

At a 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 28, 2014.

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

-----X  
Fatima Castillo,  
Plaintiff-Respondent,

-against-

M-3403X  
Index No. 308025/11

JEM Leasing LLC, et al.,  
Defendants-Appellants.  
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about September 3, 2013,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 3, 2014, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

-----X  
Devonshire Surgical Facility, LLC,  
formerly known as Devonshire Surgical  
Facility, Carnegie Hill Orthopedic  
Services, P.C.,  
Plaintiffs-Appellants,

-against-

Law Offices of Leo Tekiel, et al.,  
Defendants-Respondents.

M-3538X  
Index No. 105558/07

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

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about December 19, 2013 (mot. seq. no. 004),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 14, 2014, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

-----X  
Katiria Cordero,  
Plaintiff-Appellant,

-against-

M-3539X  
Index No. 301131/12

Berhane A. Girma,  
Defendant-Respondent.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about February 10, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 14, 2014, and due deliberation having been had thereon,

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

ENTER:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

-----X  
Miguel Robles Matus,  
Plaintiff-Respondent,

-against-

M-3575X  
Index No. 310314/11

Rudy Jimenez, et al.,  
Defendants-Appellants.  
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about January 10, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 16, 2014, and due deliberation having been had thereon,

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

ENTER:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

-----X  
Andrew Kosinski,  
Plaintiff-Respondent,

-against-

8 East 102<sup>nd</sup> Street LLC, et al.,  
Defendants-Appellants.

M-2784  
Index No. 108210/11

-----X

Defendants-appellants having moved to withdraw the appeal from the order of the Supreme Court, New York County, entered on or about July 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 and the appeal is deemed withdrawn.

ENTER:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 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 Application of  
Wendy Suazo,  
Petitioner,

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

M-3524  
Index No. 400634/13

-against-

Department of Housing Preservation  
and Development (HPD),  
Respondent.

-----X

An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, Bronx County, entered on or about July 30, 2013, to review a determination of respondent,

Now, upon reading and filing the stipulation of the parties dated July 7, 2014, and due deliberation having been had thereon,

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

ENTER:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

-----X  
330 East 72<sup>nd</sup> Street Condominium,  
By Its Board of Manager,  
Plaintiff-Respondent,

-against-

M-2681  
Index No. 152660/13E

Jorge E. Colmenares and  
Mariela Colmenares,  
Defendants-Appellants,

JPMorgan Chase Bank, N.A., et al.,  
Defendants.

-----X  
An appeal having been taken from an order and judgment of the Supreme Court, New York County, entered on or about May 20, 2014,

And defendants-appellants having moved to stay the aforesaid order pending hearing and determination of the appeal taken therefrom, and for other relief,

Now, upon reading and filing the papers with respect to the motion, including the stipulation of the parties dated May 29, 2014, and due deliberation having been had thereon,

It is ordered that the motion and appeal are deemed withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
\_\_\_\_\_  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 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/Release of

Oumarou Fofana,

a Patient Admitted to

Jacobi Medical Center  
Petitioner-Appellant.

-----X

M-3518

Index No. 339/14

An appeal having been taken from orders of the Supreme Court, Bronx County, entered on or about July 10, 2014,

And petitioner-appellant having moved to stay the aforesaid order pending hearing and determination of the appeal taken therefrom,

Now, upon reading and filing the papers with respect to the motion, including the stipulation of the parties dated July 15, 2014, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn.

ENTER:

  
\_\_\_\_\_  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 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-

M-3284  
Ind. No. 581/14

Allen Ambrister,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about June 10, 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:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 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-3285  
Ind. Nos. 5515/13  
5516/13

Michael Boykin,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgments of the Supreme Court, New York County, rendered on or about May 22, 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:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

-----x  
J.P. Morgan Securities, Inc.,

Plaintiff/Counterclaim Defendant-  
Respondent,

-against-

M-3420  
Index No. 650005/09

Jason Adler, et al.,

Defendants/Counterclaim Plaintiffs-  
Appellants.  
-----x

An appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about April 17, 2014 (mot. seq. no. 005), and said appeal having been perfected (Cal. No. 1460),

And defendants/counterclaim plaintiffs-appellants having moved, pursuant to CPLR 5519(c), for a stay of all proceedings 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 and, sua sponte, the appeal is adjourned to the November 2014 Term. The Clerk is directed to calendar the appeal with the separate perfected appeal in the same case for said November 2014 Term (Cal. No. 2187).

ENTER:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in in the County of New York on August 28, 2014.

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

-----X  
Comba Gogo, as Parent and Natural  
Guardian of Infant, Abdramane Tolo,  
and Comba Gogo, Individually,  
Plaintiff-Appellant,

**M-3517**  
Index No. 18436/04

-against-

Karen Manor Associates, LLC, et al.,  
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for a stay of the order of the Supreme Court, Bronx County, entered on or about June 30, 2014, pending hearing and determination of the appeal taken therefrom,

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

It is ordered that the motion is denied.

ENTER:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 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-3349  
Ind. No. 1793/07

Joseph Sanchez,

Defendant-Appellant.  
-----x

An appeal having been taken to this Court from the judgment of the Supreme Court, Bronx County, rendered on or about June 16, 2011, and said appeal having been perfected,

And defendant pro se having moved for an order, pursuant to CPL 390.50, requesting a copy of his pre-sentencing report,

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

It is ordered that the motion is granted to the extent of directing the District Attorney's Office of Bronx County to provide defendant with a copy of the subject pre-sentence report, if not already done so.

ENTER:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

-----X  
Craig Wickman and Penelope Noyes,  
Plaintiffs-Appellants,

-against-

M-3323  
Index No. 154585/12

Pyramid Crossgates Company, et al.,  
Defendants-Respondents.

-----X

Plaintiffs-appellants having moved for an order declaring their briefs as being timely filed or in the alternative for an enlargement of time to perfect the appeal from an order of Supreme Court, New York County, entered on or about June 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 deeming the brief and record on appeal timely filed for the November 2014 Term, and otherwise denied. The parties are directed to abide by the filing dates for said November 2014 Term for the respondent's and reply briefs.

ENTER:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

-----X  
Wendy Mathis,  
Plaintiff-Respondent,

-against-

**M-3407**  
Index No. 21708/11

Zurich American Insurance Company  
and Empire Fire and Marine Insurance  
Company,  
Defendants-Appellants.

-----X

Defendants having purported to appeal from a decision of the Supreme Court, Bronx County (Hunter, J.) entered on or about July 22, 2013, and said appeal having been perfected,

And plaintiff-respondent having moved for an order dismissing the aforesaid appeal,

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

Ordered that the motion is granted to the extent of (1) deeming defendants-appellants' appeal to be from the order and judgment (one paper) of the same Court and Justice entered on or about February 13, 2014; (2) striking the appeal from this Court's calendar; and (3) directing defendants-appellants to file a supplemental record that includes a copy of said order and judgment (one paper), along with a supplemental brief referring to said order and judgment (one paper), and to execute proper service of the record and brief filed with this Court along with the aforesaid supplemental record and brief upon counsel for plaintiff-respondent, and file said proof of service of same on or before September 29, 2014, for the December 2014 Term.

