

At a 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 9, 2016.

Present: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X

Withers Bergman, LLP,

Plaintiff-Appellant,

-against-

M-284X

Index No. 810105/12

Walter Gerasimowicz, New York City
Department of Finance,

"John Doe #1" through "John Doe #12",
et al.,

Defendants-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about July 2, 2015,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" January 12, 2016, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 9, 2016.

Present: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X

Tarryn Bianco,

Plaintiff-Appellant,

-against-

M-299X

Index No. 301503/10

Consolidated Edison Company of
New York, et al.,

Defendants-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about August 28, 2015,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" January 14, 2016, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 9, 2016.

PRESENT: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X
John Seward Johnson, Jr., etc,
et al.,

Plaintiffs-Respondents,

M-5921
Index No. 652075/11

-against-

Proskauer Rose, LLP, et al.,
Defendants.

-----X
Proskauer Rose, LLP, et al.,
Counterclaim Plaintiffs-Respondents,

-against-

Robert Matthews, etc.,
Counterclaim Defendant-Appellant.

-----X
Proskauer Rose, LLP, et al.,
Third-Party Plaintiffs-Respondents,

-against-

Robert Matthews and Matthews & Co., LLP,
Third-Party Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about July 30, 2014,

Now, upon reading and filing the stipulation of the parties hereto, dated November 17, 2015, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected, 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 9, 2016.

PRESENT: Hon. Peter Tom Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

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

-against-

M-6167
Ind. No. 2620/12

Jacob Pitts,
Defendants-Appellants.

-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, rendered on or about August 4, 2015,

And defendant having moved to withdraw the appeal,

It is ordered that the motion is granted and the appeal is deemed withdrawn.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 9, 2016.

Present - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

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

Monique Elizabeth J.,
Petitioner-Respondent,

M-5135
Docket No. O-22501/14

-against-

Orlando D.,
Respondent-Appellant.

-----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 September 25, 2015, 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, Larry S. Bachner, Esq., 153-01 Jamaica Avenue, Suite #201, Jamaica, NY 11432, Telephone No. 917-378-0176, 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 therefor¹ **within 30 days (FCA 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**

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

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 receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:

A handwritten signature in black ink, appearing to read "Susan R. Jones", written in a cursive style.

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 9, 2016.

Present - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X
In the Matter of the Guardianship of
the Person and Custody of

Joe J.R. L.,

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

- - - - -
Jewish Child Care Association, et al.,
Petitioners-Respondents,

M-5336
Docket No. B-29436/13

Erica Maria L.,
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, Bronx County, entered on or about July 14, 2015, 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, Carol L. Kahn, Esq., 225 Broadway, Suite 1510, New York, NY 10007, Telephone No. 212-227-0206, 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 therefor¹ **within 30 days (FCA 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 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 9, 2016.

Present - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X
In the Matter of the Guardianship
of the Person and Custody of

Julian John C.,

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

Edwin Gould Services for Children
and Families, et al.,
Petitioners-Respondents,

M-5891
Docket No. B-29465/13
AS-433/14

Brunilda S.,
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, Bronx County, entered on or about June 25, 2015, 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, Carol L. Kahn, Esq., 225 Broadway, Suite 1510, New York, NY 10007, Telephone No. 212-227-0206, 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 therefor¹ **within 30 days (FCA 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 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 9, 2016.

Present - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X
In the Matter of the Guardianship of
the Person and Custody of

Yasmine Marie F.,

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

Edwin Gould Services for Children
and Families, et al.,
Petitioners-Respondents,

M-5934
Docket No. B-29464/13

Junior F.,
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, Bronx County, entered on or about July 17, 2015, 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, Larry S. Bachner, Esq., 153-01 Jamaica Avenue, Suite #201, Jamaica, NY 11432, Telephone No. 917-378-0176, 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 therefor¹ **within 30 days (FCA 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 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 9, 2016.

