

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 13, 2014.

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

-----X
Emily Davis,
Plaintiff-Respondent,

-against-

M-1213X
Index No. 157289/12

Petrarch doing business as Electrum and
Hicham Aboutaam,
Defendants-Appellants.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about April 25, 2013,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" March 11, 2014, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 13, 2014.

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

-----X
PTT Chemical International Private
Limited,
Plaintiff,

-against-

M-1214X
Index No. 651802/13

Myriant Corporation, et al.,
Defendants.

-----X
Plainfield Special Situations Master
Fund Limited, et al.,
Defendants-Interpleading
Plaintiffs-Respondents,

-against-

Green Chem Holdings, LLC, et al.,
Interpleaded Defendants,

Stephen J. Gatto, etc., Norwood LDK, LLC,
Interpleaded Defendants-Appellants.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about October 1, 2013,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" March 11, ,2014, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 13, 2014.

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

-----X
Damian Toribio-Gutierrez,
Plaintiff-Respondent,

-against-

M-1289X
Index No. 301613/10

CM Mechanical of Orange County Inc.,
et al.,
Defendants,

Nelo Car Enterprises Corp., Bartolo
Taverez,
Defendants-Appellants.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about April 12, 2013,

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

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 13, 2014.

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

-----X
Marta A. Jimenez,
Plaintiff-Respondent,

-against-

M-1290X
Index No. 116202/09

Jose M. Camilo,
Defendant-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about July 15, 2013 (mot. seq. no. 003),

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

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 13, 2014.

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

-----X

Tamara Behan,
Plaintiff-Respondent,

-against-

M-1291X
Index No. 303383/10

Andrew N. Kornstein,
Defendant-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about August 8, 2013 (mot. seq. no. 007),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" March 13, 2014, and due deliberation having been had thereon,

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 13, 2014.

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

-----X

Old Republic General Insurance Corp.,
et al.,

Plaintiffs-Appellants,

-against-

M-1292X
Index No. 651419/13

K&M Architectural Window Products, Inc.,
Defendant-Respondent.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about October 21, 2013,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" March 11, 2014, and due deliberation having been had thereon,

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 13, 2014.

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

-----X

Pascal Besman,
Petitioner-Appellant,

-against-

M-1340X
Index No. 654476/12

Brigette Roberts, M.D., et al.,
Respondents-Respondents.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, entered on or about September 25, 2013,

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

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 13, 2014.

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

-----X
HFP Capital Markets, LLC,
Petitioner-Appellant,

-against-

M-6124
Index No. 653616/13

Jonah Engler, et al.,
Respondents-Respondents.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about November 13, 2013,

And petitioner-appellant having moved for an order holding respondents in civil contempt, and for related relief,

Now, upon reading and filing the stipulation of the parties hereto, dated February 13, 2014, and due deliberation having been had thereon,

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 13, 2014.

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

-----X
Atlantic Mutual Insurance, etc., et al.,
Plaintiffs-Respondents,

-against-

M-598
Index No. 600582/03

R/F Landscape Architecture P.C.,
Defendant-Appellant,

Ford-Cica Roofing and General Contractors,
Inc., et al.,
Defendants-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about October 21, 2010 (mot. seq. no. 005),

And defendant-appellant having moved to withdraw the aforesaid appeal,

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

It is ordered that the appeal is deemed withdrawn.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 13, 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 Support Proceeding
Under Article 4 of the Family Court
Act.

- - - - -
Theresa H.,

Petitioner-Respondent,

-against-

William H.,

Respondent-Appellant.
-----X

M-2690

Docket No. F-18966/09
D.C. #9

A purported appeal having been taken from an unknown order of the Family Court, Queens County,

And a motion related to said purported appeal having appeared on this Court's dismissal calendar (M-2690/DC# 9),

Now, upon the Court's own motion,

It is ordered that the appeal is deemed withdrawn.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 13, 2014.

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

-----X
In the Matter of the Application of
Paola Garcia,
Petitioner,

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

M-1495
Index No. 400440/13

-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 2, 2013, to review a determination of respondent,

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

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 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 May 13, 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-

Doran Allen,
Defendant-Appellant.

M-1131
Ind. No. 2948/08
2922/08
Case No. 46317C/08

-----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 January 17, 2014, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 13, 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-1132
Ind. No. 2069/11
Case No. 32383C/11

Mark Boyd,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about December 18, 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.

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 13, 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-1134
Ind. Nos. 1073/13
1040/13

Abdul Harrison,
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 January 15, 2014, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 13, 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-1135
Ind. No. 1113/12
Case No. 17153C/12

Derrick Monroe,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about August 20, 2013, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 13, 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-1136
Ind. No. 1686/13

Edwin Mendez,
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 January 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, 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.