ENTER:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

-----X  
Erica Francine Gottlieb,  
Plaintiff-Respondent,

-against-

**M-3612**  
Index No. 312670/11

Ian Samuel Gottlieb,  
Defendant-Appellant.  
-----X

Defendant having moved, pursuant to CPLR 5704(a), for an order of this Court granting certain relief with respect to custody of the subject child, denied by a Justice of the Supreme Court, New York County, on or about July 3, 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.

ENTER:

  
\_\_\_\_\_  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 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-3286  
Ind. Nos. 4145/13  
793/14

Racine Bell, also known as  
Racine Ball,  
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 May 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:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 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-3287  
Ind. No. 2768/11

Theodore Clarke,  
Defendant-Appellant.  
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about June 2, 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.

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:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 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-3288  
Ind. No. 4769/12

Derrick Coleman,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about March 24, 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:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 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-

Jeffrey Crovador,  
Defendant-Appellant.

M-3289  
Ind. No. 2518/12  
Case No. 20597C/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 May 14, 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:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 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-3291  
Ind. No. 806/12

Duane J. Dilley,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about May 28, 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:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 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-3293  
Ind. No. 5584/13

William L. Edwards,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about June 3, 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:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 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-3294  
Ind. No. 2217/13

Alfredo 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 May 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:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 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-3295  
Ind. No. 4042/13

Bryant Green,  
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 14, 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, 120 Wall Street, 28<sup>th</sup> Floor, New York, New York 10005, 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:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 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-3297  
Ind. No. 146/10

Eric George,  
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 14, 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:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 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-3298  
Ind. No. 1798/13

James H. Keys,  
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 22, 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, 120 Wall Street, 28<sup>th</sup> Floor, New York, New York 10005, 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:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 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-3299  
Ind. No. 15/13

Donika Marku,  
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 29, 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, 120 Wall Street, 28<sup>th</sup> Floor, New York, New York 10005, 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:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 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-3301  
Ind. No. 5345/13

Ricardo Rodriguez,  
Defendant-Appellant.

-----X

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

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 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-3302  
Ind. No. 4201/13

Trinae D. Romaine,  
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 22, 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:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 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-3305  
Ind. Nos. 2804/13  
1012/11

Kirk Skilling,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment and judgment of resentence of the Supreme Court, New York County, both rendered on or about May 27, 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:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 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-3306  
Ind. No. 724/13

Keith 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, 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, 120 Wall Street, 28<sup>th</sup> Floor, New York, New York 10005, 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:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
David Friedman  
John W. Sweeny, Jr.  
David B. Saxe, Justices.

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

Respondent,

-against-

M-1383  
Ind. No. 4810/11

Nevzet Ahmemulic,

Defendant-Appellant.  
-----X

Defendant having renewed his motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about May 15, 2012, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

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

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the first Judicial Department in the County of New York on August 28, 2014.

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

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

-against-

M-1795  
Ind. No. 1519/10

Luis Rivera,  
Defendant-Appellant.

-----X

Defendant having moved for an extension of time to file a notice of appeal from the judgment of the Supreme Court, Bronx County, rendered on or about June 28, 2013, and for leave to prosecute the appeal as a poor person, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of deeming the moving papers a timely filed notice of appeal 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:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

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

-against-

M-1835  
Ind. No. 3916/12

Ronell Burgess,  
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 July 11, 2013, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) 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, 120 Wall Street, 28<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:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 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-3011  
Ind. No. 2449/12

Rayshawn Singleton,  
Defendant-Appellant.

-----X

Defendant renewed the motion for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about October 24, 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, 120 Wall Street, 28<sup>th</sup> Floor, New York, New York 10005, 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:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 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

Autumn P., also known as  
Autumn Isabelle P.,

**M-2668**

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

Docket No. B-41903/12

- - - - -  
Good Shepherd Services, et al.,  
Petitioners-Respondents,

Alisa R., also known as  
Alisa Isabelle R.,  
Respondent-Appellant.

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

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about April 30, 2014, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Allegra Leitner, Esq., Center for Family Representation, 40 Worth Street, Suite #605, New York, NY 10013, Telephone No. (212) 691-0950, as counsel for purposes

of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available 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.**

ENTER:

  
DEPUTY 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 28, 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

Ariel Arryn S., also known as  
Ariel S., and Richard Lauren S.,  
also known as Richard S., and  
Jamie Lee S., also known as Jaime  
Lee S., and Xavier V.,

**M-1095**

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

Docket Nos. B-34398/10  
B-34399/10  
B-20996/10  
B-34400/10

-----  
Saint Dominic's Home, et al.,  
Petitioners-Respondents,

Ariel S.,  
Respondent-Appellant,

Yesinia L.,  
Respondent-Appellant.

-----  
Patty Moreno, Esq.,  
Attorney for the Child Xavier V.

David Eskin, Esq.,  
Attorney for the Child Ariel S.,  
also known as Ariel Arrya S.

Tennille M. Tatum-Evans, Esq.,  
Attorney for the Child Jamie Lee S.,  
also known as Jaime Lee S.

Karen D. Steinberg, Esq.,  
Attorney for the Child Richard S.

-----X  
Michelle Stevenson, Esq., Family Court attorney for the child, Richard S., having moved on said child's behalf for leave to respond, as a poor person, to the appeals from the orders of

the Family Court, Bronx County, entered on or about May 13, 2013 and on or about June 18, 2013, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Karen D. Steinberg, Esq., 31 East 32<sup>nd</sup> Street, Suite 300, New York, NY 10016, Telephone No. (347) 346-4847, as counsel for purposes of responding to the appeals; (2) permitting movant to respond to the appeals upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorneys for respondents-appellants and 8 copies thereof are filed with this Court. Sua sponte, the appeals are adjourned to the November 2014 Term. (See M-760, decided simultaneously herewith.)

ENTER:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 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

Ariel Arryn S., also known as  
Ariel S., and Richard Lauren S.,  
also known as Richard S., and  
Jamie Lee S., also known as Jaime  
Lee S., and Xavier V.,

**M-760**

Docket Nos. B-34398/10  
B-34399/10  
B-20996/10  
B-34400/10

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

-----  
Saint Dominic's Home, et al.,  
Petitioners-Respondents,

Ariel S.,  
Respondent-Appellant,

Yesinia L.,  
Respondent-Appellant.

-----  
Patty Moreno, Esq.,  
Attorney for the Child Xavier V.

David Eskin, Esq.,  
Attorney for the Child Ariel S.,  
also known as Ariel Arrya S.

Tennille M. Tatum-Evans, Esq.,  
Attorney for the Child Jamie Lee S.,  
also known as Jaime Lee S.

Karen D. Steinberg, Esq.,  
Attorney for the Child Richard S.