Present - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

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

Melissa H.,
Petitioner-Respondent,

M-5947
Docket No. O-26217/11

-against-

Shameer S.,
Respondent-Appellant.

-----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 October 21, 2015, 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, Larry S. Bachner, Esq., 153-01 Jamaica Avenue, Suite #201, Jamaica, NY 11432, Telephone No. 917-378-0176, 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 therefor¹ **within 30 days (FCA 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

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

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 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

At a 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 9, 2016.

PRESENT: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

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

-against-

M-6529
Ind. No. 4318/14

Joseph Calderon,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about October 23, 2015, 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 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 9, 2016.

Present: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X

In the Matter of

Serenity Victoria M.,
Leannah Lee M.,
and Michael David M.,

M-6518

Docket Nos. B-730/14
B-731/14
B-16273/14

Dependant Children Under 18 Years
of Age Pursuant to §384-b of the
Social Services Law.

Cardinal McCloskey Children & Family
Services,
Petitioner-Respondent,

Allison B., also known as
Allison Rose B.-M.
Respondent-Appellant.

Ronald Fisher, Esq.,
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 December 1, 2015, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Tennille M. Tatum-Evans, Esq., 260 Convent Avenue, Suite #34, New York, NY 10031, Telephone

No. (347) 645-6660, as counsel for purposes of 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 9, 2016.

PRESENT: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

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

-against-

M-6537
Ind. No. 137N/13

Lewis Outlaw,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about May 29, 2014, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Seymour W. James, Jr., Esq., 199 Water Street, 5th Floor, New York, New York 10038, 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 February 9, 2016.

PRESENT: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

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

-against-

M-6539
Ind. No. 2348/14

Jerry Turner,
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 October 8, 2015, 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 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 9, 2016.

PRESENT: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

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

-against-

M-6540
Ind. No. 4716/13

Kiasheen D. Ward,
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 December 8, 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 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Seymour W. James, Jr., Esq., 199 Water Street, 5th Floor, New York, New York 10038, 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 February 9, 2016.

Present - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

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

Harry S., M-6292
Petitioner-Appellant, Docket Nos. V-24514/14
V-24515/14
-against-

Olivia S. A.,
Respondent-Respondent.

-----X

Petitioner-appellant father 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 24, 2015, 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, Richard L. Herzfeld, Esq., 112 Madison Avenue, 8th Floor, New York, NY 10016, Telephone No. 212-818-9019, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ **within 30 days (FCA 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

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

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 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-6294, 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 February 9, 2016.

Present: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

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

Harry S.,
Petitioner-Appellant,

M-6294
Docket Nos. V-24514/14
V-24515/14

-against-

Olivia S. A.,
Respondent-Respondent.

-----X

Respondent-respondent mother 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 November 24, 2015, 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, Lewis S. Calderon, Esq., 153-01 Jamaica Avenue, Suite #201, Jamaica, NY 11432, Telephone No. 718-883-1560, 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. (See M-6292, 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 February 9, 2016.

Present: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

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

Melissa G., Docket No. V-5924-06/10-L
Petitioner-Appellant,

-against-

John W.,
Respondent-Respondent.

Carol L. Kahn, Esq.,
Attorney for the Child.
-----X

Respondent-respondent having moved 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 December 2, 2014, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Thomas R. Villecco, Esq., 366 North Broadway, Suite # 410, Jericho, New York 11753, Telephone No. (516) 942-4221, 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. (See M-430, decided simultaneously herewith.)

ENTER:

A handwritten signature in black ink, appearing to read "Susan R. Jones". The signature is written in a cursive style with a large initial "S" and "R".

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 9, 2016.

Present: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

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

Melissa G., Docket No. V-5924-06/10-L
Petitioner-Appellant,

-against-

John W.,
Respondent-Respondent.