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 13, 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-1137
Ind. No. 446/13

Marvin W. Nowell,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about February 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, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 13, 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-1138
Ind. No. 282/12
Case No. 68299C/11

Christopher Reed,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about February 7, 2014, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 13, 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-1139
Ind. No. 4246/10
Case No. 68414C/10

Michael Rice, also known as Micheal Rice,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about December 3, 2013, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 13, 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-1140
Ind. No. 3780/13

Albert Samuels,
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 January 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, 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.

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 13, 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-1141
Ind. No. 3089/13

Anthony E. Smith,
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 January 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.

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 13, 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-1142
Ind. No. 4226N/12

Samuel Saunders,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about February 18, 2014, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 13, 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-1143
Ind. No. 415/13

Mark Travis,
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 January 30, 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.

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 13, 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-1144
Ind. No. 2955/13

Joshua Toussaint,
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 October 2, 2013, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 13, 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-1145
Ind. No. 5308/13

Jordan Vecchio,
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 January 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.

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 13, 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-1146
Ind. No. 4378/11

Shun Yoneyama,
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 August 21, 2012, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 13, 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

Deaisha W.,
Shaniya S.,
and Tristen O.,

M-442
Docket Nos. NN-32440/09
NN-32441/09
NN-18810/10

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

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

Leroy W.,
Respondent-Appellant,

Shanee S.,
Respondent-Appellant.

Bruce A. Young, Esq.,
Attorney for the Children.

-----X

Respondent-appellant, Shanee S., having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about December 20, 2013, 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, Richard L. Herzfeld, Esq., 104 West 40th Street, 20th Floor, New York, NY 10018, Telephone No. (212) 818-9019, 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;¹ **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-743, decided simultaneously herewith.)

ENTER:



CLERK

¹Service 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 May 13, 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

Deaisha W.,
Shaniya S.,
and Tristen O.,

M-743

Docket Nos. NN-32440/09
NN-32441/09
NN-18810/10

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

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

Leroy W.,
Respondent-Appellant,

Shanee S.,
Respondent-Appellant.

Bruce A. Young, Esq.,
Attorney for the Children.

-----X

Linda McCarthy, Esq., Family Court attorney for the subject children, having moved on said children's behalf for leave to respond, as poor persons, to appeals taken from an order of the Family Court, Bronx County, entered on or about December 20, 2013, 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 on said childrens' behalf; (2) permitting movants to respond to the appeals upon a reproduced respondents' brief, on condition that one copy of such brief be served upon the attorneys for the respective respondents-appellants and 8 copies thereof are filed with this Court. (See M-442, decided simultaneously herewith).

ENTER:

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

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 13, 2014.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Rolando T. Acosta
David B. Saxe
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of

Mandju S.K.,

M-1196

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-4828/12

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

Aliyah B.D.,
Respondent-Appellant.

Randall Carmel, Esq.,
Attorney for the Child.

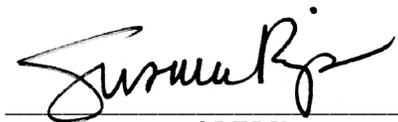
-----X

An appeal having been taken from an Order of Disposition of the Family Court, Bronx County, entered on or about April 15, 2013,

Now, upon the Court's own motion,

It is ordered that (1) pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Randall Carmel, Esq., 53 Jackson Avenue, Syosset, NY 11791, Telephone No. (516) 921-8800, is assigned as counsel for purposes of responding to the appeal on behalf of the subject child; (2) said attorney is permitted 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.

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 May 13, 2014.

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

-----X
Karen L. Pruden, as Attorney-In-Fact
for Ericka K. Spinner, Incapacitated,
Plaintiff-Respondent,

-against-

M-1271
Index No. 310733/11

Jeffrey N. Bruce, M.D., et al.,
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about May 31, 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 October 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 May 13, 2014.

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

-----x
Erica Klauser,

Plaintiff-Respondent,

-against-

Asa Abeliovich,

Defendant-Appellant.
-----x

M-1830
Index No. 350037/11

Consolidated appeals having been taken to this Court from the orders of the Supreme Court, New York County, entered on or about September 24, 2013 and October 15, 2013 (mot. seq. no. 006), and said consolidated appeals having been perfected,

And Jo Ann Douglas, Esq., guardian ad litem for the subject child, having moved for leave to submit a supplemental appendix of her parenting plan,

Now, upon 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 supplemental appendix submitted by the guardian ad litem on April 18, 2014, is deemed properly filed.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 13, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
Rolando T. Acosta
Helen E. Freedman
Barbara R. Kapnick, Justices.

-----X
National League for Nursing, Inc.,
Petitioner-Appellant,

-against-

M-1294
Index No. 101128/12

National League for Nursing
Accrediting Commission, Inc.,
Respondent-Respondent.

-----X

Petitioner-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 December 6, 2012 (mot. seq. nos. 001, 005),

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the October 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 May 13, 2014.

