

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

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

-----X
Amy Kawata Carter,
Plaintiff-Respondent,

-against-

M-4263X
Index No. 306591/12

Gregory Philip Carter,
Defendant-Appellant.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about November 1, 2013 (mot. seq. no. 002),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" August 25, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 October 28, 2014.

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

-----X
Neil T. Schlisserman, et al.,
Plaintiffs,

Rhea A. Cook,
Plaintiff-Appellant,

-against-

M-4264X
Index No. 601631/04

PA Consulting Group 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 December 20, 2013 (mot. seq. no. 012),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" August 26, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 October 28, 2014.

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

-----X

Marcia Garcia,
Plaintiff-Respondent,

-against-

M-4423X
Index No. 308647/07

Joaquin Garcia,
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of divorce of the Supreme Court, New York County, entered on or about July 30, 2013,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 3, 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 October 28, 2014.

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

-----X
Leslie Allison Rottenberg,
Plaintiff-Respondent,

-against-

M-4424X
Index No. 350017/12

Eric Charles Rottenberg,
Defendant-Appellant.

(And other actions)

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

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 4, 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 October 28, 2014.

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

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

-against-

M-4425X
Index No. 308470/10

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

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

Appeals having been taken from the orders of the Supreme Court, Bronx County, entered on or about October 11, 2013, May 1, 2014 and September 19, 2013, respectively,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 4, 2014, and due deliberation having been had thereon,

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

ENTER:


CLERK

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

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

-----X
Delmer Flores,
Plaintiff-Appellant,

-against-

M-4552X
Index No. 301366/09

Federation Associates, et al.,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about March 21, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 9, 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 October 28, 2014.

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

-----X
Mynor Donis,
Plaintiff,

-against-

M-4553X
Index No. 302475/10

Barone Properties, Inc. Kano
Construction and Hanpool Inc.,
Defendants.

(And other actions)
-----X

An appeal having been taken by defendant/third-party defendant-appellant Hanpool Inc. from an order of the Supreme Court, Bronx County, entered on or about March 10, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 9, 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 October 28, 2014.

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

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

-against-

M-4287
Ind. No. 2589/12

Luis A. Diaz,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about February 21, 2013,

Now, upon reading and filing the stipulation of the parties hereto, dated August 26, 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 October 28, 2014.

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

-----X
Mason Sung, as Executor of the
Estate of Lori Udell, deceased,
and Mason Sung, Individually,
Plaintiff-Respondent,

-against-

Matthew B. Lubin, M.D., Mindy
Markowitz, M.D. and Daniel J. Baker,
M.D.,
Defendants-Appellants,

M-4507
Index No. 110627/08

-and-

Joan K. Zawin, M.D.,
Defendant,

-and-

Lenox Hill Hospital and Lenox Hill
Emergency Services, P.C.,
Defendants-Appellants,

-and-

Elisabeth Gomori, M.D.,
Defendant.

-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about April 11, 2012 and September 27, 2012, respectively,

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

It is ordered that the appeals, previously perfected for the September 2014 Term, are withdrawn in accordance with the aforesaid stipulation.

ENTER:


CLERK

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

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

-----X
Seventh Avenue Management II, LLC
and Aaron Wexler,
Plaintiffs-Respondents,

-against-

M-4557
Index No. 654414/12

Certain Underwriters at Lloyd's,
London Subscribing to Certificate
Number 0000-00137 and Does 1 through 100,
Defendants,

GFI Insurance Services, Inc.,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about September 19, 2013 (mot. seq. nos. 002, 003 and 004),

Now, upon reading and filing the stipulation of the parties hereto, dated September 8, 2014, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the September 2014 Term, is withdrawn in accordance with the aforesaid stipulation.

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 October 28, 2014.