Carol L. Kahn, Esq.,
Attorney for the Child.
-----X

Colleen Samuels, Esq., Family Court attorney for subject child, Sakara G., 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 December 2, 2014, and for assignment of appellate 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, Carol L. Kahn, Esq., 225 Broadway, Suite #1510, New York, NY 10007, Telephone No. (212) 227-0206, as counsel for subject child for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a

reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for respondent-appellant and 8 copies thereof are filed with this Court. (See M-178, decided simultaneously herewith.)

ENTER:

A handwritten signature in black ink, appearing to read "Susan R. Jones". The signature is written in a cursive style with a prominent initial "S".

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 9, 2016.

Present - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

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

Asha E., M-5138
Petitioner-Respondent, Docket Nos. V-13839-12/14D
V-49824-11/14D
V-41935-13/14B
-against-

Anthony J.,
Respondent-Appellant.

Lewis S. Calderon, Esq.,
Attorney for the Child
Te'vorian Jelani Ellis J.,
also known as Te'vorian J.,
-----X

Respondent-appellant father 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 September 25, 2015, 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, Douglas H. Reiniger, Esq., 801 Second Avenue, 10th Floor, New York, NY 10017, Telephone No. 646-627-8875, 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 therefor¹ **within 30 days (FCA**

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

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 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-5760 and M-5789, 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 February 9, 2016.

Present: Hon. Peter Tom Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

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

- - - - -
Asha E.,
Petitioner-Respondent,

-against-

M-5760
Docket Nos. V-13839-12/14D
V-49824-11/14D
V-41935-13/14B

Anthony J.,
Respondent-Appellant.

- - - - -
Lewis S. Calderon, Esq.,
Attorney for the Child
Te'vorian Jelani Ellis J.,
also known as Te'vorian J.,
-----X

Philip Katz, Esq., trial counsel for the subject child, having moved on the 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 September 25, 2015, 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, Lewis S. Calderon, Esq., 153-01 Jamaica Avenue, Suite #201, Jamaica, NY 11432, Telephone No. 718-883-1560, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for respondent-appellant and 8 copies thereof are filed with this Court. (See M-5138 and M-5789, 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 February 9, 2016.

Present: Hon. Peter Tom Justice Presiding,
Angela M. Mazzairelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

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

- - - - -
Asha E.,
Petitioner-Respondent,

-against-

M-5789
Docket Nos. V-13839-12/14D
V-49824-11/14D
V-41935-13/14B

Anthony J.,
Respondent-Appellant.

- - - - -
Lewis S. Calderon, Esq.,
Attorney for the Child
Te'vorian Jelani Ellis J.,
also known as Te'vorian J.,
-----X

Petitioner-respondent mother 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 September 25, 2015, 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, Daniel R. Katz, Esq., 339 West 88th Street, Apt. #3, New York, NY 10024, Telephone No. 917-886-5620, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for respondent-appellant and 8 copies thereof are filed with this Court. (See M-5138 and M-5760, 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 February 9, 2016.

Present: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X
CRP/Extell Parcel I, L.P.,
Petitioner-Respondent,

-against-

M-6259

M-6108

Index No. 113914/10

Andrew M. Cuomo, in his capacity as
The Attorney General of the State of
New York, et al.,
Respondents,

Edward M. Solomon and Barbara Solomon,
Respondents-Appellants,

Kyung Kim and Henry Myunghwan Kim,
Respondents-Appellants,

Glennis and Phil Politzner and Michael
Salerno,
Respondents-Appellants.

-----X

Respondents-appellants, Glennis and Phil Politzner and Michael Salerno (M-6259), and respondents-appellants, Kyung Kim and Henry Myunghwan Kim (M-6108), having moved by separate motions for enlargements of time to perfect their appeals taken from both an order and from a judgment of the Supreme Court, New York County, entered on or about May 19, 2014 and August 12, 2013, respectively,

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

It is ordered that the motions are granted to the extent of enlarging the time to perfect the respective appeals to the June 2016 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 9, 2016.