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

-----X
Bausch & Lomb Contact Lens Solution
Product Liability Litigation:

Plaintiffs' Steering Committee for
all Plaintiffs in the New York
Coordinated Proceeding,
Plaintiffs-Appellants,

M-1387
Index No. 766000/07

-against-

Bausch & Lomb Contact Lens Solution
Product,
Defendant-Respondent.

-----X
Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about May 31, 2013 (mot. seq. no. 014),

Now, upon 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 October 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 May 13, 2014.

Present: Hon. Peter Tom, Justice Presiding,
Rolando T. Acosta
Helen E. Freedman
Barbara R. Kapnick, Justices.

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

-against-

M-1187
Ind. No. 2221/11

Yvette Ward,
Defendant-Appellant.

-----X

An order of this Court having been entered on February 11, 2014 (M-5483) 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 September 23, 2011, striking the designation of Steven Banks, Esq., as counsel and substituting and assigning Richard M. Greenberg, 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 Richard M. Greenberg, Esq., as counsel to prosecute defendant's appeal, and substituting and assigning, pursuant to Section 722 of the County Law, Scott A. Rosenberg, Esq. (as successor to Steven Banks, Esq.), 199 Water Street, 5th Floor, New York, New York 10004, Telephone No. 212-577-3688, as such counsel. The poor person relief previously granted is continued and the order of this Court entered February 11, 2014 (M-5483) is recalled and vacated.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 13, 2014.

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

-----x

Sam Sloan,

Petitioner,

-against-

M-2029

Index No. 260328/14

Jose E. Serrano, et al.,

Respondents.

-----x

Petitioner having moved, pursuant to CPLR 5704, for certain relief denied by a Justice of the Supreme Court, Bronx County, on or about April 25, 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:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 13, 2014.

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

-----X

In the Matter of the Application of
The Westchester Square/Zerega
Improvement Organization, Inc.,
John Bonizio, Sandi Lusk, Hannah
Acampora and John C. Liu, Comptroller
of the City of New York,
Petitioners-Respondents,

M-1264
Index No. 260573/09

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

-against-

Seth Diamond, Commissioner of the New
York City Department of Homeless
Services, The City of New York, Saints
Tower LLC and "John Doe" and "Jane Doe",
Respondents-Appellants.

-----X

Respondents-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 June 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 October 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 May 13, 2014.

PRESENT - Hon. Angela M. Mazzairelli, Justice Presiding,
John W. Sweeny, Jr.
Richard T. Andrias
Leland G. DeGrasse
Roselyn H. Richter, Justices.

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

-against-

Elvis Payano,

Defendant.

M-511
Ind. Nos. 4042/09
2289/10

-----X
Assigned counsel having moved for an order dismissing defendant's appeal from the judgment of the Supreme Court, New York County, rendered on or about September 23, 2010, without prejudice to reinstatement at such time appellant again becomes amenable to the jurisdiction of this Court,

Now, upon 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 appeal withdrawn.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 13, 2014.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Richard T. Andrias
Leland G. DeGrasse
Rosalyn H. Richter, Justices.

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

-against-

M-702
Ind. No. 481/13

Michelle Nelson,
Defendant-Appellant.

-----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 November 12, 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 the amount and sources of funds to post the \$30,000 bail in the Supreme Court, the disposition thereof, and an explanation as to why similar funds are not available to prosecute this appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 13, 2014.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Richard T. Andrias
Leland G. DeGrasse
Rosalyn H. Richter, Justices.

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

-against-

M-704
Ind. No. 5484/12

Ivan Morales,
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 26, 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:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 13, 2014.

Present - Hon. Angela M. Mazzairelli, Justice Presiding,
John W. Sweeny, Jr.
Richard T. Andrias
Leland G. DeGrasse
Rosalyn H. Richter, Justices.

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

Respondent,

-against-

M-925
Ind. No. 2562/10

Blu Vaz, also known as William Franks
Vaz,

Defendant-Appellant.
-----x

An order of this Court having been entered on December 15, 2011 (M-4391), inter alia, 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 counsel therefor, and said appeal having been perfected,

And defendant-appellant, pro se, having moved for an order relieving assigned counsel and to substitute other counsel to prosecute the appeal, or in the alternative for leave to file a 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 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 May 13, 2014.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Leland G. DeGrasse
Darcel D. Clark, Justices.

-----X
In the Matter of the Application of
Melissa T. Mitchner,
Petitioner,

For a Judgment Pursuant to Article 78 M-443A
of the Civil Practice Law and Rules, Index No. 402099/12

-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 February 11, 2013, to review a determination of respondent,

And petitioner having moved for leave to prosecute the proceeding as a poor person, upon the original record and reproduced petitioner's brief, and for an enlargement of time to perfect the proceeding,

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

It is ordered that the motion is granted to the extent of permitting the proceeding 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 file 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. The time to perfect the proceeding is enlarged to on or before August 4, 2014 for the October 2014 Term. The order of this Court entered on April 17, 2014 (M-443) is hereby recalled and vacated.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 13, 2014.

