

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 16, 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-6113
Ind. No. 3470/10

Mario Olmedo,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about May 17, 2011,

Now, upon reading and filing the stipulation of the parties hereto, dated November 22, 2013, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 16, 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-6340
Ind. No. 4999/11

Simon Khanukov,
Defendant-Appellant.

-----X

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

Now, upon reading and filing the stipulation of the parties hereto, dated November 21, 2013, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 16, 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-6341
Ind. No. 3183/12

Marilyn Fana,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about January 15, 2013,

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

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 16, 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-6532
Ind. No. 107/12

Barry Allen,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about August 31, 2012,

Now, upon reading and filing the stipulation of the parties hereto, dated December 13, 2013, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 16, 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-6534
Ind. No. 2364/10

Luis Cedeno,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about September 29, 2010,

Now, upon reading and filing the stipulation of the parties hereto, dated November 25, 2013, and due deliberation having been had thereon,

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 16, 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-5845
Ind. No. 1570/10

Joseph Roman, also known as Joseph
Jae Roman,

Defendant-Appellant.

-----X

Defendant having renewed the motion for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about May 17, 2013, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

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

ENTER:


CLERK

Lawrence Fleischer, Esq., c/o Gotlin & Jaffe, 100 Lafayette Street, Ste. 404, New York, NY 10013, Telephone No. 212-966-5897, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 16, 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-5929
Ind. No. 534/08

Hellime Naseer, also known as Helime
Nasheer,
Defendant-Appellant.

-----X

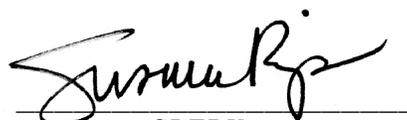
An appeal having been taken to this Court from the judgment of the Supreme Court, Bronx County, rendered on or about November 9, 2009, and said appeal having been perfected,

And defendant-appellant having moved for leave to file a pro se supplemental brief in connection with the aforesaid appeal, for a copy of the trial transcripts and for an enlargement of time in which to file said pro se supplemental brief,

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

It is ordered that the motion is granted to the extent of directing defendant to serve and file 8 copies of his pro se supplemental brief on or before March 17, 2014 for the June 2014 Term, to which Term the appeal is adjourned. The Clerk of the Court is directed to forward to the Warden at the State correctional facility wherein defendant is incarcerated a transcript of the minutes relating to defendant's appeal, said transcript to be made available to appellant and returned by appellant to this Court when submitting the pro se supplemental brief hereto. The appeal will not be heard unless and until all material furnished to appellant has been returned.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 16, 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-6354
Ind. No. 2422/12

Elena Kramrick,

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 January 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 deeming the moving papers a timely filed notice of appeal.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 16, 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-4979
Ind. No. 3441/09

Corey Williams,

Defendant-Appellant.
-----x

Defendant-appellant 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 June 9, 2013

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

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

ENTER:


CLERK

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

Natavia Lowery,

Defendant-Appellant.

M-6227
Ind. Nos. 5850/07
4346/08

-----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 May 3, 2010,

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 16, 2014.

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

-----X
Adelia Ramos De Almeida,
Plaintiff-Appellant,

-against-

M-6156
Index No. 652059/11

RJMD Associates L.P., et al.,
Defendants-Respondents.
-----X

Defendants-respondents having moved to dismiss the appeal from an order of the Supreme Court, New York County, entered on or about April 5, 2012, for failure to timely prosecute,

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

It is ordered that the motion is granted and the appeal is dismissed.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 16, 2014.

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

-----X
Citimortgage, Inc.,
Plaintiff-Respondent,

-against-

M-6216
Index No. 380691/11

Shirley Allen, et al.,
Defendants,

Gregory Allen,
Defendant-Appellant.
-----X

Plaintiff-respondent having moved to dismiss the appeal from an order of the Supreme Court, Bronx County, entered on or about January 10, 2013, for failure to timely prosecute,

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

It is ordered that the motion is granted and the appeal is dismissed.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 16, 2014.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Dianne T. Renwick
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

-----X
Harch International Limited, a
foreign corporation,
Plaintiff-Appellant-Respondent/Respondent,

-against-

M-6179
Index No. 601312/05

Harch Capital Management, Inc.,
a Florida corporation,
Defendant-Respondent/Appellant,

JPMorgan Chase Bank, N.A.,
Defendant.

-----X

An appeal and cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about February 15, 2013 and an appeal having been taken from the order of the same Court entered on or about October 22, 2013, respectively,

And plaintiff Harch Capital Management, Inc. having moved for an enlargement of time to perfect their 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 plaintiff's appeals on or before July 7, 2014 for the September 2014 Term.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 16, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzarelli
Richard T. Andrias
Leland G. DeGrasse, Justices.