Present - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzaelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

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

-against-

M-6384

Ind. No. 4227/13

Hector Portalatin,
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 (Ferrara, J.), entered on or about November 24, 2015, 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 8 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 Ferrara as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Robert S. Dean, 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 9, 2016.

Present - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
Rosalyn H. Richter
Judith J. Gische, Justices.

-----x
Hamad Ali,
Plaintiff-Appellant,

-and-

M-5851
Index No. 153074/13
Monsour Al-Kabualer, et al.,
Plaintiffs,

-against-

Selim Zherka, et al.,
Defendants-Respondents.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about November 2, 2015,

And plaintiff-appellant having moved for a stay of the order denying his motion to quash a certain subpoena duces tecum, pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is granted to the extent of staying enforcement of the subpoena for plaintiff's personal and corporate tax returns, on condition the appeal is perfected for the June 2016 Term. The interim stay granted by the order of a Justice of this Court dated November 18, 2015, is 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 February 9, 2016.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta
Richard T. Andrias, Justices.

-----X
George Schwyzer,
Plaintiff-Appellant,

-against-

Iraida Charova,
Defendant-Respondent.

M-5554
Index No. 314190/14

-----X

Plaintiff-appellant having moved for a stay of the order of the Supreme Court, New York County, entered on or about July 31, 2015, pending hearing and determination of the appeal taken therefrom,

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

It is ordered that the motion is granted on condition that the appeal is perfected for the June 2016 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 9, 2016.

PRESENT - Hon. Peter Tom, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta
Richard T. Andrias, Justices.

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

-against-

M-6493
Ind. No. 4442/13

Eric Johnson,
Defendant-Appellant.

-----X

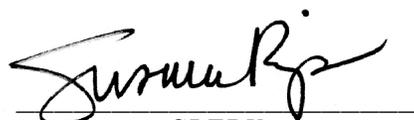
Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about September 3, 2105, for leave to prosecute the appeal as a poor person, upon the original record and upon a reproduced appellant's brief, and for assignment of counsel,

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

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

The motion, insofar as it seeks poor person relief, is denied, with leave to renew upon defendant's submission of a notarized affidavit, pursuant to CPLR 1101(a), setting forth the amount and sources of funds to pay the fee of trial counsel Xavier Donaldson, Esq., and to post the \$20,000 bail in the Supreme Court, the disposition thereof, and an explanation as to why similar funds are not available to prosecute this appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 9, 2016.

Present: Hon. Peter Tom, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Diane T. Renwick
Richard T. Andrias, Justices.

-----X
In the Matter of the Application of
Ashley Nelson,
Petitioner,

M-5917

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

M-6088

Index No. 101261/14

-against-

New York City Housing Authority,
Respondent.

-----X

An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about February 2, 2015, to review a determination of respondent,

And respondent having moved for dismissal of the aforesaid proceeding (M-5917),

And petitioner having cross-moved for an enlargement of time to perfect the proceeding, for leave to prosecute the proceeding as a poor person, upon the original record and reproduced petitioner's brief, and for related relied (M-6088),

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 respondent's motion to dismiss the proceeding is denied (M-5917), and it is further

Ordered that petitioner's cross motion is granted to the extent of enlarging the time to perfect the proceeding to the June 2016 Term and permitting the proceeding to be heard on the original record and upon a reproduced petitioner's brief, on

condition that petitioner serve one copy of such brief upon the attorney for the respondent and file 9 copies of such brief, together with the original record, with this Court. Petitioner is permitted to dispense with payment of the required fee for the subpoena and filing of the record.

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 9, 2016.

Present - Hon. Peter Tom, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Richard T. Andrias, Justices.

-----x
Sybron Canada Holdings, Inc., et al.,
Plaintiffs-Respondents,

-against-

M-6238
Index No. 650908/14

Gerald A. Niznick, et al.,
Defendants-Appellants.
- - - - -

[And another action]

-----x

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

And plaintiffs-respondents, in their opposition, having argued for dismissal of the appeal 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 to the extent of enlarging the time to perfect the appeal to the June 2016 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 9, 2016.