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

-----X
Robert Albertson,
Plaintiff-Appellant,

-against-

Suzanne Elizabeth Murphy,
Defendant-Respondent.
-----X

M-4508
Index No. 304492/13

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 16, 2014 (mot. seq. nos. 002, 004 and 005),

Now, upon reading and filing the stipulation of the parties hereto, dated September 8, 2014, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the September 2014 Term, is withdrawn in accordance with the aforesaid stipulation.

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 October 28, 2014.

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

-----X
Terri Martin, as Administratrix of
the Estate of Joseph Martin, Deceased,
Plaintiff-Appellant,

-against-

M-4506
Index No. 7608/07

The Jewish Home and Hospital/Bronx
Division, Harry & Jeanette Weinberg
Campus,
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about July 8, 2013,

Now, upon reading and filing the stipulation of the parties hereto, dated September 2, 2014, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the September 2014 Term, is withdrawn in accordance with the aforesaid stipulation.

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 October 28, 2014.

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

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

Ella Burns,
Petitioner,

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

M-4411
Index No. 400077/13

-against-

Kristin Proud, as Acting Commissioner
of the New York State Office of
Temporary and Disability Assistance,
et al.,
Respondents.

-----X

An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about April 9, 2013, to review a determination of respondent,

And respondent having moved to withdraw the aforesaid proceeding,

Now, upon reading and filing the papers with respect to said motion, including the stipulation between the parties dated September 3, 2014 and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of deeming the proceeding previously perfected for the October 2014 Term 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 October 28, 2014.

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

-----X
In the Matter of

Desteny P.,

A Person Alleged to be a
Juvenile Delinquent,
Appellant.

M-4381
Docket Nos. D-33901/12 (NY)
D-32057/12 (BX)

-----X

Appeals having been taken from orders of the Supreme Court, Bronx and New York Counties, both entered on or about March 25, 2014, and said appeals having been consolidated,

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

It is ordered that the consolidated appeals, previously perfected for the October 2014 Term, are withdrawn in accordance with the aforesaid stipulation.

ENTER:



CLERK

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

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

-----X

In the Matter of

Navaeh P. and Zariyah P.

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

M-4113
Docket No. NN-30252/13

- - - - -

New York City Children's Services,
Petitioner-Respondent,

Saquan P.,
Respondent-Appellant.

- - - - -

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

-----X

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

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Steven N. Feinman, Esq., One North Broadway, Suite 412, White Plains, NY 10601, Telephone No. (914) 949-8214, 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.**

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 October 28, 2014.

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

-----X

In the Matter of

Gabriel N. and Naomi N.,

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

M-4105

Docket Nos. NN-3075/12
NN-21860/12

- - - - -
Administration for Children's Services,
et al.,

Petitioner-Respondent,

Delroy N.,

Respondent-Appellant.

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

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from orders of the Family Court, Bronx County, entered on or about April 15, 2013 and July 1, 2014, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of
(1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Israel P. Inyama, Esq., 244 Fifth Avenue, Suite 2582, New York, NY 10001, Telephone No. (646) 595-9090, 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.**

ENTER:



CLERK

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

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

ENTER:


CLERK

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

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

-----X

In the Matter of

Corine G.,

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

M-3607
Docket No. NN-4890/12

- - - - -

Administration for Children's Services,
Petitioner-Respondent,

William G.,
Respondent-Appellant.

- - - - -

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

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from orders of the Family Court, Bronx County, entered on or about June 9, 2014 and June 27, 2014, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Neal D. Futerfas, Esq., 50 Main Street, Suite 1000, White Plains, NY 10606, Telephone No. (914) 552-6076, 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.**

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 October 28, 2014.

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

-----X
In the Matter of

Heaveah-Nise Stephania Jannah H.,

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

M-3680
Docket No. B-6774/12

- - - - -
The Children's Village,
Petitioner-Respondent,

Stephanie M.,
Respondent-Appellant.

- - - - -
Hal Silbermann, Esq.,
Lawyers for Children,
Attorney for the Child.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about January 24, 2014, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Neal D. Futerfas, Esq., 50 Main Street, Suite 1000, White Plains, NY 10606, Telephone No. (914) 552-6076, 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.**

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 October 28, 2014.

