

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 10, 2015.

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

-----X
Yesenia Nunez,
Plaintiff-Respondent,

-against-

M-372X
Index No. 307942/09

Pat-Mar Management Co., Inc.,
Defendant-Appellant.
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about March 27, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" January 26, 2015, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 February 10, 2015.

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

-----X
Domingo E. Moreta-Perez,
Plaintiff-Respondent,

-against-

M-373X
Index No. 307570/11

Arsenio Vizcaino and T. Reynoso-
Vizcaino,
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about March 25, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" January 27, 2015, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 February 10, 2015.

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

-----X
Carlix John,
Plaintiff-Respondent,

-against-

M-374X
Index No. 311547/11

Urban Pathways, Inc., et al.,
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about May 29, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" January 28, 2015, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 February 10, 2015.

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

-----X
Mitchell Hurley,
Plaintiff-Appellant,

-against-

M-379X
Index No. 653098/13

Kengo Watanabe, et al.,
Defendants-Respondents.
-----X

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

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" January 22, 2015, 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 February 10, 2015.

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 Family Offense Proceeding Under Article 8 of the Family Court Act.

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

M-238
Docket No. O-34182/14

Ramona R.,
Petitioner-Appellant,

-against-

Morris G. C.,
Respondent-Respondent.

-----X

Respondent-respondent having moved for leave to respond, as a poor person, to the appeal from the order of the Family Court, New York County, entered on or about June 12, 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, Randall Carmel, Esq., 53 Jackson Avenue, Syosset, New York 11791, Telephone No. (516) 921-8800, 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 February 10, 2015.

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

-----X
In the Matter of

Mesiah Elijah B.,

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

M-256
Docket No. NN-40009/13

Administration for Children's
Services,
Petitioner-Respondent,

Taneez B.,
Respondent-Appellant.

Randall Carmel, Esq.,
Attorney for the Child.

-----X
Nicole Richardson, Esq., Family Court attorney for the subject child, Messiah Elijah B., having moved on said child's behalf for leave to respond, as a poor person, to the appeal taken from the order of the Family Court, New York County, entered on or about January 13, 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, Randall Carmel, Esq., 53 Jackson Avenue, Syosset, New York 11791, Telephone No. (516)921-8800, 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:

A handwritten signature in cursive script, appearing to read "Susan R. Jones". The signature is written in black ink and 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 February 10, 2015.

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

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

Peter R.,
Petitioner-Appellant,

M-6310
Docket Nos. V-31563/12
V-1886/13

-against-

Sanara B.,
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 January 31, 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, Randall Carmel, Esq., 53 Jackson Avenue, Syosset, New York, 11791, Telephone No. (516) 921-8800, 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 February 10, 2015.

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

-----X
In the Matter of

Stephanie F.
and Cassandra N.,

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

M-269
Docket Nos. NA-31052/13
31053/13

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

Francy Javier A.,
Respondent-Appellant.

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

-----X
Respondent-appellant having moved for leave to prosecute,
as a poor person, the appeal from an order of the Family Court,
Bronx County, entered on or about November 20, 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 §1120 of the Family Court Act, Mara
Fleder, Esq., The Bronx Defenders, 360 East 161st Street, Bronx,
New York 10451,

Telephone No. (718) 838-7878, 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 February 10, 2015.

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-81
Ind. No. 2577/96

Keith Fair,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Solomon, J.), entered on or about December 10, 2013, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the 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 granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Solomon as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Seymour W. James, Jr., Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed.

The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 10, 2015.

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-58
Ind. No. 99036/14

James E. Bryant,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Bruce, J.), entered on or about November 12, 2014, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the 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 granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Bruce as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Richard M. Greenberg, Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed.

The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 10, 2015.

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-5516
Ind. No. 5975/80

Yohannes Johnson,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on January 27, 1987 (Appeal No. 29011), unanimously affirming a judgment of the Supreme Court, New York County (Patrick McGinley, J.), rendered on April 12, 1982,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate 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 said application 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 February 10, 2015.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Rolando T. Acosta
David B. Saxe
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

-----X
Castlepoint Insurance Company,
Plaintiff-Respondent,

-against-

Hilmand Realty LLC and Anayatulla M-7
Shariff, M-247
Defendants-Appellants, Index No. 156301/12

-and-

Mejebah A. Abdulla,
Defendant-Appellant.