-----X  
Harold Meyerson, Esq., Family Court attorney for the child, Jamie Lee S., also known as Jaime Lee S., having moved on said child's behalf for leave to respond, as a poor person,

to the appeals from the orders of the Family Court, Bronx County, entered on or about May 13, 2013 and on or about June 18, 2013, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Tennille M. Tatum-Evans, Esq., 260 Convent Avenue, Suite #34, New York, NY 10031, Telephone No. (347) 645-6660, as counsel for purposes of responding to the appeals; (2) permitting movant to respond to the appeals upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorneys for respondents-appellants and 8 copies thereof are filed with this Court. Sua sponte, the appeals are adjourned to the November 2014 Term. (See M-1095, decided simultaneously herewith.)

ENTER:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 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

Lucy T.,  
Felicity M.,  
Yolicia M.,  
Diajenice P.,  
and Mahoganie A.,

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

**M-2786**  
Docket Nos.  
NA-30679-83/10

-----  
Commissioner of Children's Services  
of the City of New York,  
Petitioner-Appellant-Respondent,

Luz M.,  
Respondent-Respondent-Appellant,

Rafael A.,  
Respondent-Respondent.

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

George Reed, Esq.,  
Attorney for the Children,  
Yolicia M., Mahoganie A.,  
Diajenice P. and Felicity M.

-----X

Respondent-respondent father having moved for leave to respond, as a poor person, to the respective appeal and cross appeal taken from orders of the Family Court, Bronx County, entered on or about May 23, 2013 and June 4, 2013, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Bruce A. Young, Esq., 181 Hudson Street, Suite 1A, New York, NY 10013, Telephone No. (212) 965-0050, as counsel for purposes of responding to the appeals; (2) permitting movant to respond to the appeals upon a reproduced respondent's brief, on condition that one copy of such brief(s) be served upon the attorneys for petitioner-appellant-respondent and respondent-respondent-appellant and 8 copies thereof are filed with this Court.

ENTER:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 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 Custody/Visitation  
Proceeding

Jean D.,  
Petitioner-Respondent,

M-3762  
Docket No. V-28500-01/09

-against-

Eva B.-F.,  
Respondent-Appellant.

-----X

Petitioner-respondent having moved for leave to respond, as a poor person, to the appeal from the order of the Family Court, Bronx County, entered on or about June 5, 2012, and for assignment of counsel, a free copy of the transcript, and for related relief, and said appeal having been perfected,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Louise Belulovich, Esq., 411 East 57th Street #14C, New York, NY 10022, Telephone No. (212) 421-6113, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this Court. Sua sponte, the perfected appeal is adjourned to the December 2014 Term.

ENTER:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 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 Proceeding for  
Custody/Visitation Under Article 6  
of the Family Court Act.

-----  
Michael A. H.,  
Petitioner-Respondent,  
  
-against-

**M-2176**  
Docket Nos. V-17977/13  
V-17978/13

Rosemary H.,  
Respondent-Appellant.

-----  
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 April 2, 2014, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Kenneth Walsh, Esq., 1133 Broadway, Suite 708, New York, NY 10010, Telephone No. (212) 330-7628 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-2177, decided simultaneously herewith.)

ENTER:

  
DEPUTY 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 28, 2014.

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

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

-----  
Michael A. H.,  
Petitioner-Respondent,  
  
-against-

**M-2177**  
Docket Nos. V-17977/13  
V-17978/13

Rosemary H.,  
Respondent-Appellant.

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

-----X  
Petitioner-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 April 2, 2014, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Andrew Baer, Esq., 299 Broadway, Suite 1415, New York, NY 10007, Telephone No. (212) 233-0318, 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-2176, decided simultaneously herewith.)

ENTER:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Angela M. Mazzarelli  
John W. Sweeny, Jr.  
Sallie Manzanet-Daniels  
Darcel D. Clark, Justices.

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

-against-

M-1584  
Ind. No. 6401/09

Jaime Lopez-Mendoza,  
Defendant-Appellant.

-----X

An order of this Court having been entered on June 14, 2011 (M-1683) granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about February 15, 2011, and assigning Steven Banks, Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of successor assigned counsel Seymour W. James, Jr., 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:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

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

-against-

M-1837  
Ind. No. 5581/11

Rhonda Stone,  
Defendant-Appellant.

-----X

An order of this Court having been entered on May 2, 2013 (M-1158) granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about January 8, 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:

  
\_\_\_\_\_  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

-----X  
Robert Jordan,  
Plaintiff-Respondent,

-against-

City of New York,  
Defendant-Appellant.

M-1365  
Index No. 300942/11

-----X

Defendant-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 May 29, 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:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----X  
Scarola Ellis LLP,  
Plaintiff-Respondent,

-against-

M-2701  
Index No. 113781/09

Elan Padeh,  
Defendant-Appellant.

-----X

Plaintiff-respondent having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on April 24, 2014 (Appeal No. 11615),

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

It is ordered that the motion is denied.

ENTER:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

PRESENT - Hon: Luis A. Gonzalez, Presiding Justice,  
Richard T. Andrias  
David B. Saxe  
Darcel D. Clark, Justices.

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

-against-

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

**SEALED**  
M-2016  
Index No. 115111/99

-----X

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

And an order of this Court having been entered on January 14, 2014, inter alia, denying plaintiffs leave to prosecute said appeal as a poor person, and related relief (M-5758), and dismissing said appeal (M-5983),

And plaintiff having moved for reargument of the aforesaid order (M-5758), or in the alternative, for leave to appeal to the Court of Appeals, or other relief,

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

It is ordered that the motion is denied in its entirety.

ENTER:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

PRESENT - Hon. Peter Tom, Justice Presiding,  
Rolando T. Acosta  
Richard T. Andrias  
Leland G. DeGrasse  
Rosaly H. Richter, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-1627  
Ind. No. 3452/13

Cesarine Augustus,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to file a notice of appeal from the judgment of the Supreme Court, Bronx County, rendered on or about January 30, 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:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

PRESENT - Hon. Peter Tom, Justice Presiding,  
Rolando T. Acosta  
Richard T. Andrias  
Leland G. DeGrasse  
Rosalyn H. Richter, Justices.

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

-against-

M-1628  
Ind. No. 469/13

Jeffrey Larke, also known as  
Jeffery Larke,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to file a notice of appeal from the judgment of the Supreme Court, Bronx County, rendered on or about January 30, 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:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

PRESENT - Hon. Peter Tom, Justice Presiding,  
Rolando T. Acosta  
Richard T. Andrias  
Leland G. DeGrasse  
Rosaly H. Richter, Justices.

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

-against-

M-1629  
Ind. No. 3014/12

Michael Herbin,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to file a notice of appeal from the judgment of the Supreme Court, Bronx County, rendered on or about January 23, 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:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Dianne T. Renwick  
Rosalyn H. Richter  
Paul G. Feinman  
Judith J. Gische, Justices.

