

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 11, 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-323
Ind. No. 7088/99

Winston Reyes,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about May 30, 2015,

Now, upon reading and filing the stipulation of the parties hereto, dated 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 11, 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-332
Ind. Nos. 4332/13
Krazley Torres, 4309/13
Defendant-Appellant. 3906/11
-----X

An appeal having been taken from judgments of the Supreme Court, New York County, rendered on or about January 30, 2014,

Now, upon reading and filing the stipulation of the parties hereto, dated January 19, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 11, 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-350
Ind. No. 417N/13

Darnell Jackson,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, entered on or about February 25, 2014,

Now, upon reading and filing the stipulation of the parties hereto, dated January 20, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 11, 2016.

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

-----X

Nina Zhdanova,
Plaintiff-Respondent,

-against-

50 Forest Avenue Corp. and
La Ginestra Restaurant,
Defendants-Appellants.

-----X

M-244
Index No. 105948/11

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about January 21, 2015,

Now, upon reading and filing the stipulation of the parties hereto, dated January 14, 2016, 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 11, 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-5515
Ind. No. 5117/08

Jason Lara,
Defendant-Respondent.

-----X

An appeal having been taken from a judgment of **resentence** of the Supreme Court, New York County, rendered on or about October 26, 2015,

And defendant-appellant having moved for assignment of appellate counsel,

Now, upon reading and filing the stipulation of the parties hereto, dated December 2, 2015, and due deliberation having been had thereon,

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 11, 2016.

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

-----X

Violet Idehen,
Plaintiff-Appellant,

-against-

M-5780

Index No. 652469/13

Teachers College Columbia University,
et al.,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about November 18, 2014,

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

Now, upon reading and filing of the correspondence from counsel for plaintiff-appellant, dated January 13, 2016, and due deliberation having been had thereon,

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

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 11, 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

Clifford Walter C., III,

A Child Under the Age of 14 Years
Pursuant to §384-b of the Social
Services Law of the State of New York.

- - - - -

Graham-Windham Services to Families
and Children, et al.,
Petitioners-Respondents,

M-5923
Docket No. B-42709/13

Clifford C., also known as Clifford
Walter C., II,
Respondent-Appellant.

- - - - -

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

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about July 22, 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 11, 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

Patrice Promise Nevaeh H. W.,
Sania Melva S. W.,
Anthony Yehuda S. W.,
Amya Elaine S. W., and
Natalie Faith H. W.,

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

Commissioner of Social Services,
Petitioner-Respondent,

Marcia McG.-W.,
Respondent.

M-6073
Docket No. NA-23487/13
NA-23488/13
NA-23489/13
NA-23490/13
NA-23491/13

Lewis S. Calderon, Esq.,
Attorney for the Child
Anthony Yehudah S. W.,
-Appellant,

Kenneth M. Tuccillo, Esq.,
Attorney for the Child
Natalie Faith H. W.,

Patricia L. Moreno, Esq.,
Attorney for the Child
Sania Melva S. W.,

Aleza Ross, Esq.,
Attorney for the Child
Amya Elaine S. W.,

Larry S. Bachner, Esq.,
Attorney for the Child
Patrice Promise Nevaeh H. W.

-----X

Harold Meyerson, Esq., court attorney for the subject child Anthony Yehudah S. W., having moved on the child's behalf for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about October 6, 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 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 State 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 11, 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

Angel P.,
and Diamond C.,

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

- - - - -

Administration for Children's
Services,
Petitioner-Respondent,

M-6543
Docket Nos. NA-13548/15

Jose C.,
Respondent-Appellant.

- - - - -

Katherine Tracy, Esq.,
Attorney for the Child Angel P.,

Aleza Ross, Esq.,
Attorney for the Child Diamond C.

