7, 2013,

Now, upon reading and filing the stipulation of the parties hereto, dated June 25, 2014, and due deliberation having been had thereon,

It is ordered that the appeal previously perfected for the September 2014 Term is withdrawn in accordance with the aforesaid stipulation. (See M-2027 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 August 14, 2014.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-----  
Anibal E.,  
Petitioner-Appellant,

**M-2027**  
Docket No. O-27945/12

-against-

Jack G.,  
Respondent-Respondent.

-----X

Respondent-respondent having moved for leave to respond, as a poor person, to the appeal from the order of the Family Court, New York County, entered on or about November 7, 2013, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the stipulation of the parties hereto, dated June 25, 2014, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn.  
(See M-3282, 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 August 14, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
Continental Casualty Co.,  
Plaintiff,

-against-

Quality King Distributors, Inc.,  
Pro's Choice Beauty Care, Inc.,  
Glenn Nussdorf and Marcy J. Blick,  
Defendants.

M-1622  
Index No. 602459/02

-----X  
National Union Fire Ins. Co., of  
Pittsburgh, PA,  
Plaintiff-Respondent,

-against-

Quality King Distributors, Inc.,  
Pro's Choice Beauty Care, Inc.,  
Glenn Nussdorf and Marcy J. Blick,  
Defendants-Appellants.

-----X

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

Now, upon reading and filing the stipulation of the parties hereto, dated March 17, 2014, and due deliberation having been had thereon,

It is ordered that the appeal is deemed 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 August 14, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X

In the Matter of the Retention of  
Myung Chung,  
An Alleged Incapacitated Person  
Respondent,

-against-

M-3156  
Index No. 108/14

A Patient Admitted to Bronx Lebanon  
Hospital Center,  
Petitioner-Appellant.

-----X

Petitioner-appellant having moved for a stay of the order of the Supreme Court, Bronx County, entered on or about June 18, 2014, pending hearing and determination of the appeal taken therefrom,

Now, upon reading and filing the papers with respect to the motion, including the stipulation between the parties dated July 9, 2014 and due deliberation having been had thereon,

It is ordered that the motion is deemed 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 August 14, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
New York State Insurance Fund,  
Plaintiff-Respondent,

-against-

Everest National Insurance Company, M-3083  
Defendant-Appellant, Index No. 403198/09

-and-

Liberty Insurance Underwriters, Inc.,  
et al.,  
Defendants.

-----X

Plaintiff-respondent having moved for dismissal of the appeal taken from a judgment of the Supreme Court, New York County, entered on or about March 18, 2014,

Now, upon reading and filing the papers with respect to the motion, including the correspondence dated June 27, 2014, from Elizabeth A. Fitzpatrick, Esq., of counsel, 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 August 14, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
Sylvia Davis,  
Plaintiff-Respondent,

-against-

M-2137  
Index No. 100485/08

CPS 1 Realty GP LLC, Tishman Construction,  
Corp.,  
Defendants-Appellants.

-----X  
CPS 1 Realty GP LLC, Tishman Construction,  
Corp.,  
Third-Party Plaintiffs-Appellants,

-against-

Third-Party  
Index No. 590247/08

Venetian Enterprises, Inc.,  
Third-Party Defendant.

-----X  
Venetian Enterprises, Inc.,  
Second Party Plaintiff,

-against-

Atlantic-Heydt Corporation,  
Second Third-Party  
Defendant-Appellant.

-----X

CPS 1 Realty GP LLC, Tishman Construction, Corp. and Atlantic-Heydt Corporation having moved to withdraw the appeal from the order of the Supreme Court, New York County, entered on or about July 30, 2013,

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 August 14, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
Haron Ur Rashid and Fatema Begum,  
Plaintiffs-Respondents,

-against-

M-3416X  
Index No. 300161/11

Shu Liang, Joseph Valcin, Mukhtar  
Ahmad and Wallace R. Harper,  
Defendants-Appellants.