-----X  
171 Madison Associates, LLC,  
Plaintiff-Respondent,

-against-

M-1336  
Index No. 650782/09

Michael Shane and Civilian One  
Jets, LLC,  
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, New York County, entered on or about January 22, 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 denied, with leave to renew upon the appearance of counsel.

ENTER:

  
\_\_\_\_\_  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

PRESENT - Hon. Peter Tom, Justice Presiding,  
Rolando T. Acosta  
Richard T. Andrias  
Leland G. DeGrasse  
Rosalyn H. Richter, Justices.

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

-against-

M-1626  
Ind. No. 1320N/12

Juan E. Honorio,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about February 14, 2014, for leave to prosecute the appeal as a poor person upon the original record and upon a reproduced appellant's brief, and for assignment of counsel,

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) 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.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28<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:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Rolando T. Acosta  
Karla Moskowitz  
Judith J. Gische  
Darcel D. Clark, Justices.

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

Gunther Powers,  
Petitioner,

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

M-1846  
Index No. 103347/12

-against-

Robert Doar, etc.,  
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 January 24, 2013, to review a determination of respondent,

And petitioner having moved for leave to prosecute, as a poor person, the aforesaid proceeding, and for leave to have the proceeding 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 the motion is denied, with leave to renew upon submission of an affidavit in compliance with CPLR 1101(a), which shall include statements setting forth the amount and sources of petitioner's income.

ENTER:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

Present - Hon. Peter Tom, Justice Presiding,  
Rolando T. Acosta  
David B. Saxe  
Leland G. DeGrasse  
Helen E. Freedman, Justices.

-----X

Rodney H. Brown,  
Plaintiff-Appellant,

-against-

M-2140  
Index No. 153803/12

Deutsche Bank National Trust Company,  
etc., et al.,  
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for reargument of the decision and order of this Court entered on April 3, 2014 (Appeal No. 12129),

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, upon reargument, the decision and order of this Court entered on April 3, 2014 (Appeal No. 12129) is recalled and vacated and a new decision and order substituted therefor. (See Appeal No. 12129, decided simultaneously herewith.)

ENTER:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

-----X

The People of the State of New York,  
Respondent,

-against-

M-1812  
Ind. No. 77/07

Raul DeJesus,  
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 April 22, 2008, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) 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, 112 Wall Street, 28<sup>th</sup> Floor, New York, New York 10005, 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:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
Leland G. DeGrasse  
Helen E. Freedman  
Barbara R. Kapnick, Justices.

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

-against-

M-1332  
Ind. No. 2967N/13

Eduardo Espinal,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about November 27, 2013, for leave to prosecute the appeal as a poor person upon the original record and upon a reproduced appellant's brief, and for assignment of counsel,

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) 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., Esq., 199 Water Street, 5th Floor, New York, New York 10038, Tel. 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:

  
\_\_\_\_\_  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
Leland G. DeGrasse  
Helen E. Freedman  
Barbara R. Kapnick, Justices.

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

-against-

M-1333  
Ind. No. 1442/12

Ruben Sanabria,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about February 11, 2013, for leave to prosecute the appeal as a poor person, upon the original record and upon a reproduced appellant's brief, and for assignment of counsel,

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

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

The motion, insofar as it seeks poor person relief, is denied, with leave to renew upon defendant's submission of a notarized affidavit, pursuant to CPLR 1101(a), setting forth facts sufficient to establish that defendant has no funds or assets with which to prosecute the appeal.

ENTER:

  
\_\_\_\_\_  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
Helen E. Freedman  
Rosalyn H. Richter  
Darcel D. Clark, Justices.

-----X  
In the Matter of the Application of  
Isaac Widerman,  
Petitioner-Appellant,

For a Judgment Pursuant to Article 78 M-2706  
of the Civil Practice Law and Rules, Index No. 400844/13

-against-

New York City Housing Authority,  
Respondent-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 January 31, 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:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

-----X  
Danna Novak,

Plaintiff-Appellant,

**M-1642**

-against-

Index No. 100979/11

St. Luke's-Roosevelt Hospital Center,  
Inc., et al.,

Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 11, 2014,

And Jaroslawicz & Jaros, LLC (David Jaroslawicz) having moved for an order permitting said counsel to withdraw as attorneys on the appeal, for an enlargement of time to allow plaintiff to retain new counsel, and to preserve a lien for work performed and monies expended to date,

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 Jaroslawicz & Jaros, LLC to withdraw as counsel, and granting plaintiff an enlargement of time to perfect her appeal to the December 2014 Term. So much of the motion which seeks to preserve a lien for work performed and monies expended to date is denied, without prejudice to such an application before the Supreme Court, New York County.

ENTER:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

-----X  
LGC USA Holdings, Inc.,

Plaintiff-Appellant,

**M-3597**

-against-

**M-3598**

Index No. 654481/13

Taly Diamonds, LLC, et al.,

Defendants-Respondents.  
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about January 15, 2014, and said appeal having been perfected,

And plaintiff-appellant having moved for various forms of injunctive relief with respect to, inter alia, certain individual defendants, the business, business records, premises, and inventory of the defendant entities, Taly Diamonds, LLC, and Taly Diamonds (N.Y.) LTD, and for an order holding Taly Diamonds, LLC and certain individual defendants in contempt, for, inter alia, their alleged failure to comply with the order of this Court entered May 22, 2014 (M-241) and a subsequent interim order of a Justice of this Court, dated July 14, 2014, and for related and other relief (M-3597),

And defendant-respondents having cross-moved for an order modifying the aforesaid order of this Court entered May 22, 2014 permitting defendants to, inter alia, sell certain items from the inventory of Taly Diamonds, LLC sufficient to satisfy amounts owing to the entity's "secured lender" and, having filed an amended notice of cross-motion seeking and order vacating the aforesaid order of this Court entered May 22, 2014 and for related relief (M-3598),

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

Ordered that the motion (M-3597), is granted only to the extent of reinstating and reaffirming the order of this Court entered on May 22, 2014 (M-241), pending hearing and determination of the appeal, and vacating the interim order of a Justice of this Court, dated July 14, 2014 to the extent it modified the aforesaid May 22, 2014 order, and is otherwise denied; the cross motion (M-3598) is denied, and the Clerk is directed to maintain the aforesaid perfected appeal on the calendar for hearing during the September 2014 Term.

ENTER:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

-----X  
J.B. International, LLC,  
Plaintiff-Respondent,

-against-

M-2691  
Index No. 653626/12

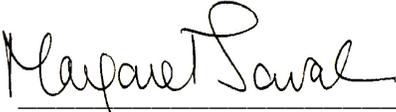
Kurt Wayne, Inc., et al.,  
Defendants-Appellants.  
-----X

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 July 26, 2013 (mot. seq. no. 003),

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:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

-----X  
In the Matter of the Application of  
David Suker,  
Petitioner-Respondent,

For a Judgment Pursuant to Article 75  
of the Civil Practice Law and Rules,

M-2790  
Index No. 103742/12

-against-

The New York City Board/Department  
of Education,  
Respondent-Appellant.  
-----X

Defendants-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 August 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:

  
\_\_\_\_\_  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

-----X

Wilton Casiano,  
Plaintiff-Appellant,

-against-

M-2897  
Index No. 300973/09

Start Elevator, Inc.,  
Defendant-Respondent,

-and-

Tuck-It-Away,  
Defendant.