-----X

Separate appeals having been taken by the above named defendants-appellants from the order of the Supreme Court, New York County, entered on or about November 14, 2013,

And the respective defendants-appellants having separately moved for an enlargement of time to perfect their respective appeals,

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

It is ordered that the motions are granted to the extent of enlarging the time in which to perfect the appeals, which are sua sponte consolidated, to the June 2015 Term. Appellants are directed to prosecute the appeals upon 9 copies of one record and one seta each of appellants' points covering the aforesaid 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 February 10, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
David B. Saxe
Rosalyn H. Richter
Paul G. Feinman
Barbara R. Kapnick, Justices.

-----X
Blackstone Advisory Partners L.P.,
Plaintiff-Respondent,

-against-

M-5526
Index No. 650165/11

Vinod Gupta,
Defendant-Appellant.

-----X

Defendant-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on October 2, 2014 (Appeal No. 13101-13102),

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 February 10, 2015.

PRESENT: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
Karla Moskowitz
Judith J. Gische, Justices.

-----X

Sutton Apartments Corporation and
The Board of Managers of the Sutton
Condominium,

Plaintiffs-Appellants,

M-6070

Index No. 104289/10

-against-

Bradhurst 100 Development LLC, et al.,
Defendants-Respondents.

-----X

Plaintiffs-appellants having moved for reargument of the decision and order of this Court entered on June 27, 2013 (Appeal No. 10504N/10505N/10505NA), and for related relief in the nature of a stay of defendants pending appeal (Cal No. 2176),

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 February 10, 2015.

Present - Hon. Peter Tom, Justice Presiding,
David Friedman
Richard T. Andrias
Leland G. DeGrasse
Judith J. Gische, Justices.

-----x

Silvia Perina,

Plaintiff-Appellant,

-against-

M-138

Index No. 401403/13

Animal Care and Control of New York
City, Inc.,

Defendant-Respondent.

-----x

Plaintiff-appellant pro se 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 October 8, 2013,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to on or before March 23, 2015 for the June 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 February 10, 2015.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
Sallie Manzanet-Daniels
Judith J. Gische
Darcel D. Clark, Justices.

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

-against-

M-5594
Ind. No. 1703/09

Adolphus Hamilton,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on April 24, 2014 (Appeal No. 12004), unanimously affirming a judgment of the Supreme Court, Bronx County (Ann Donnelly, J.), rendered on January 13, 2012,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate 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 said application 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 February 10, 2015.

Present - Hon. Peter Tom, Justice Presiding,
David B. Saxe
Sallie Manzanet-Daniels
Judith J. Gische
Darcel D. Clark, Justices.

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

-against-

M-6375
Index No. 25347/97

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

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

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

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

And the aforesaid defendants-appellants having moved for an enlargement of time to perfect the aforesaid consolidated appeals,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the consolidated appeals to the June 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 February 10, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
Leland G. DeGrasse
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
In re Fort Washington Holdings, LLC,
Petitioner-Respondent,

-against-

M-3990
Index No. 570049/11

Maurice Abbott,
Respondent-Appellant.

-----X

Respondent-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 July 31, 2014 (Appeal No. 11503),

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 February 10, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Leland G. DeGrasse
Sallie Manzanet-Daniels, Justices.

-----X
Daniel Grogul and Maria Grogul,
Plaintiffs-Respondents,

-against-

M-6160
Index No. 300627/09

The Parkchester South Condominium,
Inc., et al.,
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about March 10, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the June 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 February 10, 2015.

Present - Hon. Angela M. Mazzairelli, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Paul G. Feinman
Barbara R. Kapnick, Justices.

-----x
Caprice Caprice, formerly known as
Norman B. Calbert,
Plaintiff-Appellant,

-against-

M-220
Index No. 309725/11

Morris Rubin and M. Rubin & Co. LLC.,
Defendants-Respondents.
-----x

Plaintiff-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 December 18, 2012,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the June 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 February 10, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Rosalyn H. Richter
Paul G. Feinman, Justices.

-----X

In re Rena M.,
Petitioner-Respondent,

-against-

M-57
Docket No. V-14077/12

Derick A.,
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on November 13, 2014 (Appeal No. 13483),

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 February 10, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
David B. Saxe
Karla Moskowitz, Justices.

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

-against-

M-6035
Index No. 570696/11

Dillion Merit,
Defendant-Appellant.

-----X

Defendant-appellant for leave to appeal to this Court from the order of the Appellate Term entered in the office of the Clerk of the Supreme Court, New York County, on or about October 1, 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 February 10, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

-----X
Midwest Goldbuyers, Inc.,
Plaintiff-Appellant,

-against-

Brink's Global Services USA, Inc., etc.
Defendant-Respondent.

M-6177
Index No. 653947/12

-----X

Plaintiff-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on September 30, 2014 (Appeal No. 13052),

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 February 10, 2015.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Karla Moskowitz
Paul G. Feinman
Barbara R. Kapnick, Justices.