-----X

Appeals having been taken from an order of the Supreme Court, Bronx County, entered on or about March 3, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 2, 2014, 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 August 14, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X

Michael Ackah,  
Plaintiff-Appellant,

-against-

M-2896X  
Index No. 315142/10

Leonora M. Friday,  
Defendant-Respondent.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about October 1, 2013 (mot. seq. no. 004),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 2, 2014, 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 August 14, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X

Philip Alessi,  
Plaintiff-Respondent,

-against-

M-2894X  
Index No. 310770/11

New Haven Distribution Services, Inc.,  
James J. Gallenagh,  
Defendants-Appellants.

-----  
(And another action)

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about September 13, 2013,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 2, 2014, 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 August 14, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
Alistine Thompson,  
Plaintiff-Respondent,

-against-

M-2885X  
Index No. 303131/08

Morningside House Nursing Home Company,  
Inc., Aging In America, Inc.,  
Michael Irwin, M.D., Morningside Medical  
Practice, P.C.,  
Defendants-Appellants,

All Metro Home Care Services of New York,  
Inc., et al.,  
Defendants.

-----X

Appeals having been taken from the order of the Supreme Court, Bronx County, entered on or about December 6, 2013,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" May 30, 2014, 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 August 14, 2014.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Angela M. Mazzairelli  
Diane T. Renwick  
Paul G. Feinman  
Judith J. Gische, Justices.

-----X  
Antoine Betoum,

Plaintiff-Respondent,

-against-

2835/2865 White Plains Rd., LLC.,  
Defendant-Appellant,

Safe Parking III,  
Defendant.

-----X

**M-609**

**M-769**

**M-851**

Index No. 302905/11

The above-named defendants having taken separate appeals from the order of the Supreme Court, Bronx County, entered on or about April 8, 2013,

And the appeal taken by defendant, Safe Parking III, having been withdrawn by an order of this Court entered on December 10, 2013 in accordance with a stipulation of the respective parties (M-4796),

And defendant-appellant, 2835/2865 White Plains Rd., LLC., having moved for an enlargement of time to perfect their appeal (M-609),

And defendant, Safe Parking III, having moved for an enlargement of time to perfect their appeal, previously withdrawn by the aforesaid order of this Court entered on December 10, 2013 (M-769),

And defendant, Safe Parking III, having moved to reinstate their appeal, previously withdrawn by the aforesaid order of this Court entered on December 10, 2013 and to enlarge the time to perfect same (M-851),

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

It is ordered that defendant-appellant, 2835/2865 White Plains Rd., LLC.'s motion is granted to the extent of enlarging the time to perfect its appeal to the December 2014 Term (M-769). Defendant Safe Parking III's, motion to reinstate their withdrawn appeal is denied (M-851). Defendant Safe Parking III's motion to enlarge the time to perfect their appeal is denied, as academic (M-609).

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 August 14, 2014.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X

In the Matter of

Naqi T. and Nadia N.,

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

**M-962**

Docket Nos. NN-7894/12  
NN-7895/12

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

Marlena S.,  
Respondent-Appellant,

Shaka T.,  
Non-Party Respondent-Respondent.

-----  
Seymour W. James, Jr., 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 January 17, 2014, and from the Order of Disposition of the same Court and Judge entered on or about January 23, 2014, 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, Andrew Baer, Esq., 299 Broadway,

Suite 1415, New York, NY 10007, Telephone No. (212) 233-0318, 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 (FCS 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 the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** (See M-3219, decided simultaneously herewith.)

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 August 14, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X

Nicola Gallotti,  
Plaintiff-Appellant,

-against-

M-2863X  
Index No. 650474/13

Advance Watch Company LTD., doing  
business as Geneva Watch Group,  
Defendant-Respondent.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about November 29, 2013,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" May 29, 2014, 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 August 14, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
404 Park Partners, LP,  
Plaintiff-Respondent,

-against-

Jack Lerner, et al.,  
Defendants,

M-2700X  
Index Nos. 600605/09  
601145/10

Anita Grossberg,  
Defendant-Appellant.  
-----X

Appeals having been taken from the orders of the Supreme Court, New York County, entered on or about December 11, 2013 (mot seq no. 005/007/008),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" May 31, 2014, and due deliberation having been had thereon,

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

ENTER:

  
CLERK

STATE OF NEW YORK  
APPELLATE DIVISION : FIRST DEPARTMENT

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

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

M-2823  
Bronx Co. Ind No.  
3888/07

-against-

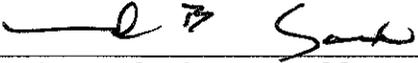
CERTIFICATE  
DENYING LEAVE

Anthony Walker,

Defendant.  
-----X

I, David B. Saxe, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law section 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County, entered on or about March 18, 2014 is hereby denied.