-----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 29, 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 10018, Telephone No. (212) 818-9019, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor;¹ **within 30 days (FCS 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

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 11, 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-6469
Ind. No. 6606/03

Kyle Jenkins,
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant-appellant from the judgment of the Supreme Court, New York County, rendered on or about July 31, 2012,

And an order of this Court entered December 17, 2015 (M-4327), inter alia, substituting assigned counsel, Richard M. Greenberg, Esq., and assigning, Robert S. Dean, Esq., as counsel to prosecute defendant's appeal, and related relief,

And assigned counsel Robert S. Dean, Esq., having moved to be relieved as appellate 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 striking the designation of assigned counsel Robert S. Dean, Esq., as counsel to prosecute defendant's appeal, and substituting pursuant to Section 722 of the County Law, Richard M. Weinstein, Esq., 1133 Broadway Suite 708, New York, NY 10010, Telephone No. (212)330-7623, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

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 11, 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-6260
Ind. No. 3828/11

Luis Rodriguez,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County (Denis Boyle, J.) entered on or about November 30, 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 Boyle 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 11, 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-6402
Ind. No. 14/10

Yosttin Ortiz,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County (Webber, J.), entered on or about December 9, 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 Webber 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 11, 2016.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-6403

Ind. No. 415/10

Igroit Rodriguez,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County (Newman, J.), entered on or about December 9, 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 Newman 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.

(M-6403)

(2)

February 11, 2016

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 11, 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-6482

Ind. No. 633/11

Lloyd Parks,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County (Bruce, J.), entered on or about April 8, 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 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, 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 11, 2016.

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

-----X
American Stevedoring, Inc.,
Plaintiff-Respondent,

-against-

M-65
Index No. 651472/12

Red Hook Container Terminal, LLC,
Defendant-Appellant,

Seneca Insurance Company, Inc.,
etc., et al.,
Defendants.

-----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 January 15, 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, with leave to seek further enlargements if necessary.

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 11, 2016.

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

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

-against-

M-6188
Ind. No. 3109/14

Rafael Esquilin,
Defendant-Appellant-Respondent.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about October 22, 2015, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting defendant's 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 reproduced 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-respondent 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 11, 2016.

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

-----X
Atlantic Development Group, LLC,
et al.,
Plaintiffs-Respondents,

-against-

M-6061
Index No. 113972/11

Interstate Fire & Casualty Company,
Defendant-Appellant,

New York Steel Fabricators, LLC,
Defendant.

-----X

Defendant-appellant Interstate Fire & Casualty Company 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,

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 11, 2016.

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

-----X

Ralph Oyague,
Claimant-Appellant,

-against-

M-6129
Claim No. 117462

The State of New York,
Respondent-Respondent.

-----X

Claimant-appellant having moved for leave to prosecute, as a poor person, an appeal from the orders of the Court of Claims of the State of New York, entered on or about May 29, 2015 and November 10, 2015, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that said 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 attorney for respondent and file 8 copies of such brief, together with the original record, with this Court. Appellant 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 11, 2016.

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

-----x
In the Matter of the Application of

New York Independent Contractors Alliance, on behalf of its Employer Members, and Local 175, United Plant and Production Workers, IUJAT, Petitioners-Respondents,

For an Order and Judgment Pursuant to Article 78 of the CPLR, and for other relief,

-against-

John C. Liu, Jr., as Comptroller of the City of New York, Respondent-Appellant,

Highway and Street Laborers Local Union 1010, Sheet Asphalt Workers Local Union 1018, and General Contractors Association of New York, Respondents.

M-6179
Index Nos. 110714/10
111918/11
101450/13

-----x
Respondent-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 January 6, 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 11, 2016.

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

-----x

Swiss Re Financial Services Corp.,
Plaintiff-Respondent,

-against-

M-6275

Index No. 155741/13

Michelle Lynn McGuirk,
Defendant-Appellant.

-----x

Appeals having been taken to this Court from orders of the Supreme Court, New York County, entered on or about July 11, 2013, September 19, 2013 and December 3, 2013, respectively,

And defendant-appellant having moved, pursuant to CPLR 602(a), for consolidation of the aforesaid appeals with another pending case before this Court entitled *Michelle Lynn McGuirk v NYS Division of Human Rights, ALJ Robert Tuosto and Swiss Re Financial Services Corp., et al.* (Index No. 100809/14),

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 11, 2016.

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

-----X
In the Matter of

Shaun Summers,
Petitioner,

-against-

Raleem Moses, Warden, etc.,
Respondent.

M-6158
Bronx County Dkt. No.
2015BX020781

-----X

The above-named petitioner having moved for, inter alia, a writ of habeas corpus to be issued from this Court, and for leave to proceed as a poor person,

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 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 11, 2016.