-----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 July 24, 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:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

-----X  
International Asbestos Removal, Inc.,  
Plaintiff-Respondent,

-against-

M-2929  
Index No. 652494/12

Beys Specialty, 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 12, 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:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

-----X  
Born to Build LLC,  
Plaintiff-Appellant,

-against-

1141 Realty, LLC,  
Defendant-Respondent.

M-3004  
Index No. 652288/13

-----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 August 12, 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:

  
\_\_\_\_\_  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

-----X  
Michael Wesley Harris, Ph.D.,  
also known as Michael Wesley  
Frierson-Harris, Ph.D.,  
Plaintiff-Appellant,

-against-

M-3021  
Index No. 153405/12

The Union Theological Seminary  
in the City of New York,  
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 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 appeal to the December 2014 Term.

ENTER:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

-----X  
Gramercy Distressed Opportunity  
Fund Ltd. and Gramercy Distressed  
Debt Master Fund,  
Plaintiffs-Respondents,

-against-

M-3060  
Index No. 652756/12

Arpeni Pratama Ocean Line  
Investment B.V. and PT Arpeni  
Pratama Ocean Line TBK,  
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 September 19, 2013 (mot. seq. no. 003),

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:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

-----X  
Edith Wiener, an Individual Partner  
of Absar Realty Company,  
Plaintiff,

-against-

Laura Spahn,  
Defendant-Respondent,

M-2794  
Index Nos. 23962/06  
2451/05

-against-

3900 Greystone Associates, LLC,  
Defendant-Appellant.

-----X  
Edith Wiener, an Individual Partner  
of Absar-Gerard Associates,  
Plaintiff,

-against-

Laura Spahn,  
Defendant-Respondent,

-against-

Chaim Schweid,  
Defendant-Appellant.

-----X

Defendants-appellants 3900 Greystone Associates, LLC and Chaim Schweid having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about August 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 on or before September 29, 2014 for the December 2014 Term.

ENTER:

  
\_\_\_\_\_  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

-----X  
Donna M. Dillon,  
Plaintiff-Appellant,

-against-

M-3069  
Index No. 156970/12

Henry R. Silverman and Karen  
Silverman,  
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about April 10, 2014 (mot. seq. no. 002),

And defendants-respondents having moved to dismiss the aforesaid appeal or in the alternative to direct plaintiff-appellant to perfect said appeal for a certain 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 unless plaintiff-appellant perfects the appeal on or before September 29, 2014 for the December 2014 Term.

ENTER:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

-----X  
Josef Serowik and Teresa Serowik,  
Plaintiffs-Respondents-Respondents,

-against-

M-2756  
M-2793  
Index No. 309306/10

Leardon Boiler Works Inc. and 125  
East 84<sup>th</sup> Street Corporation,  
Defendants-Respondents-Appellants.

-----X  
Leardon Boiler Works Inc. and 125  
East 84<sup>th</sup> Street Corporation,  
Third-Party Plaintiffs-Respondents-  
Appellants,

-against-

Third-Party  
Index No. 83704/11

GDT Associates, Inc.,  
Third-Party Defendant-Appellant/  
Respondent.

-----X

Third-party defendant-appellant-respondent 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 12, 2013 (M-2576),

And defendants/third-party plaintiffs-respondents-appellants having moved separately for the aforesaid relief with respect to their cross appeal (M-2793),

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

It is ordered that the motions are granted to the extent of enlarging the time to perfect the appeal and cross appeal, which are sua sponte consolidated, to the January 2015 Term (M-2756/M-2793).

ENTER:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

PRESENT - Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
Richard T. Andrias  
Judith J. Gische  
Darcel D. Clark, Justices.

-----X

In re Ronald Grassel,  
Petitioner-Appellant,

-against-

M-2762  
Index No.105552/05

Department of Education of the  
City of New York,  
Respondent-Respondent,

The University of the State of  
New York, et al.,  
Respondents.

-----X

Petitioner-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on April 17, 2014 (Appeal No. 12241),

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

It is ordered that the motion is denied.

ENTER:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

-----x

The People of the State of New York,

Respondent,

-against-

M-2997

Ind. No. 4649/11

Kahn Hightower,

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 July 10, 2012,

An order of a Justice of this Court having been entered on August 29, 2012, admitting defendant to bail and releasing defendant on his own recognizance pending hearing and determination of the aforesaid appeal,

And an order of this Court having been entered on December 11, 2012 [Corrected Order March 4, 2013], inter alia, granting defendant leave to prosecute to prosecute the appeal as a poor person and assigning counsel therefor,

And defendant-appellant having moved for an order permitting Michael O. Kushner, Esq., to appear as private counsel in connection with the aforesaid appeal, for a continuation of poor person relief granted, for an enlargement of time to perfect the appeal and for reinstatement and continuation of a stay and bail pending hearing and determination of the appeal,

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

It is ordered that the motion is granted to the extent of permitting Michael O. Kushner, Esq., to appear as private counsel in connection with the aforesaid appeal. The poor person relief previously granted, with the exception of assignment of counsel, is continued, and the time to perfect the appeal is enlarged to on or before September 29, 2014 for the December 2014 Term. The motion, to the extent it seeks reinstatement and continuation of the stay of execution of sentence and bail and other relief is denied.

ENTER:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 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  
Paternity Under Article 5 of the  
Family Court Act.

Alex D., M-1496  
Petitioner-Respondent, Docket No. P-23832/09

-against-

Lance E.,  
Respondent,

Sara E.,  
Respondent-Appellant,

Max E.,  
Respondent-Appellant.

-----  
Elisa Barnes, Esq.,  
Attorney for the Child,  
Max E.

-----X  
Respondent-father Lance E. having moved for dismissal of the appeals taken by Sara E. and Max E. from the order of the Family Court, New York County, entered on or about March 15, 2012,

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

It is ordered that the motion is granted to othe extent of deeming the aforesaid appeals withdrawn.

ENTER:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 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-1724  
Ind. No. 9343/89

Miguel Guity,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, Bronx County, rendered on or about September 24, 2013, for leave to prosecute the appeal as a poor person upon the original record and upon a reproduced appellant's brief, and for assignment of counsel,

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) 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, NY 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:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

-----X

The People of the State of New York  
ex. rel. Michael Pizarro,  
Petitioner-Appellant,

**M-1944**

-against-

Index No. 340731/13

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

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, entered on or about November 15, 2013, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for assignment of 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 permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the attorney for respondents and files 8 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 the Supreme Court, New York County, is directed to have transcribed the minutes of the proceedings held therein, 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. So much of the motion which seeks assignment of counsel is denied.