PRESENT: Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
The City of New York,
Plaintiff-Appellant,

-against-

M-6316
Index No. 651283/14

Wausau Underwriters Insurance
Company and Hellman Electric Corp.,
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 February 25, 2015,

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 2016 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 9, 2016.

PRESENT: Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
In the Matter of the Application of
Hilary A. Best,
Petitioner-Appellant,

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

M-6495
Index No. 250717/15

-against-

Criminal Court of the City of New
York, County of the Bronx, Part AP-2,
Respondent-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about June 17, 2015,

And petitioner-appellant, pro se, having moved for a writ of prohibition to enjoin his criminal trial, pending hearing and determination of the appeal taken therefrom,

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

It is ordered that the motion is denied.

ENTER:



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 9, 2016.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
Rosalyn H. Richter, Justices.

-----X
Jeffrey Tavaréz,
Plaintiff-Respondent,

-against-

M-6187
Index No. 305639/13

Felix Manuel Castillo Herasme,
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 January 13, 2015,

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 2016 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 9, 2016.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
Rosalyn H. Richter, Justices.

-----X
Desiree Smith, as Administratrix of
the Goods, Chattels and Credits which
were of Connie Hobson, deceased,
and Desiree Smith, Individually,
Plaintiff-Appellant,

-against-

M-6307
Index No. 305814/08

Frank Watkins, M.D., et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from two orders of the Supreme Court, Bronx County, both entered on or about March 19, 2015,

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 2016 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 9, 2016.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Karla Moskowitz
Rosalyn H. Richter, Justices.

-----x

Peter Guido,
Plaintiff-Appellant-Respondent, M-6059
-against- M-6182
The Dormitory Authority of the State M-6184
of New York and Turner Construction M-6190
Company, M-6265
Defendants-Respondents-Appellants, Index No. 113126/10

-and-

Sea Crest Construction Corp.,
Defendant-Respondent.

Turner Construction Company,
Third-Party Plaintiff-Respondent-
Appellant,
-against- Index No. 590510/11

Owen Steel Company, Inc. and Hillside
Iron Works,
Third-Party Defendants-Respondents-
Appellants.

Hillside Iron Works,
Second Third-Party Plaintiff-
Appellant,

-against- Index No. 590845/11

P.I.I., LLC,
Second Third-Party Defendant-
Respondent.
-----x

-----x
Sea Crest Construction Corp.,
Third Third-Party Plaintiff-
Respondent,

-against-

Index No. 590017/14

Owen Steel Company, Inc. and Maximum
Security Products Corp., etc.,
Third Third-Party Defendants-
Appellants,

P.I.I., LLC,
Third Third-Party Defendant-
Respondent.

-----x

An appeal and cross appeals having been taken to this Court from the order of the Supreme Court, New York County, entered on or about February 10, 2015,

And plaintiff-appellant-respondent Peter Guido having moved for an enlargement of time to perfect the direct appeal (M-6059),

And The Dormitory Authority of the State of New York (M-6182), Turner Construction Company (M-6184), Hillside Iron Works (M-6190) and Owen Steel Company, Inc. (M-6265) having respectively cross-moved for enlargements of time to perfect their cross appeals,

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

It is ordered that the motion and cross motions are granted to the extent of enlarging the time to perfect the appeal and cross appeals to the June 2016 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 9, 2016.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
Karla Moskowitz, Justices.

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

-against-

M-5838
M-6006
Ind. No. 3782/07

Douglas Latta,
Defendant-Appellant.