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

-----X

In the Matter of

Keith H., III

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

M-3757
Docket No. NN-50181/12

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

Logan Marche K., also known as Logan K.,
Respondent-Appellant.

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

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about July 9, 2014, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Steven N. Feinman, Esq., One North Broadway, Suite 412, White Plains, NY 10601, Telephone No. (914) 949-8214, 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.**

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 October 28, 2014.

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

-----X
In the Matter of

Sahairah J.,
Taijon J.,
and Yahdira J.,

M-3996

Children Under 18 Years of Age Alleged to be Abused and/or Neglected Under Article 10 of the Family Court Act. Docket Nos. NN-46206/12
NN-46207/12
NN-5155/13

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

Rosemarie R.,
Respondent-Appellant,

Travis J.,
Respondent-Appellant.

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

-----X

Respondent-appellant mother, Rosemarie R., having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about July 22, 2014, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Tennille M. Tatum-Evans, 260 Convent Avenue, Suite #34, New York, NY 10031, Telephone No. (347) 645-6660, 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-3767, 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 October 28, 2014.

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

-----X
In the Matter of

Sahairah J.,
Taijon J.,
and Yahdira J.,

M-3767

Children Under 18 Years of Age Alleged to be Abused and/or Neglected Under Article 10 of the Family Court Act. Docket Nos. NN-46206/12
NN-46207/12
NN-5155/13

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

Rosemarie R.,
Respondent-Appellant,

Travis J.,
Respondent-Appellant.

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

-----X
Respondent-appellant father, Travis J., having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about July 22, 2014, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Steven N. Feinman, Esq., One North Broadway, Suite 412, White Plains, NY 10601, Telephone No. (914) 949-8214, 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-3996, 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 October 28, 2014.

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

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

-against-

M-2114A
Ind. No. 5578/10

Bernardo Rodriguez,
Defendant-Appellant.

-----X

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th 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. The order of this Court entered July 24, 2014 (M-2114) 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 October 28, 2014.

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

-----X
In the Matter of a Custody/Visitation
Proceeding

Jean D.,
Petitioner-Respondent,

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

-against-

Eva B.-F.,
Respondent-Appellant.

-----X

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

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Randall Carmel, Esq., 53 Jackson Avenue, Syosset, NY 11791, Telephone No. 603-313-1951, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this Court. Sua sponte, the perfected appeal is adjourned to the February 2015 Term. The order of this Court entered on August 28, 2014 (M-3762) 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 October 28, 2014.

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

-----X
In the Matter of a Paternity Proceeding
Under Article 5 of the Family Court Act.

Jesus R. C.,
Petitioner-Appellant,

M-4173
Docket No. P-3678/12

-against-

Karen J. O.,
Respondent-Respondent.

-----X

Respondent-respondent having moved for leave to respond, as a poor person, to the appeal from the order of the Family Court, Bronx County, entered on or about September 19, 2013, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Jo Ann Douglas, 170 Second Avenue, New York, NY 10003, Telephone No. (212) 673-2895, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this Court.

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 October 28, 2014.

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

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

Danta P. C.,
Petitioner-Respondent, **M-4286**
Docket No. O-32406/11

-against-

Tyrell C.,
Respondent-Appellant.

Jo Ann Douglas, Esq.,
Attorney for the Child.

-----X

June B. Callwood, Esq., Family Court attorney for the subject child, having moved on said child's behalf for leave to respond, as a poor person, to the appeal from the order of the Family Court, New York County, entered on or about July 24, 2013, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Jo Ann Douglas, Esq., 170 Second Avenue, New York, NY 10003, Telephone No. (212) 673-2895, as counsel for purposes of responding to the appeal on said child's behalf; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for respondent-appellant and 8 copies thereof are filed with this Court.