-----X

In the Matter of the Application of
Carol Tolbert,
Petitioner,

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

M-6094
M-6283

Index No. 401241/12

-against-

New York City Housing Authority,
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 October 15, 2012, to review a determination of respondent,

And petitioner having moved for enlargement of time to perfect the aforesaid proceeding (M-6094),

And respondent having cross-moved to dismiss the proceeding for failure to timely prosecute (M-6283),

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

It is ordered that the motion for an enlargement of time to perfect the proceeding is denied (M-6094). The cross motion is granted and the proceeding is dismissed (M-6283).

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 16, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
David B. Saxe
Helen E. Freedman
Darcel D. Clark, Justices.

-----X

In re Atlantic Outdoor
Advertising Inc.,
Petitioner-Appellant,

-against-

M-6231
Index No. 103078/12

Meenakshi Srinivasan, etc., et al.,
Respondents-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 October 29, 2013 (Appeal No. 10740),

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

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 16, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Sallie Manzanet-Daniels
Paul G. Feinman
Darcel D. Clark, Justices.

-----X

S.T.A. Parking Corp.,
Plaintiff-Appellant,

-against-

Lancer Insurance Company,
Defendant-Respondent.

M-5969
Index Nos. 108091/08
401599/09

[And Another Action]

-----X

Plaintiff-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on October 17, 2013 (Appeal Nos. 10774-10775),

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

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 16, 2014.

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

-----X
In re Karen Matseoane, etc.,
Deceased.

Karen Matseoane,
Petitioner-Respondent,

-against-

M-6135
File NO. 2795/07

Subtle Engineering Company,
Objectant-Appellant.
-----X

Objectant-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on October 29, 2013 (Appeal No. 10885),

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

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 16, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
Dianne T. Renwick
Karla Moskowitz
Rosalyn H. Richter, Justices.

-----X
Antoinette Kirrane,
Plaintiff-Appellant,

-against-

M-6170
Index No. 310601/10

Empire State Land Associates, LLC,
et al.,
Defendants-Respondents.

-----X

Defendants-respondents having moved for dismissal of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about February 4, 2013, for failure to timely perfect,

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

It is ordered that the motion is granted and the appeal is dismissed.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 16, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Dianne T. Renwick
Richard T. Andrias
Karla Moskowitz, Justices.

-----X
Edward Crowe,
Plaintiff-Appellant,

-against-

M-6221
Index No. 304287/08

Millenium PBC II Development, LLC,
et al.,
Defendants-Respondents.

-----X

Defendants-respondents having moved for dismissal of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about January 23, 2013, for failure to timely perfect,

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

It is ordered that the motion is granted and the appeal is dismissed.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 16, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Dianne T. Renwick
Richard T. Andrias
Karla Moskowitz, Justices.

-----X
12 Broadway Realty, LLC,
Plaintiff,

-against-

M-6285
Index No. 650297/11

Lakhani Enterprises USA Corp.,
Defendant-Respondent,

-and

William Simpson,
Defendant/Third-Party Plaintiff-Appellant,

-against-

Imran Lakhani,
Third-Party Defendant-Respondent.

----- X

Appeals having been taken from the order of the Supreme Court, New York County, entered on or about October 1, 2013, and from an order of the same Court and Justice entered on or about June 19, 2013, and said appeal having been perfected,

Defendant/third-party plaintiff-appellant having moved for a stay of trial pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is granted.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 16, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Dianne T. Renwick
Richard T. Andrias
Karla Moskowitz, Justices.

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

-against-

M-6437
Ind. No. 251/87

Colin Haley,
Defendant-Appellant.

-----X

Defendant-appellant, pro se, having moved for an enlargement of time in which to file notices of appeal from the judgment of the Supreme Court, New York County, rendered on or about August 26, 1987 and for a judgment of resentencing of the same Court rendered on or about October 18, 1991, and for leave to prosecute the appeals as a poor person, and for leave to have the appeals heard on the original record and typewritten briefs, 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 (CPL §460.30 subd. 1).

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 16, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Dianne T. Renwick
Richard T. Andrias
Karla Moskowitz, Justices.

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

-against-

M-6444
Ind. No. 3823/09

Tyrone Stevenson,
Defendant-Appellant.

-----X

Defendant-appellant 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 April 20, 2011, and for leave to prosecute the appeal as a poor person, and for leave to have the appeal heard on the original record and typewritten briefs, 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 (CPL §460.30 subd. 1).

ENTER:



CLERK

CORRECTED ORDER - January 31, 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 January 16, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Dianne T. Renwick
Richard T. Andrias
Karla Moskowitz, Justices.

-----X
In the Matter of the Application of
Clifton Banks and Larry Banks,
Petitioners,

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

-against-

M-6450
Index No. 403284/11

New York City Housing Authority,
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 November 8, 2012, to review a determination of respondent,

And respondent having moved to dismiss the proceeding, for failure to timely prosecute,

Now, upon 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 proceeding is dismissed.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 16, 2014.

PRESENT: Hon. Angela M. Mazzairelli, Justice Presiding,
Rolando T. Acosta
Dianne T. Renwick
Richard T. Andrias
Karla Moskowitz, Justices.