-----X
Daniel S. Vogel, et al.,

Plaintiffs-Appellants,

-against-

Martos Development, LLC, et al.,

Defendants-Respondents.
-----X

M-64
Index No. 310447/11

Plaintiffs-appellants having moved for an enlargement of time to perfect to appeal from the order of the Supreme Court, Bronx County, entered on or about April 9, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the June 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 February 10, 2015.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Karla Moskowitz
Paul G. Feinman
Barbara R. Kapnick, Justices.

-----x
Doris De Leon,

Plaintiff-Respondent,

-against-

M-6321
M-254
Index No. 350022/12

Alexis Del Rosario,

Defendant-Appellant.
-----x

Defendant-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about February 19, 2014 (M-6321),

And plaintiff-respondent having cross-moved for dismissal of the aforesaid appeal (M-254),

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the June 2015 Term (M-6321). The cross motion to dismiss the appeal is granted unless the appeal is perfected for said June 2015 Term (M-254).

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 February 10, 2015.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Paul G. Feinman
Darcel D. Clark
Barbara R. Kapnick, Justices.

-----X
Lawrence A. Jones,
Plaintiff-Appellant,

-against-

M-4827
Index No. 307487/10

Brett D. Nadritch,
Defendant-Respondent.

-----X

Defendant-respondent having moved for dismissal of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about September 12, 2013, for failure to timely perfect,

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 10, 2015.

Present - Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Paul G. Feinman
Darcel D. Clark
Barbara R. Kapnick, Justices.

-----X
Patricia Imperati, Administrator of the
Estate of Patricia Ellen Imperati,
Deceased,
Plaintiff-Respondent,

-against-

M-6207
Index No. 21143/12E

David S. Lee, M.D., et al.,
Defendants-Appellants.

-----X

Defendants-appellants Davis S. Lee, M.D. and Montefiore Medical Center having moved for an order enlarging the time in which to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about March 14, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the June 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 February 10, 2015.

Present - Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Paul G. Feinman
Darcel D. Clark
Barbara R. Kapnick, Justices.

-----X
John Kehagias, et al.,

Plaintiffs-Respondents,

-against-

M-6383
Index No. 306869/10

Waldo Avenue Building, et al.,

Defendants-Appellants.
-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about March 19, 2014,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties dated December 16, 2014, 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 June 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 February 10, 2015.

PRESENT : Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Paul G. Feinman
Darcel D. Clark
Barbara R. Kapnick, Justices.

-----X
Augusto Figueroa,
Plaintiff-Appellant,

-against-

M-124
Index No. 101302/07

Andrew Mandel,
Defendant-Respondent.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeals taken from the judgment of the Supreme Court, New York County, entered on or about April 1, 2014, and from the order of the same Court entered on or about September 5, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the aforesaid appeals to on or before July 13, 2015 for the September 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 February 10, 2015.

Present - Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Paul G. Feinman
Darcel D. Clark
Barbara R. Kapnick, Justices.

-----X

Leeann Hanley, etc., et al.,
Plaintiffs-Respondents,

-against-

M-122
Index No. 107149/07

Hospital for Special Surgery, et al.,
Defendants-Appellants,

-and-

Michael LaQuaglia, M.D.,
Defendants.

-----X

Defendants-appellant having moved for an order enlarging the time in which to perfect the appeals from orders of the Supreme Court, New York County, entered on or about March 7, 2014 (mot. seq. no. 006) and July 8, 2014 (mot. seq. no. 007), respectively,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeals, which are sua sponte consolidated, to on or before March 23, 2015 for the June 2015 Term. Appellants are permitted to prosecute the appeals upon 9 copies of one record and one copy of appellants' points covering the aforesaid appeals, for said June 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 February 4, 2015.

PRESENT - Hon: Luis A. Gonzalez, Presiding Justice,
Peter Tom
David Friedman
Rolando T. Acosta
Karla Moskowitz, Justices.

-----X
K-Bay Plaza, LLC,
Plaintiff-Respondent-Appellant,

-against-

M-502
Index No. 105751/09

Kmart Corporation,
Defendant-Appellant-Respondent.

-----X

A decision and order of this Court having been entered in the above-captioned matter on December 30, 2014 (Appeal No. 13757),

Now, upon the Court's own motion,

It is ordered that the aforesaid decision and order is hereby recalled and vacated.

ENTER:



CLERK

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

BEFORE: Hon. DAVID FRIEDMAN
Justice of the Appellate Division

-----X
The People of the State of New York, M-6397
Ind. No. 3884/10

-against-

CERTIFICATE
GRANTING LEAVE

Hugues D. Akassay,
Defendant.