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 October 28, 2014.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
David B. Saxe
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----X
John Diggs,

Plaintiff-Appellant,

-against-

M-2751

Index No. 24963/01

Karen Manor Associates, LLC,

Defendant-Respondent,

La Placita Latina,

Defendant.

-----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 May 1, 2014 (Appeal No. 11798N),

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties dated October 3, 2014, and due deliberation having been had thereon,

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

ENTER:


CLERK

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

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

-----X
Carlos Fajardo,
Plaintiff-Appellant,

-against-

M-4486
Index No. 305728/13

Rosa Alejandro and John Doe,
Defendants-Respondents.

-----X

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

And plaintiff-appellant having moved to adjourn the aforesaid appeal to the December 2014 Term,

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

It is ordered that the motion is granted to the extent of adjourning the appeal to the January 2015 Term.

ENTER:



CLERK

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

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzairelli
Richard T. Andrias
Leland G. DeGrasse
Darcel D. Clark, Justices.

-----X
Carlos Coronado,
Plaintiff-Appellant,

-against-

M-4636
Index No. 300748/11

3479 Associates LLC and Raul A.
Jovel,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about November 29, 2013,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the March 2015 Term.

ENTER:


CLERK

(Corrected Order October 29, 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 October 28, 2014.

Present: Hon. Peter Tom, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
David B. Saxe
Helen E. Freedman, Justices.

-----X
Keith Holmes,
Plaintiff-Respondent,

-against-

Business Relocation Services, Inc.,
Defendant/Third-Party
Plaintiff-Appellant,

M-2942
Index Nos. 307726/11
83912/12

-against-

United Staffing Systems, Inc.,
Third-Party Defendant-
Respondent.

-----X
Defendant/third-party plaintiff-appellant, Business Relocation Services Inc., having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on May 8, 2014 (Appeal No. 12040), and in the extent leave is granted a stay of trial pending hearing and determination of the appeal by the Court of 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, and this Court, pursuant to CPLR 5713, certifies that the following question of law, decisive of the correctness of its determination, has arisen, which in its opinion ought to be reviewed by the Court of Appeals:

"Was the order of Supreme Court, as affirmed by this Court, properly made?"

This Court further certifies that its determination was made as a matter of law and not in the exercise of discretion. The motion to the extent it seeks a stay of trial is granted pending hearing and determination of the appeal by the Court of Appeals.

ENTER:


CLERK

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

Present: Hon. Peter Tom, Justice Presiding,
Diane T. Renwick
Karla Moskowitz
Rosalyn H. Richter
Barbara R. Kapnick, Justices.

-----X
In the Matter of the Application of
William Fecht,
Petitioner-Appellant,

For a Judgment Pursuant to Article 75 **M-4741**
of the Civil Practice Law and Rules, Index No. 102502/12

-against-

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

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, entered on or about November 1, 2013, and said appeal having been perfected,

And respondent having moved to strike petitioner's appendix on appeal, and to adjourn the aforesaid appeal,

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

Ordered that the motion is granted to the extent of directing petitioner-appellant to file a supplemental appendix containing (1) the hearing transcripts from the hearing commenced on November 22, 2011, (2) the exhibits introduced at said hearing, (3) respondent's affirmation in support of its cross motion to dismiss the petition and all exhibits thereto, and (4) respondent's reply affirmation. The appeal is adjourned to the January 2015 Term.

ENTER:


CLERK

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

PRESENT: Hon. Peter Tom, Justice Presiding,
Dianne T. Renwick
Karla Moskowitz
Rosalyn H. Richter
Barbara R. Kapnick, Justices.

-----X
Michael Lobel,
Plaintiff-Appellant,

-against-

M-4625
Index No. 652984/11

Uri Hakami, et al.,
Defendants-Respondents.
-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about December 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 March 2015 Term.