ENTER:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

PRESENT - Hon. John W. Sweeny, Jr., Justice Presiding,  
Richard T. Andrias  
Karla Moskowitz  
Leland G. DeGrasse  
Judith J. Gische, Justices.

-----X  
Marilyn Qing Yu Hopeman,  
Plaintiff-Appellant,

-against-

Albert A. Hopeman, III,  
Defendant-Respondent.

M-2267  
M-2583  
Index No. 313120/10

-----X

Plaintiff-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, entered on or about April 11, 2013, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief (M-2267),

And defendant-respondent having cross-moved for an order dismissing the aforesaid appeal (M-2583),

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 is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the attorney for respondent and file 8 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. Sua sponte, the time to perfect the appeal is enlarged to on or before September 29, 2014 for the December 2014 Term (M-2267).

It is further ordered that the cross motion to dismiss the appeal is denied, with leave to renew if the appeal is not perfected for the December 2014 Term (M-2583).

ENTER:

  
\_\_\_\_\_  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

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

-against-

**M-1581**

Ind. Nos. 2153/12  
4953/12

Rafael Navaro,  
Defendant-Appellant.

-----X

An order of this Court having been entered on September 26, 2013 (M-3809), granting defendant's motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about June 17, 2013, under Indictment No. 2153/12, and assigning counsel therefor,

And defendant-appellant having moved for an order amending the notice of appeal and the aforementioned order to include Indictment No. 4953/12,

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

It is ordered that said motion is granted to the extent of amending defendant's notice of appeal and the aforementioned order to include Indictment Nos. 2153/12 and 4953/12, and extending the poor person relief previously granted to cover same.

ENTER:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

-----X

Jeffrey Maron, et al.,  
Plaintiffs-Respondents,

-against-

Magnetic Construction Group Corp.,  
Crosby Street Hotel, LLC, and  
79 Crosby Street, LLC,  
Defendants-Appellants,

**M-1958**  
Index No. 115270/09

-and-

Urban Foundation/Engineering, LLC,  
et al.,  
Defendants.

-----X

Magnetic Construction Group Corp.,  
Crosby Street Hotel, LLC, and  
79 Crosby Street, LLC,  
Third-Party Plaintiffs-  
Appellants,

Third-Party  
Index No. 590676/12

-against-

Wiss, Janney, Elster Associates,  
Inc., et al.,  
Third-Party Defendants.

-----X

Defendants/third-party plaintiffs-appellants having moved for consolidation of the appeals taken from the orders of the Supreme Court, New York County, entered on or about July 8, 2013 and December 2, 2013, respectively, 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 consolidating the aforesaid appeals and permitting appellant to prosecute the consolidated appeals upon 9 copies of one record and of one set of appellants' points covering the appeals. The time to perfect the consolidated appeals is enlarged to the December 2014 Term.

ENTER:

  
\_\_\_\_\_  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

-----x

In the Matter of a Proceeding for Support Under Articles 4 and 5 of the Family Court Act.

**CONFIDENTIAL**

M-3698

Docket No. F-1303-02/11F

- - - - -

Alexis D. F.,  
Petitioner-Respondent,

-against-

Noelle P.,  
Respondent-Appellant.

-----x

An appeal having been taken to this Court from the order of the Family Court, New York County, entered on or about March 15, 2013, and said appeal having been perfected,

And respondent-appellant having moved for an order enlarging the record on appeal to include the entire record from two prior modification proceedings or, in the alternative, six documents from the prior hearings,

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 submit 8 copies of the subject documents from the prior proceedings under Docket No. F-1303-02/09C-E, without prejudice to petitioner raising argument in her respondent's brief with respect to the consideration of said documents by this Court. Sua sponte, the appeal is adjourned to the November 2014 Term.

ENTER:

  
\_\_\_\_\_  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

-----X

Nicolae Calinescu,  
Plaintiff-Appellant,

-against-

M-3626  
Index No. 305717/11

167 LLC,  
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about June 20, 2014,

And plaintiff-appellant pro se having moved for a stay of enforcement of the aforesaid order, pending hearing and determination of the appeal taken therefrom,

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

It is ordered that the motion is granted on condition the appeal is perfected on or before September 29, 2014 for the December 2014 Term.

ENTER:

  
\_\_\_\_\_  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

-----X  
The Glazier Group, Inc.,  
Plaintiff-Respondent,

-against-

**M-3339**  
Index No. 650259/12

Premium Supply Co., Inc.,  
Defendant-Appellant.  
-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about April 19, 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:

  
\_\_\_\_\_  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

-----X  
Jamie Perez,  
Plaintiff-Respondent-Respondent,

-against-

**M-3668**  
Index No. 109002/08

Folio House, Inc., et al.,  
Defendants-Respondents-Appellants.  
-----X

Folio House, Inc., et al.,  
Third-Party Plaintiffs-  
Respondents-Appellants,

-against-

West New York Restoration of CT.,  
Inc.,  
Third-Party Defendant-  
Appellant-Respondent.  
-----X

An appeal and cross appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about April 28, 2014 (mot. seq. no. 004), and said direct appeal having been perfected,

And third-party defendant-appellant-respondent having moved for an order staying trial in the above-entitled action pending hearing and determination of the appeal taken therefrom,

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

It is ordered that the motion is granted.

ENTER:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

-----X

Moon 170 Mercer, Inc.,

Plaintiff-Respondent,

-against-

Zachary Vella,

Defendant-Appellant.

-----X

**M-3628**

Index No. 155605/12

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 3, 2013, and said appeal having been perfected,

And an order of a Justice of this Court having been entered July 21, 2014, adjourning the appeal to the November 2014 Term,

And plaintiff-respondent having moved for an extension of time to file their respondent's brief, to adjourn the aforesaid perfected appeal, and to enlarge the record on appeal to include a certain decision of the Supreme Court, New York County, (Jeffrey K. Oing, J.) entered on or about July 11, 2014 in the action entitled *Mephisto Management, LLC v Moon 170 Mercer, Inc.*, 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 only to the extent of enlarging the record on appeal to include the aforesaid decision of Supreme Court, New York County, entered on or about July 11, 2014, and otherwise denied. Plaintiff-respondent is directed to serve and file 8 copies of a supplemental record on appeal containing the aforesaid decision entered on or about July 11,

2014 forthwith with the Clerk of this Court, and to serve and file its respondent's brief on or before October 1, 2014 for the aforesaid November 2014 Term.

ENTER:

  
\_\_\_\_\_  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

-----X

Jeanine Buckley,  
Plaintiff-Appellant,

-against-

M-1569  
Index No. 402490/11

Tuck-It-Away Storage Company,  
Defendant-Respondent.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about November 4, 2013,

And plaintiff-appellant having moved for relief in the nature of a preliminary appellate injunction restraining defendant from auctioning off her property held in defendant's storage unit, pending hearing and determination of the appeal taken therefrom, and for other relief,

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

It is ordered that the motion is denied.