Dated: *July 22, 2014*  
New York, New York

  
Justice of the Appellate Division

**ENTERED** AUG 14 2014

STATE OF NEW YORK  
APPELLATE DIVISION : FIRST DEPARTMENT

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

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

M-2820  
New York Co.  
Indictment Nos.  
5934/05

-against-

CERTIFICATE  
DENYING LEAVE

Felix Sorriano Guerrero,  
a/k/a Felix Soriano Guerrero,

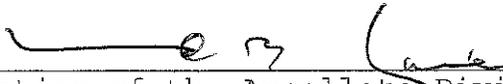
Defendant.  
-----X

I, David B. Saxe, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law section 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 January 23, 2014, is hereby denied.

Dated:

**AUG 14 2014**

New York, New York

  
Justice of the Appellate Division

**ENTERED**

**AUG 14 2014**

STATE OF NEW YORK  
APPELLATE DIVISION : FIRST DEPARTMENT

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

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

M-2812  
Bronx Co.  
Indictment Nos. 11  
4354/03

-against-

CERTIFICATE  
DENYING LEAVE

Matthew Williams,

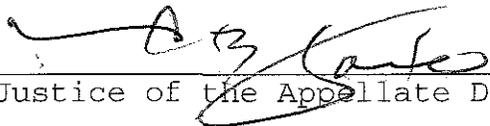
Defendant.  
-----X

I, David B. Saxe, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law section 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County, entered on or about April 3, 2014, is hereby denied.

Dated:

**AUG 14 2014**

New York, New York

  
Justice of the Appellate Division

**ENTERED**

**AUG 14 2014**

STATE OF NEW YORK  
APPELLATE DIVISION : FIRST DEPARTMENT

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

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

M-2816  
NY Co.  
Indictment No.  
3578/09

-against-

CERTIFICATE  
DENYING LEAVE

Eric Shields,

Defendant.  
-----X

I, David B. Saxe, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law section 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 January 8, 2014, denying renewal, is hereby denied.

Dated: **AUG 14 2014**

New York, New York

  
Justice of the Appellate Division

**ENTERED**

**AUG 14 2014**

STATE OF NEW YORK  
APPELLATE DIVISION : FIRST DEPARTMENT

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

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

M-2379  
NY Co.  
Indictment No.  
5284/09

-against-

CERTIFICATE  
DENYING LEAVE

Ahmad Akbar,

Defendant.

-----X  
I, David B. Saxe, a Justice of the Appellate Division, First  
Judicial Department, do hereby certify that, upon application  
timely made by the above-named defendant for a certificate  
pursuant to Criminal Procedure Law section 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 March 11, 2014, is hereby denied.

Dated: **AUG 14 2014**  
New York, New York

**ENTERED** **AUG 14 2014**

  
Justice of the Appellate Division

STATE OF NEW YORK  
APPELLATE DIVISION : FIRST DEPARTMENT

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

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

M-2821  
Bronx Co.  
Ind. No.  
4460C/05

-against-

CERTIFICATE  
DENYING LEAVE

Kevin Davis,

Defendant.  
-----X

I, David B. Saxe, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law section 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County, entered on or about October 28, 2013, is hereby denied.

Dated: **AUG 14 2014**  
New York, New York

**ENTERED**

  
Justice of the Appellate Division

**AUG 14 2014**

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

BEFORE: Hon. KARLA MOSKOWITZ  
Justice of the Appellate Division

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

M-2381  
Ind. No. 339/04

-against-

CERTIFICATE  
DENYING LEAVE

Michael Williams

Defendant.