ENTER:



CLERK

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

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

-----X
Eric Frankel, as Executor of the
Estate of Gloria Frankel, deceased,
Plaintiff-Appellant,

-against-

M-3418
M-3743
Index No. 603449/07

Vernon & Ginsburg, LLP, et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for reargument and/or clarification of the decision and order of this Court entered on June 10, 2014 (Appeal No. 12283N) [M-3418],

And defendants-respondents having cross-moved for reargument of the aforesaid decision and order of this Court entered on or about June 10, 2014 (Appeal No. 12283N) [M-3743],

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 and cross motion are denied [M-3418/M-3743].

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 October 28, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Leland DeGrasse
Sallie Manzanet-Daniels, Justice.

-----X
Three Amigos SJL Rest., Inc., doing
business as The Cheetah Club, et al.,
Plaintiffs-Appellants,

-against-

M-4717
Index No. 152184/12

CBS Broadcasting Inc., et al.,
Defendants-Respondents.

-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about March 21, 2013 (mot. seq. no. 002),

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the March 2015 Term.

ENTER:



CLERK

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

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
Rosalyn H. Richter
Darcel D. Clark, Justices.

-----X
Rajagopala S. Raghavendra, also known
as Randy S. Raghavendra, Founder,
Racial Equality Struggles For Columbia
University Employees (RESCUE) Ad Hoc
Committee,
Plaintiff-Appellant,

M-4866
Index No. 600002/11

-against-

Edward A. Brill, Individually, and
as Attorney/Partner at Proskauer Rose,
LLP, et al.,
Defendants-Respondents.

-----X
An appeal having been taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about February 4, 2014, and a purported appeal having been taken from a declination by the same Court and Justice, to sign a certain order to show cause dated February 6, 2014,

And plaintiff-appellant pro se having moved for relief in the nature of a stay of proceedings, pending hearing and determination of the aforesaid appeal and purported appeal, for an enlargement of time to perfect said appeal, and for related relief,

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

It is ordered that the motion is denied. (See M-4865 decided simultaneously herewith).

ENTER:


CLERK

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

Present: Hon. David Friedman, Justice Presiding,
Diane T. Renwick
Sallie Manzanet-Daniels
Paul G. Feinman
Barbara R. Kapnick, Justices.

-----X
Rajagopala S. Raghavendra, also known
as Randy S. Raghavendra, Founder,
Racial Equality Struggles For Columbia
University Employees (RESCUE) Ad Hoc
Committee,
Plaintiff-Appellant,

M-4865
Index No. 100389/13

-against-

Lee C. Bollinger, Individually, and as
President of Columbia University, The
Trustees of Columbia University,
Defendants-Respondents.

-----X

An appeal having been taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about February 4, 2014,

And plaintiff-appellant having moved for relief in the nature of a stay of proceedings pending and determination of the aforesaid appeal, and for an enlargement of time to perfect said appeal, and for related relief,

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

It is ordered that the motion is denied. (See M-4866 decided simultaneously herewith).

ENTER:



CLERK

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

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

-----X

In the Matter of the Application of
The State of New York,
Petitioner-Respondent,

M-4692

For Civil Management Pursuant to
Article 10 of the Mental Hygiene Law,

SCID No. 30237/12

-against-

Michael R.,
Respondent-Appellant.

-----X

An appeal having been taken from the orders of the Supreme Court, Bronx County, entered on or about February 7, 2014 and June 3, 2014, respectively,

And respondent-appellant having moved, pursuant to Mental Hygiene Law §10.13[c], for leave to prosecute, as a poor person, the aforesaid appeal, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for the assignment of counsel,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard upon the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the Attorney General of the State of New York and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record.

The court reporter shall promptly make and file with the Supreme Court two transcripts of the stenographic minutes of any proceedings in this matter, and 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.

Marvin Bernstein, Esq., Mental Hygiene Legal Service, 41 Madison Avenue, 26th Floor, New York, NY 10010, Telephone No. (718) 862-5140, is assigned as counsel for purposes of prosecuting the appeal on respondent's behalf.