ENTER:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

-----X  
Richard Ware Levitt, doing business  
as Levitt & Kaizer, Attorneys at  
Law, A New York Partnership,  
Plaintiff-Respondent,

**M-3423**  
Index No. 159243/12

-against-

Stuart Jackson,  
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, entered on or about May 21, 2014,

And plaintiff-respondent having moved to dismiss the aforesaid appeal,

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

It is ordered that the motion is denied.

ENTER:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 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,  
Appellant,

-against-

M-3200  
Ind. No. 4657/88

Florentino Burgos,  
Defendant-Respondent.

-----X

The People having moved for an enlargement of time in which to perfect the appeals from orders of the Supreme Court, New York County, entered on or about July 2, 2012 and September 21, 2012, respectively,

Now, upon reading and filing the papers with respect to the motion, including the stipulation of the parties dated August 11, 2014, and the correspondence from the New York County District Attorney (David P. Stromes, of Counsel) dated August 11, 2014, and due deliberation having been had thereon,

It is ordered that the motion and appeals are deemed withdrawn in accordance with the aforesaid stipulation and correspondence.

ENTER:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 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-

Devon C. McDonald,  
Defendant-Appellant.

M-3140  
Ind. Nos. 947/10  
3256/12  
Case No. 40288/12

-----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 September 11, 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 and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28<sup>th</sup> Floor, New York, New York 10005, 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:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 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-3143  
Ind. No. 4668/13

Anthony Lawrence, also known as  
Anthony Lawrence,  
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 1, 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 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:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 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-3211  
Ind. No. 855/05

Antoine Gumbs,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from an order of the Supreme Court, New York County, rendered on or about September 4, 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, 120 Wall Street, 28<sup>th</sup> Floor, New York, New York 10005, 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:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 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  
Evelicia Rodriguez,  
Petitioner-Appellant,

For a Judgment Pursuant to Article 78 **M-3133**  
of the Civil Practice Law and Rules, Index No. 401304/13

-against-

New York City Housing Authority,  
Respondent-Respondent.  
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 7, 2014,

And petitioner having moved for leave to prosecute the appeal as a poor person, upon the original record and reproduced petitioner's brief, and for a stay of a certain warrant of eviction, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced petitioner's brief, on condition that petitioner serves one copy of such brief upon the attorney for the respondent and files 8 copies of such brief, together with the original record, with this Court. Petitioner is permitted to dispense with payment of the required fee for the subpoena and filing of the record, and otherwise denied. The interim relief granted by the order of a Justice of this Court dated June 17, 2014, is vacated.

ENTER:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 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 a Support Proceeding  
Under Article 4 of the Family Court Act.  
-----

Luis F.,  
Petitioner-Appellant,

**M-3529**

Docket No. F-7031/13

-against-

Carmen F.,  
Respondent-Respondent.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Family Court, Bronx County, entered on or about April 30, 2014, and for assignment of counsel, a free copy of the transcript, and related relief,

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

Ordered that the motion is denied, with leave to renew upon submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth facts sufficient to establish that appellant has no funds or assets with which to prosecute appeal, including the amount and sources of his/her income and listing property with its value.

ENTER:

  
\_\_\_\_\_  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 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,

-against-

M-3151  
Ind. No. 2659/12

Tammy Hogan,  
Defendant.

-----X

Defendant having moved for an enlargement of time to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about December 19, 2012, for leave to prosecute the appeal as a poor person upon the original record and upon a reproduced appellant's brief, and for assignment of counsel,

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

It is ordered that the motion is denied.

ENTER:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

-----x  
WA Route 9, LLC,  
Plaintiff/Counterclaim Defendant,

M-3555

-against-

Index No. 651688/12

PAF Capital LLC,  
Defendant/Counterclaim Plaintiff.

- - - - -

PAF Capital, LLC,  
Third-Party Plaintiff-Respondent,

-against-

Index No. 590475/12

Jacob Frydman,  
Third-Party Defendant-Appellant,

White Acre Capital, LLC,  
Third-Party Defendants.

- - - - -

[And other actions]

-----x

Third-party defendant-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about June 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 December 2014 Term.

ENTER:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 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  
Juanita Murray,  
Petitioner-Appellant,

For an Order Pursuant to Article 78  
of the Civil Practice Law and Rules,

-against-

M-3244  
Index No. 100138/13

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

-----X

Petitioner-appellant having moved for an enlargement of time to perfect the appeal from a judgment of the Supreme Court, New York County, entered on or about October 1, 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:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 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

Justin W.,

A Person Alleged to Be a Juvenile  
Delinquent,

M-3332  
Docket No. D-8775/12

Respondent-Appellant.  
-----X

Respondent-appellant having moved for an enlargement of time to perfect the appeal from an Order of Fact-Finding of the Family Court, Bronx County, entered on or about August 19, 2013 and from Orders of Disposition of said Family Court entered on or about September 17, 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:

  
\_\_\_\_\_  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

-----x  
Jose Alvarez, et al.,

Plaintiffs-Appellants,

-against-

The City of New York, et al.,

Defendants-Respondents.  
-----x

M-3481  
Index No. 307785/08

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about July 17, 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:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

-----X  
Quik Park West 57 LLC, et al.,  
Plaintiffs-Appellants,

-against-

**M-3540**  
Index No. 651524/13

Bridgewater Operating Corporation,  
Defendant-Respondent.  
-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeals from orders of the Supreme Court, New York County, entered on or about October 9, 2013 and March 4, 2014, respectively,

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

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

ENTER:

  
\_\_\_\_\_  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

-----X  
Sonya Whitten Latimore,  
Plaintiff-Appellant,

-against-

M-3679  
Index No. 109456/11

Kim E. Fuller and Elma Kim,  
Defendants-Respondents,

Miatta Haj Smith, et al.,  
Defendants.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about April 8, 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. The parties are directed to abide by the filing deadlines for said December 2014 Term.

ENTER:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

-----X  
Eduardo Tejada,  
Plaintiff-Respondent,

-against-

M-3191  
Index No. 308470/10

Brisk Waterproofing Co., Inc., et al.,  
Defendants-Appellants.

-----X

Western Waterproofing Company, Inc.,  
doing business as Brisk Waterproofing  
Co., Inc., et al.,  
Third-Party Plaintiffs-Appellants,

Third-Party  
Index No. 84017/13

-against-

Atlantic Hoisting & Scaffolding, LLC,  
Third-Party Defendant.

-----X

Defendants/third-party plaintiffs-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 19, 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:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 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-3527

Ind. No. 4098/12

Carlo Guirdanella,

Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, New York County, rendered on or about October 29, 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:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

-----x  
Clara R. Smith,

Plaintiff-Appellant,

-against-

M-3587  
Index No. 154346/12

The Bank of New York Mellon Corporation,  
et al.,

Defendants-Respondents.  
-----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 December 4, 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:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

-----x  
Aviation Capital Partners, LLC and  
AVACAP CVG, LLC,  
Plaintiffs-Respondents,

-against-

GAZ Realty Inc. and Airport Plaza  
Holdings, LLC,  
Defendants-Appellants.