-----X

I, Karla Moskowitz, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application deemed 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 that ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County, entered on or about March 31, 2014, is hereby denied.

  
\_\_\_\_\_  
Hon. Karla Moskowitz  
Associate Justice

Dated:

 July 15, 2014  
New York, New York

ENTERED:

**AUG 14 2014**

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

BEFORE: Hon. KARLA MOSKOWITZ  
Justice of the Appellate Division

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

M-2974  
Ind. No. 2507/03

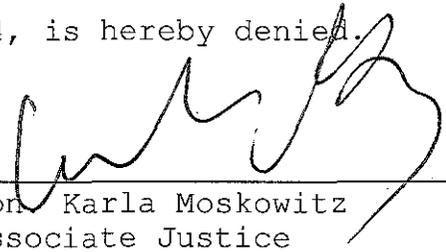
-against-

CERTIFICATE  
DENYING LEAVE

Angelo Grace a/k/a Angelo Kirk Grace

Defendant.  
-----X

I, Karla Moskowitz, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application deemed 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 that 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 February 28, 2014, is hereby denied.

  
\_\_\_\_\_  
Hon. Karla Moskowitz  
Associate Justice

Dated: *July 15*, 2014  
New York, New York

ENTERED: **AUG 14 2014**

PM ORDERS  
AUGUST 14, 2014

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 14, 2014.

Present: Hon. Karla Moskowitz, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Darcel D. Clark  
Barbara R. Kapnick, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

**M-3526**

Ind. No. 3201/11

Joseph Davis,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from an order of the Supreme Court, Bronx County (Marvin, J.), entered on or about November 25, 2013, for leave to prosecute said appeal as a poor person, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief

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

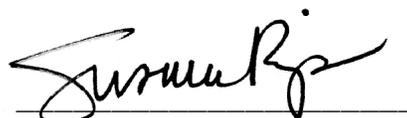
Ordered that the motion is granted to the extent of deeming the notice of appeal timely filed, permitting said appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 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) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Marvin as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's

counsel, Seymour W. James, 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 August 14, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
The Marion Blumenthal Trust by  
Marion Blumenthal and Howard S.  
Wienerkur, as Trustees, Bradford E.  
Bernstein and Tamara M. Bernstein,  
Plaintiffs-Respondents,

-against-

M-3229  
Index No. 600693/08

Arbor Commercial Mortgage LLC,  
Arbor Realty SR Inc., Adam C.  
Hochfelder and Colleen E. McDonald,  
Defendants-Respondents.

-----X  
Arbor Commercial Mortgage LLC,  
Arbor Realty SR Inc.,  
Third-Party Plaintiffs-Respondents,

-against-

Herbert Meadow, and 1025 Fifth  
Avenue Inc.,  
Third-Party Defendants-Respondents,

Amy Hochfelder,  
Third-Party Defendant-Appellant.  
-----X

Third-party defendant-appellant having moved for an enlargement of time to perfect the appeal from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about September 10, 2013,

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 2015 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 August 14, 2014.

Present: Hon. Rolando T. Acosta, Justice Presiding,  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Paul G. Feinman  
Judith J. Gische, Justices.

-----X

Osqugama F. Swezy and Jose Duran, on their Behalf and as Representatives of a Class of Judgment Creditors of the Estate of Ferdinand E. Marcos, Petitioners-Respondents,

**M-3625**

**M-3737**

-against-

Index NO. 155600/13

Merrill Lynch, Pierce, Fenner & Smith Incorporated and New York City Department of Finance, Respondents,

-and-

Philippine National Bank and Arelma, Inc.,  
Intervenors-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 13, 2014,

And intervenors-appellants having moved for a stay of proceedings pending hearing and determination of the appeal (M-3625),

And petitioners-respondents having cross-moved to dismiss the aforesaid appeal (M-3737),

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

Ordered that the motion for the stay of all proceedings is granted on condition the appeal is perfected on or before September 2, 2014 for the November 2014 Term (M-3625). The cross motion to dismiss appeal is denied without prejudice to raising any issues with respect thereto on the appeal, if so advised (M-3737).

ENTER:

  
CLERK