-----X

An order of this Court having been entered on September 29, 2015 (M-3403, 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 August 8, 2013,

And defendant having moved for an extension of time in which to file the pro se supplemental brief (M-5838) and, by separate motion, for an order compelling the production of various minutes, documents and records (M-6006),

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 for an enlargement of time to file a pro se supplemental brief is granted, and defendant is directed to serve and file 8 copies of his pro se supplemental brief on or before March 21, 2016 for the June 2016 Term, to which Term the appeal is adjourned. The appeal will not be heard unless and until all material furnished to appellant has been returned. The motion (M-6006) to compel the production of minutes and other material 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 9, 2016.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
Karla Moskowitz, Justices.

-----x
Ruth Shomron, on behalf of R&L Realty Associates, etc.,

Plaintiffs-Respondents,

-against-

M-5956
Index No. 102882/02

Darya Fuks, as Executrix of the Estate of the Deceased Yoram Fuks, et al.,

Defendants-Appellants.
-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about December 3, 2014,

And defendants-appellants having moved for an order directing a pre-argument conference, and for an enlargement of time to perfect the appeal,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the June 2016 Term, and is otherwise denied, without prejudice to a letter application of appellants' counsel dated December 23, 2015.

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 9, 2016.

PRESENT: Hon. Angela M. Mazzairelli, Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Barbara R. Kapnick, Justices.

-----X
Charles Gibbs,
Plaintiff-Appellant,

-against-

M-6282
Index No. 159345/14

Holland & Knight, LLP,
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 10, 2015,

And plaintiff-appellant having moved to stay arbitration, pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is 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 9, 2016.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Barbara R. Kapnick, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-6168
Index No. 1431/14

Nasean Bonie,
Defendant,

News 12 The Bronx, L.L.C.,
Non-Party Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about December 7, 2015, and said appeal having been perfected,

And non-party appellant News 12 The Bronx, L.L.C., having moved for a stay of the order directing it to produce out takes of its interview with defendant, pending hearing and determination of the appeal taken therefrom,

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

It is ordered that the motion is granted.

ENTER:



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 9, 2016.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David B. Saxe
Karla Moskowitz
Rosalyn H. Richter, Justices.

-----X
The City of New York,
Plaintiff-Respondent,

-against-

18 West Fordham Road, LLC, et al.,
Defendants-Appellants.

M-6135
Index No. 251346/15

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about September 18, 2015,

And defendant-appellant, B&M Deli, having moved for an enlargement of time to perfect 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 motion is granted to the extent of enlarging the time to perfect the appeal to the June 2016 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 9, 2016.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David B. Saxe
Karla Moskowitz
Rosalyn H. Richter, Justices.

-----X

David Graff,
Plaintiff-Respondent,

-against-

M-6186
Index No. 651877/15

The Ananta Group, Ltd. and Peter
Wiederhorn,
Defendants-Appellants.

-----X

Defendants-appellants having moved for a stay of all proceedings pending hearing and determination of the appeal taken from the an order of the Supreme Court, New York County, entered on or about October 27, 2015,

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 and the interim relief granted by an order of a Justice of this Court, dated December 23, 2015, is hereby 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 February 9, 2016.

PRESENT: Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
David B. Saxe
Paul G. Feinman, Justices.

-----X
In the Matter of

Josee Louise L. H.,

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

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

M-296
Docket No. NN-49278/12

DeCarla L.,
Respondent-Appellant.

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

-----X

Respondent-appellant having moved to withdraw the appeal taken from an order of the Family Court, New York County, entered on or about October 6, 2014,

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

Ordered that the motion is granted to the extent of deeming the appeal from the aforesaid order 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 February 9, 2016.

PRESENT: Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
David B. Saxe
Paul G. Feinman, Justices.

-----X
The People of the State of New York
ex rel. Johnny Mason,
Petitioner-Appellant,

-against-

M-113
Index No. 100609/15

Warden, Karen Collins, Riker's Island,
Respondent-Respondent.
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about April 28, 2015, which dismissed a habeas corpus proceeding,

And petitioner-appellant, pro se, having moved for leave to enlarge the record on appeal,

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

It is ordered that the motion is granted to the extent of granting petitioner leave to file a supplemental record with this Court containing the material delineated in this motion, which was submitted to the trial 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 9, 2016.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,
Diane T. Renwick
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

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

-against-

M-6074
Ind. No. 2786/14

Olivia Carter,
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 July 15, 2015, and for leave to prosecute the appeal as a poor person on 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 notice of appeal timely filed, and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 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 transcript to appellant's counsel, without charge, the transcript to be returned to this Court when appellant's brief is filed.