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 October 28, 2014.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Richard T. Andrias
Helen E. Freedman
Rosalyn H. Richter
Darcel D. Clark, Justices.

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

-against-

M-13A
Case No. 36039C/09
Ind. No. 3120/09

Joel Cruz,
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 5, 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.

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. The order of this Court entered on April 3, 2014 (M-13) 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 October 28, 2014.

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

-----X
The People of the State of New York
ex rel. Gilroy Johnson,
Petitioner,

M-3486
Index No. 400588/13

-against-

Yolanda Canty, Warden, Manhattan
Detention Center,
Respondent.

-----X

A purported appeal having been taken from an order of the Supreme Court, New York County, entered on or about April 23, 2013, which denied and dismissed a petition for a writ of habeas corpus,

And petitioner having moved for leave to prosecute, as a poor person, the aforesaid purported appeal, for leave to prosecute the appeal on the original record and appellant's briefs, and for related relief,

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

Ordered that the motion is denied, with leave to renew, upon submission of a properly and 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 October 28, 2014.

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

-----X
Salim M. Abdushshahid,
Plaintiff-Appellant,

-against-

M-3895
Index No. 105695/95

N.Y.C. Department of Corrections,
Defendant-Respondent.

-----X

Plaintiff-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, entered on or about June 18, 2014, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

Now, upon reading and filing the papers with respect to 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 October 28, 2014.

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

-----X
Common Ground Community H.D.F.C., Inc.,
Petitioner-Respondent,

-against-

M-4167
Index No. 570224/05

Cornell Curry,
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to appeal to this Court from the decision and order of the Appellate Term, entered in the office of the Clerk of the Supreme Court, New York County on or about June 29, 2011 and from an order of the aforesaid Appellate Term entered on or about August 6, 2014, and for leave to prosecute the appeal as a poor person, 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 in its entirety.

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 October 28, 2014.

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

-----X
In the Matter of

Dorlis B., Dorian B., and
Darah B.,

Children Under Eighteen Years of Age
Pursuant Alleged to be Abused and
Neglected Under Article 10 of the
Family Court Act.

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

Dorge B.,
Respondent-Appellant,

M-3971
Docket Nos.
N-13998-14000/11

Julissa B.,
Respondent.

-----X

Respondent-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Family Court, Bronx County, entered on or about February 5, 2013,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the February 2015 Term.

ENTER:



CLERK

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

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

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

John Nevarez,
Petitioner-Appellant,

For a Judgment Pursuant to Article
78 of the CPLR,

-against-

M-3854
Index No. 400240/13

Barbara J. Fiala, etc.,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about March 14, 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 February 2015 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 October 28, 2014.

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

-----X
Joandra Cabrera, etc., et al.,
Plaintiffs-Respondents,

-against-

M-3739
Index No. 17719/06

New York City Health and Hospitals
Corporation,
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about February 11, 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 March 2015 Term.

ENTER:


CLERK

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

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

-----X
In the Matter of

Olga S., on behalf of Sofia S. and
Mark S.,
Petitioner-Respondent,

-against-

Alec S.,
Respondent-Appellant.

M-3720
Docket No. O-21660-12

-----X

Respondent-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Family Court, New York County, entered on or about September 23, 2013,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the March 2015 Term.

ENTER:



CLERK

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

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

-----X
Mortgage Electronic Registration
Systems, Inc.,
Plaintiff-Respondent,

-against-

M-3871
Index No. 15295/00

Orinthia Gifford,
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about April 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 March 2015 Term.

ENTER:



CLERK

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

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

-----X
Patricia O'Reilly,
Plaintiff-Appellant-Respondent,

-against-

M-4061
Index No. 105405/07

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

FC Battery Park Associates, LLC,
et al.,
Defendants-Respondents-Appellants.

-----X

An appeal and cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about October 23, 2013 (mot. seq. no. 009),

And defendants-respondents-appellants having moved for an enlargement of time to perfect the cross appeal,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal and cross appeal to the February 2015 Term.