**Action No. 1**

M-3238

Index No. 653193/11

-----x  
GAZ Realty Inc. and Airport Plaza  
Holdings, LLC,  
Counter Claim Plaintiffs-Appellants,

-against-

Aviation Capital Partners, LLC, AVACAP CVG,  
LLC, and Joseph Piscitell,  
Counter Claim Defendants-Respondents.

-----x  
Aviation Capital Partners, LLC,  
Plaintiff-Respondent,

-against

George Abi Zeid,  
Defendant-Appellant.

-----x  
George Abi Zeid,  
Counter Claim Plaintiff-Appellant,

-against-

Aviation Capital Parnters, LLC,  
DAMG, LLC and Joseph Piscitell,  
Counter Claim Defendants-Respondents.  
-----x

**Action No. 2**

Index No. 650669/12

Appeals having been taken to this Court by defendants-counterclaim plaintiffs-appellants GAZ Realty Inc. and Airport Plaza Holdings, LLC, and George Abi Zeid from an order of the Supreme Court New York County, entered on or about April 19, 2013 in Action No. 1, and from an order of said Court entered on or about December 31, 2013 in Action No. 2, respectively,

And an order of this Court entered on March 13, 2014 (M-453) having consolidated the aforesaid appeals and enlarging he time to perfect same to the September 2014 Term,

And the aforesaid defendants-counterclaim plaintiffs-appellants having moved to enlarge the 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 on or before September 29, 2014 for the December 2014 Term.

ENTER:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

-----X

61 Fifth Ave. LLC,

Plaintiff-Respondent,

-against-

Wilshire Limited, et al.,

Defendants-Appellants.  
-----X

**M-3406**

Index No. 101995/12

Defendants-appellants having moved for an enlargement of time to perfect the consolidated appeals from an order of the Supreme Court, New York County, entered on or about June 18, 2012 (mot. seq. no. 002), an order of said Court entered on or about July 11, 2012, and an order and judgment (one paper) of said Court entered on or about September 12, 2012, respectively,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the consolidated appeals to the March 2015 Term, with no further enlargements to be granted.

ENTER:

  
\_\_\_\_\_  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

-----x

Katie Kickertz,

Petitioner-Appellant,

-against-

M-3448

Index No. 103461/10

New York University,

Defendant-Respondent.

-----x

Defendant-respondent having moved for adjournment of the appeals from order of the Supreme Court, New York County, entered on or about July 1, 2013, and from the judgment of said Court entered on or about July 24, 2013, 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 adjourning the appeals to the May 2015 Term.

ENTER:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 28, 2014.

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

-----X  
Markus Schumacher,  
Plaintiff-Respondent-Respondent, M-2763  
-against- M-3139  
M-3125  
Index No. 103586/08  
Antiquorium USA, Inc. and Evan  
Zimmermann,  
Defendants-Appellants-Respondents,  
Paul Ware Jr. and William C. Clifford,  
Defendants-Respondents-Appellants,  
-and-  
City of New York,  
Defendant.

-----X  
Defendants-appellants-respondents Antiquorium USA, Inc. and Evan Zimmermann having moved for an enlargement of time to perfect their appeal from an order of the Supreme Court, New York County, entered on or about August 2, 2013 (M-2763),

And defendants-respondents-appellants Paul Ware Jr. and William C. Clifford having cross-moved for the aforesaid relief with respect to their cross appeal (M-3139),

And plaintiff-respondent-respondent having cross-moved to dismiss the aforesaid appeal and cross appeal (M-3125),

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

It is ordered that the motion and cross motion (M-2763/M-3139) are granted to the extent of enlarging the time to

perfect the appeal and cross appeal to the December 2014 Term. The cross motion (M-3125) to dismiss the appeal and cross appeal is granted unless the aforesaid appeal and cross appeal are perfected for said December 2014 Term.

ENTER:

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DEPUTY 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-2813  
NY Co. Ind No.  
4625/06

-against-

CERTIFICATE  
DENYING LEAVE

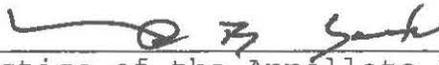
Bruce Sweeper,

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 14, 2014 is hereby denied.

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

  
Justice of the Appellate Division

**ENTERED**

**AUG 28 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-2819  
NY Co. Ind No.  
7498/93

-against-

CERTIFICATE  
DENYING LEAVE

Howard Wallace,

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 is hereby denied.

Dated: *July 28, 2014*  
New York, New York

  
Justice of the Appellate Division

**ENTERED**

**AUG 28 2014**

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

BEFORE: Hon. Judith J. Gische  
Associate Justice of the Appellate Division

-----x  
In the Matter of the Application of  
STACY SMITH,

Petitioner-Respondent,

M-3700

Index no. 400003/14

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

-against-

KYLE KIMBALL, as Temporary Chairman of the  
New York City Housing Authority, and the  
NEW YORK CITY HOUSING AUTHORITY,

Respondents-Appellants,

-and-

AQUA 680 E. 235 LLC,

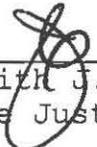
Respondent-Respondent.

-----x

Respondents-Appellants KYLE KIMBALL, as Temporary Chairman of the New York City Housing Authority and the NEW YORK CITY HOUSING AUTHORITY having moved for leave to appeal to this Court from the order of the Supreme Court, New York County (Joan Lobis, J.), entered on or about June 18, 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. The motion for a stay pending the appeal is DENIED as academic, and any interim relief granted by this court in its order dated July 24, 2014 is hereby vacated.

  
\_\_\_\_\_  
Hon. Judith J. Gische  
Associate Justice

Dated: August 21, 2014  
New York, New York

**ENTERED**

**AUG 28 2014**

P.M ORDERS  
FOR AUGUST  
28, 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 28, 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

Ramel Anthony S.,  
Ranijah Aniqua Garrett W.,  
Rayshawn Anthony Terrell G.,

Application of the Guardianship and Custody of Children Pursuant to §384-b of the Social Services Law.

-----  
Good Shepard Services and Administration for Children's Services  
Petitioners-Respondents,

**M-4124**  
Docket No. B-28209/11  
B-28210/11  
B-28211/11

Canita G.,  
Respondent-Appellant.

-----  
Steven N. Feinman, Esq.,  
Attorney for the Children.

-----X

Michael DeMattio, Esq., Family Court attorney for the subject children, having moved on said children's behalf for leave to respond, as poor persons, to the appeal from the order of the Family Court, Bronx County, entered on or about October 17, 2013, and for assignment of counsel, a free copy of the transcript, and for related relief, said appeal having been perfected,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and

§1120 of the Family Court Act, Steven N. Feinman, Esq., One North Broadway, Suite 412, White Plains, NY 10601, Telephone No. (914) 949-8214, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondents' 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. Sua sponte, the appeal is adjourned to the December 2014 Term.

ENTER:



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DEPUTY CLERK