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 9, 2016.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Barbara R. Kapnick, Justices.

-----X
In re Eliyahu, an infant.

Nekadam Y.,
Plaintiff-Appellant,

Surrogate's Court
M-209
File No. 2010-0178

-against-

David B. and Jennifer B.,
Respondents-Respondents.

Anne Reiniger, Esq.,
Attorney for the Child.

-----X

An appeal having been taken from an order of the Surrogate's Court, New York County, entered on or about December 31, 2012, and said appeal having been perfected,

And counsel for plaintiff-appellant having moved, on the child's behalf, for an order compelling the Surrogate's Court, New York County, to transfer certain documents contained in the record to this Court,

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

It is ordered that the motion is granted to the extent of directing the Surrogate's Court, New York County, to transfer to this Court, forthwith the following documents: the petition for adoption executed by respondents on or about December 22, 2008 and any and all notes and reports generated by OHEL Children's Home and Family Services, OHEL Preventative Services or by the New York City Administration for Children's Services, to the extent that such notes and reports were received during the hearing of the underlying order on appeal. The documents are to be transferred to and filed with this Court under "Seal". The perfected appeal is adjourned to the March 2016 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 9, 2016.

PRESENT - Hon. David B. Saxe, Justice Presiding,
Karla Moskowitz
Rosalyn H. Richter
Paul G. Feinman, Justices.

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

Velda Clarke,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78
of the CPLR,

-against-

M-6525
Index No. 400764/14

New York State Office of Children
and Family Services,
Respondent-Respondent.

-----X

An Article 78 Proceeding having been transferred to this Court pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about August 28, 2014,

And petitioner having moved for an enlargement of time to perfect the aforesaid proceeding,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the proceeding to the June 2016 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 9, 2016.

PRESENT - Hon. David B. Saxe, Justice Presiding,
Karla Moskowitz
Rosalyn H. Richter
Paul G. Feinman, Justices.

-----X
The People of the State of New York
ex rel. Raymell Poole,

Petitioner,

-against-

Warden, Attica Correctional Facility,

Respondent.
-----X

M-5308
Ind. No. 2265/06

The above-named petitioner having moved for, inter alia, a writ of habeas corpus to be issued from this Court, and for leave to prosecute the proceeding as a poor person, and assignment of counsel, and 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 writ of habeas corpus is dismissed, and the motion is otherwise denied as academic.

ENTER:


CLERK

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

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

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

M-133
Ind. No. 1712/10

-against-

**CERTIFICATE
GRANTING LEAVE TO APPEAL
TO THE COURT OF APPEALS**

Peter Austin,
Defendant-Appellant.

-----x
I, Judith J. Gische, a Justice of the Appellate Division, Supreme Court, First Department, do hereby certify that in the record and proceedings herein* questions of law are involved which ought to be reviewed by the Court of Appeals and pursuant to CPL 460.20, it is

ORDERED that permission hereby is granted to the above-named appellant to appeal to the Court of Appeals.

Dated: 1/27, 2016
New York, New York

Justice of the Appellate Division

ENTERED: FEB 9 2016

*Description of Judgment

Supreme Court, Bronx County, rendered January 10, 2013, as amended May 30, 2013, Appellate Division, First Department, Appeal No. 16011, affirmed on December 22, 2015.

Notice: Within 10 days from the issuance of this certificate, a preliminary appeal statement must be filed with the Clerk of the Court of Appeals pursuant to Rule 500.9 of the Court of Appeals Rules.