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

-----x
In the Matter of a Proceeding for Support
Under Article 4 of the Family Court Act.

- - - - -
Edward M.,
Petitioner-Appellant,

M-1408
Docket No. F-14877-12/12A

-against-

Stephanie M.,
Respondent-Respondent.

-----x

An appeal having been taken by petitioner-appellant from an order of the Family Court, Bronx County, entered on or about November 22, 2013,

And petitioner-appellant, pro se, having moved for leave to prosecute said appeal as a poor person, for the 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 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 May 13, 2014.

Present: Hon. David Friedman, Justice Presiding,
Rosalyn H. Richter
Paul G. Feinman
Judith J. Gische, Justices.

-----X

6 Greene Street Associates, LLC.,

Petitioner-Landlord-Appellant,

-against-

Ella Stewart,

Respondent-Tenant-Respondent.

-----X

M-4420

Index No. 571021/12

Petitioner-landlord-appellant having moved for leave to appeal to this Court from of the Appellate Term entered in the office of the Clerk of the Supreme Court, New York County, on or about March 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 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 May 13, 2014.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Rolando T. Acosta
David B. Saxe
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

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

-against-

M-1395
Ind. No. 534/08

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

-----x

An appeal having been taken to this Court from a judgment of the Supreme Court, Bronx County, rendered on or about December 21, 2010, and said appeal having been perfected,

And defendant-appellant having moved for leave to enlarge the record on appeal to include a certain court document reflecting the sentences imposed on appellant's co-defendants,

Now, upon 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 May 13, 2014.

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

-----x
In the Matter of the Application of
Sanitation Officers Association,
Local 444, S.E.I.U., et al., etc.,
Petitioners-Respondents,

For a Judgment and Order Pursuant to
Article 75 of the CPLR,

M-1731
Index No. 151155/13

-against-

The City of New York, et al.,
Respondents-Appellants.

-----x
Respondents-appellants having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about June 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 September 2014 Term, with no further enlargements to be granted.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 13, 2014.

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

-----X
Peter Bock,
Plaintiff-Appellant,

-against- **M-1828**
Index No. 103221/11

Loumarita Realty Corporation, also
known as Lou Maria Realty Corp.,
et al.,
Defendants-Respondents.

-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about August 27, 2013 and on or about January 27, 2014, respectively, and said appeals having been perfected,

And defendants having moved to strike plaintiff's record on appeal for failure to include certain material or, in the alternative, for leave to enlarge the record on appeal to include said material, and for an adjournment 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 denied in all respects. Clerk is directed to maintain the aforesaid appeals on this Court's calendar for the June 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 May 13, 2014.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Karla Moskowitz
Leland DeGrasse
Sallie Manzanet-Daniels, Justices.

-----X
Scientific Electric Company, Inc.,
Plaintiff-Appellant,

-against-

M-1266
Index No. 118579/06

ADG Park Construction Group, LLC,
also known as American Development
Group, et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about June 13, 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 October 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 May 13, 2014,

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

-----X
Marcio Magdalena,
Plaintiff-Appellant,

-against-

M-1663
Index No. 153047/13

Eduardo Lins, et al.,
Defendants-Respondents.
-----X

Defendants-respondents having moved for dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about February 28, 2014 (mot. seq. no. 002),

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

It is ordered that the motion is denied.

ENTER:


CLERK

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

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

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

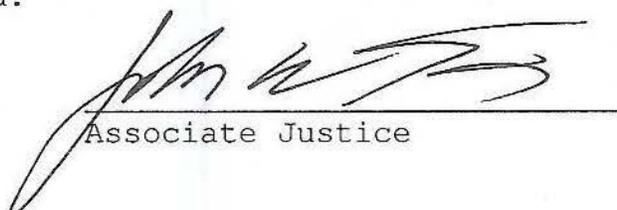
-against-

Angel Serrano a/k/a Lugo Serrano,

Defendant.
-----X

M-1232
Ind. No. 818/89
CERTIFICATE
DENYING LEAVE

I, John W. Sweeny, Jr., a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about October 31, 2013 (Robert M. Mandelbaum, J.) is hereby denied.


Associate Justice

Dated: April 15, 2014
New York, New York

ENTERED: MAY 13 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-618
NY Co.
Indictment Nos.
3864/05 & 863/07

-against-

CERTIFICATE
DENYING LEAVE

Antonio Lantigua,

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 October 17, 2013, is hereby denied.

Dated: May 8, 2014

New York, New York

Entered: May 13, 2014


Justice of the Appellate Division