-----X
I, DAVID FRIEDMAN, a Justice of the Appellate Division, First Judicial Department, do hereby certify that in the proceedings herein questions of law or fact are involved which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is hereby granted to the above-named defendant to appeal to the Appellate Division, First Judicial Department, from the Order of the Supreme Court, New York County, entered on or about October 3, 2014.¹

Dated: New York, New York
February 2, 2015



ENTERED FEB 10 2015

DAVID FRIEDMAN
Justice of the Appellate Division

NOTICE: Within 15 days from the date hereon, an appeal must be taken, and this certificate must be filed with the notice of appeal. An appeal is taken by filing, in the Clerk's office of the criminal court in which the order sought to be appealed was rendered, a written notice in duplicate that appellant appeals to the Appellate Division, First Judicial Department (Section 460.10, subd. 4, CPL), together with proof that another copy of the notice of appeal has been served upon opposing counsel. The appeal (or consolidated appeals; see footnote) must be argued within 120 days from the date of the notice of appeal, unless the time to perfect the appeal(s) is enlarged by the court or a justice thereof.

¹In the event defendant has an existing (direct) appeal from a judgment, such appeal shall be consolidated with the appeal from the aforesaid order; and any poor person relief granted with respect to the appeal from the judgment shall be extended to cover the appeals so consolidated.

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-5393
NY Co.
Indictment No.
4625/06

-against-

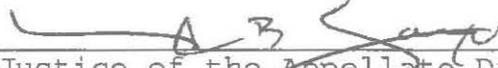
Bruce Sweeper,

CERTIFICATE
DENYING
RECONSIDERATION

Defendant.
-----X

I, David B. Saxe, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application by the above-named defendant for reconsideration of this Court's order entered August 28, 2014 denying a certificate pursuant to Criminal Procedure Law section 460.15, and upon the record and proceedings herein, reconsideration of the order denying permission to appeal from the order of the Supreme Court, New York County, entered on or about March 14, 2014, is hereby denied.

Dated: **FEB 10 2015**
New York, New York


Justice of the Appellate Division

ENTERED

FEB 14 2015

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-5550
NY Co.
Indictment No.
6767/88

-against-

CERTIFICATE
DENYING LEAVE

Jerry Sanders,

Defendant.

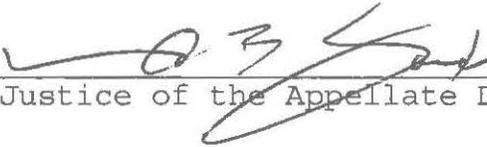
-----X

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 September 29, 2014, is hereby denied.

Dated: FEB 10 2015
New York, New York

ENTERED

FEB 10 2015


Justice of the Appellate Division

STATE OF NEW YORK
APPELLATE DIVISION : FIRST DEPARTMENT

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

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

M-5710
Bronx Co.
Indictment No.
2920/92

-against-

CERTIFICATE
DENYING LEAVE

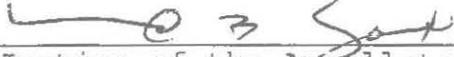
Wilson Rodriguez,

Defendant.

-----X

I, David B. Saxe, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law section 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County, entered on or about October 2, 2014, is hereby denied.

Dated: **FEB 10 2015**
New York, New York


Justice of the Appellate Division

ENTERED

FEB 10 2015

P.M ORDERS
FOR
FEBRUARY
10, 2015

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 10, 2015.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Rolando T. Acosta
David B. Saxe
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

-----x
In the Matter of the Application of
Richard F. Strasser,
Petitioner,

For the Appointment of a Guardian of
the Person and Property of

Edward Strasser,

M-102
Index No. 500072/13

An Allegedly Incapacitated Person.

- - - - -
In the Matter of the Application of
Francine Strasser and Ika Brakha,
Co-Guardians-Appellants,

For the Removal of Jeffrey A. Asher,
as Guardian of the Property for Edward
M. Strasser, and for Surcharges against
Him.

-----x
An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about July 17, 2014, and said appeal having been perfected,

And co-guardian-appellants having moved for leave to strike the respondent's brief in connection with the aforesaid appeal, 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 February 10, 2015.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Karla Moskowitz
Paul G. Feinman
Barbara R. Kapnick, Justices.

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

-against-

M-76
Ind. No. 179/09

Michael Smith,
Defendant-Appellant.

-----x

An order of this Court having been entered on December 17, 2013 (M-5807), inter alia, granting defendant leave to file a pro se supplemental brief in connection with the appeal from a judgment of the Supreme Court, New York County, rendered on or about February 6, 2012,

And defendant-appellant pro se having moved for permission to file a supplemental pro se reply brief in the event the People submit a response to the defendant's 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