ENTER:


CLERK

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

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

-----X
Bonjour Charlotte LLC,
Plaintiff-Appellant-Respondent,

-against-

555 Blake LLC, et al.,
Defendants,

M-3889
Index No. 651641/10

-and-

JS Charlotte LLC, et al.,
Defendants-Respondents-Appellants.

-----X

An appeal and cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about August 2, 2013 (mot. seq. no. 005),

And plaintiff-appellant having moved for an enlargement of time to perfect the direct appeal,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal and cross appeal to the April 2015 Term.

ENTER:


CLERK

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

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

-----X
In the Matter of

Lashawn L., **M-3795**
Docket No. D-28541/12
A Person Alleged to be Juvenile
Delinquent,

Respondent-Appellant.
-----X

Respondent-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Family Court, New York County, entered on or about October 30, 2013,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the March 2015 Term.

ENTER:



CLERK

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

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

-----X
In the Matter of

Christy C.,

M-3869

Docket No. D-4901/13

A Person Alleged to be Juvenile
Delinquent,

Respondent-Appellant.

-----X

Respondent-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Family Court, New York 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 March 2015 Term.

ENTER:



CLERK

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

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

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

-against-

M-1896A
Ind. No. 3845/12

Moussa Doumbia,
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 April 2, 2013 and the judgment of resentence rendered on or about May 16, 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.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th 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. The order of this Court entered August 21, 2014 (M-1896) 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 October 28, 2014.

Present: Hon. David B. Saxe, Justice Presiding,
Karla Moskowitz
Leland G. DeGrasse
Paul G. Feinman
Darcel D. Clark, Justices.

-----X
Walnut Housing Associates 2003 L.P.,
et al.,

Plaintiffs-Respondents,

M-3390

Index No. 653945/13

-against-

MCAP Walnut Housing LLC, et al.,
Defendants-Appellants.

-----X

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

And plaintiffs having moved for costs and sanctions in connection with defendants' appeal and prior motion practice in 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 denied without prejudice to plaintiffs-respondents raising the issue before the appeal bench.

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 October 28, 2014.

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

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

-against-

M-3351
Ind. Nos. 3221/07
4743/08

Andrique Baron,
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about July 31, 2009,

And an order of this Court having been entered on January 7, 2010 (M-5362), granting defendant poor person relief and assigning Steven Banks, Esq., as counsel to prosecute the appeal,

And defendant having moved for an order relieving successor assigned counsel Seymour W. James, Jr., Esq., and granting defendant leave to proceed pro se on the appeal, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of allowing defendant-appellant to proceed pro se, 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 serve one copy of such brief upon the District Attorney of New York County, and file 8 copies of said brief, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal Court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence.

The Clerk is directed to forward to the Warden of the State correctional facility wherein defendant is incarcerated a transcript of the minutes relating to defendant's appeal, the transcript to be made available to defendant-appellant, without charge, and returned by defendant to this Court when submitting his pro se appellate brief.

The time in which defendant-appellant shall perfect this appeal is enlarged until 120 days from the date of this order. Defendant-appellant is advised that the appeal will not be heard unless and until all material furnished to him has been returned to this Court.

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

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

BEFORE: Hon. Peter Tom
Justice of the Appellate Division

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

Respondent,

-against-

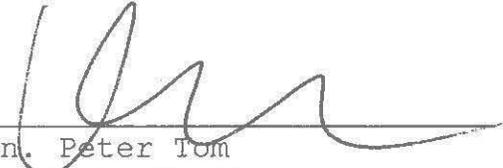
Aldrin Rodriguez,

Defendant.
-----X

M-5210
Ind. No. 10318/96,
10317/96, 2998/96

CERTIFICATE
DENYING LEAVE

I, Peter Tom, 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 September 17, 2013 is hereby denied.



Hon. Peter Tom
Associate Justice

Dated: October 7, 2014
New York, New York

ENTERED

OCT 28 2014