-----X

Barbara Bradshaw,
Plaintiff-Appellant,

-against-

M-6513
Index No. 114078/05

Lenox Hill Hospital, et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for a stay of proceedings pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about November 22, 2013, and said appeal having been perfected,

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

It is ordered that the motion is granted.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 16, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Leland DeGrasse
Helen E. Freedman
Judith J. Gische, Justices.

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

-against-

M-5986
Ind. No. 4028/10

Remulo Fernandez,
Defendant-Appellant.

-----X

Defendant-appellant, pro se, 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 16, 2012, and for leave to prosecute the appeal as a poor person, and for leave to have the appeal heard on the original record and typewritten briefs, 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 (CPL §460.30 subd. 1).

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 16, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Helen E. Freedman
Judith J. Gische, Justices.

-----X

V.A.L. Floors, Inc.,
Plaintiff-Appellant,

-against-

M-5975
Index No. 653516/11

Marson Contracting Co., Inc.,
Defendant,

Travelers Casualty and Surety
Company of America,
Defendant-Respondent.

-----X

Plaintiff-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on October 15, 2013 (Appeal Nos. 10761-10761A),

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

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 16, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
Leland DeGrasse
Helen E. Freedman, Justices.

-----X

Hoffinger Stern & Ross, LLP,
Plaintiff-Respondent,

-against-

M-6325
Index No. 113111/09

Philip Neuman, et al.,
Defendants-Appellants.

-----X

Plaintiff-respondent having moved for reargument of the decision and order of this Court entered on October 24, 2013 (Appeal No. 10841),

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

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 16, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
Leland DeGrasse
Helen E. Freedman, Justices.

-----X

Carmen Caro-Fortyz,
Plaintiff-Respondent,

-against-

M-6134
Index No. 301059/10

Donald Peterson, et al.,
Defendants-Appellants.

-----X

Plaintiff-respondent having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on October 24, 2013 (Appeal No. 10849),

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

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 16, 2014.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Paul G. Feinman
Darcel D. Clark, Justices.

-----X
Westchester Medical Center,
Plaintiff-Respondent,

-against-

M-5992
Index No. 309307/09

James Amoroso,
Defendant-Appellant.

-----X

Defendant-appellant having moved for reargument of the decision and order of this Court entered on October 24, 2013 (Appeal No. 10873N),

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

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 16, 2014.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Paul G. Feinman
Darcel D. Clark, Justices.

-----X

In re Zion Hia,
Petitioner-Appellant,

-against-

M-6225
Index No. 114065/11

The New York City Department
of Corrections, et al.,
Respondents-Respondents.

-----X

Petitioner-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on October 24, 2013 (Appeal No. 10856),

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

It is ordered that the motion is denied.

ENTER:



CLERK

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

BEFORE: Hon. Richard T. Andrias
Justice of the Appellate Division
-----X

The People of the State of New York,

Respondent,

-against-

Antonio Martinez,

Defendant-Appellant.
-----X

CERTIFICATE
GRANTING LEAVE

M-6248

Ind. No. 3944/08

I, Richard T. Andrias, a Justice of the Appellate Division, Supreme Court, First Department, do hereby certify that, upon application timely made by the defendant-appellant for a certificate pursuant to CPL 460.20, and upon the record and proceedings herein,¹ this case involves a question of law which ought to be reviewed by the Court of Appeals and permission to appeal is hereby granted.

Dated: January 8, 2014
New York, New York

Richard T. Andrias,
Justice of the Appellate Division

Entered: January 16, 2014

Description of Order:
Order, Supreme Court, Bronx County
Rendered April 5, 2010, ~~7~~
amended May 9, 2012

Aff'd 11/12/13 (Appeal No. 10715-16)
App. Div. 1st Dept.

NOTICE: Within 10 days from the issuance of this certificate, a jurisdictional statement must be filed with the Clerk of the Court of Appeals pursuant to § 500.2 of the Rules of the Court of Appeals. (22 NYCRR § 500.2).

P.M ORDERS
FOR
JANUARY 16,
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 January 16, 2014.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
John W. Sweeny
David B. Saxe
Leland G. DeGrasse, Justices.

-----X
In the Matter of Attorneys Who Are
in Violation of Judiciary Law Section
468-a:

Departmental Disciplinary Committee M-180
for the First Judicial Department,
Petitioner,

Edward J. Anthony,
admitted on 3-21-1983, at a
Term of the Appellate Division,
First Department,
(OCA Atty. Reg. No. 1865278)
Respondent.

-----X
An order of this Court having been entered on November 20, 2013 [M-5139.65], inter alia, suspending the above-named respondent from practice as an attorney and counselor-at-law in the State of New York, effective immediately, and until the further order of this Court, for failure to comply with Judiciary Law §468-a,

And respondent having moved for an order granting reinstatement as an attorney and counselor-at-law in the State of New York,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, and it appearing that respondent complied with Judiciary Law §468-a on or about January 13, 2014, subsequent to the effective date of the aforesaid order,

It is ordered that the motion is granted and respondent is reinstated as an attorney and counselor-at-law in the State of New York, effective the date hereof.

ENTER:


CLERK