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

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

-against-

M-6364

Index No. 2681/15

Shawn Mickens,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about October 13, 2015, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied, with leave to renew upon defendant's submission of a detailed notarize affidavit, pursuant to CPLR 1101(a), setting forth the amount and sources of funds to post the \$10,000 bail in the Supreme Court, the disposition thereof, and an explanation as to why similar funds are not available to prosecute the 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 11, 2016.

Present - Hon. Peter Tom, Justice Presiding,
Rolando T. Acosta
Karla Moskowitz
Judith J. Gische, Justices.

-----x
Deborah Gibber, individually as
Co-Managing Member and Member of
Charles K. Goldner LLC, and suing
derivatively for the Benefit of
Charles K. Goldner LLC,
Plaintiffs-Respondents,

-against-

M-131
M-311
Index No. 159326/12

Naomi Colton, Estate of Charles K.
Goldner, by its Personal Representative
Naomi Colton, Estate of Abraham Colton,
by its Personal Representative Naomi
Colton, Miriam Colton, Lea Colton, and
Charles K. Goldner LLC,
Defendants-Appellants.

-----x
An appeal having been taken to this Court by defendants from orders of the Supreme Court, New York County, entered on or about January 31, 2014 and June 4, 2015, respectively (Cal. No. 2365); and an appeal having been taken to this Court by defendants from the order of said Court entered on or about October 28, 2015 (Cal. No. 266), and said appeals having been perfected,

And plaintiffs-respondents having moved for leave to strike defendants-appellants' record on appeal from the orders entered on or about January 31, 2014 and June 4, 2015 (Cal. No. 2666) or, in the alternative, granting plaintiffs-respondents leave to file a supplemental appendix so as to include the transcript of the May 12, 2015 oral argument of plaintiffs-respondents' motion for a preliminary injunction, and the e-mails from the trial court dated May 12, 2015 and May 14, 2015 [M-131],

And defendants-appellants having cross-moved for leave to strike plaintiffs-respondents' brief (Cal. No. 2666) or, in the alternative, striking the portions of the brief that reference documents outside the record on appeal or, if this Court permits, directing plaintiffs-respondents to file a supplemental appendix, condition the filing of the supplemental appendix upon plaintiffs

including transcripts of proceedings held on June 1, 2015, June 23, 2015 and September 21, 2015, respectively [M-311],

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 directing plaintiffs-appellants to file a supplemental appendix under Cal. No. 266 forthwith, which shall include the documents attached to the Leber Affidavit as Exhibit 1, and otherwise denied, and it is further,

Ordered that the cross motion is granted to the extent of ordering that plaintiffs-appellants' appendix shall include the documents attached to the Maher Affidavit as Exhibits 1-C, and otherwise denied.

Sua sponte, the perfected appeal from the order entered October 28, 2015 (Cal. No. 2366) and the perfected appeal from the order entered January 31, 2014 and June 4, 2015 (Cal No. 2365) are hereby adjourned to the April 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 11, 2016.

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

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

-against-

M-6401
Ind. No. 2283/14

Bradley Sampson,
Defendant-Appellant.
-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about November 24, 2014, 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 moving papers a timely filed notice of appeal, and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 reproduced 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) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation,
120 Wall Street, 28th Floor, New York, New York 10005, Telephone
No. 212-577-2523, is assigned as counsel for defendant-appellant
for purposes of the appeal. The time within which appellant shall
perfect this appeal is hereby enlarged until 120 days from the date
of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 11, 2016.

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

-----X

The People of the State of New York,

Respondent,

-against-

Miguel Laureano,

Defendant-Appellant.

M-6233
Ind. No. 3411/11
Case No. 53845C/11

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about May 16, 2014, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied, with leave to renew, upon defendant's submission of a detailed notarized affidavit, in compliance with CPLR 1101(a), setting forth the amount and sources of funds utilized to pay trial counsel's fee and to post the \$4000 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 11, 2016.

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

-----X
In the Matter of

Averty C. P.,

Petitioner-Appellant,

-against-

Mirlande D.,

Respondent-Respondent.
-----X

M-6406
Docket No.
V-06214-07/08D

Petitioner-appellant father Averty C. P., having moved for leave to prosecute, as a poor person, the appeal from three orders of the Family Court, New York County, entered on or about July 29, 2015, for assignment of counsel, a free copy of the transcript, and related relief,

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

Ordered that the motion is denied, with leave to renew upon submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth facts sufficient to establish that appellant has no funds or assets with which to prosecute appeal, including the amount and sources of his income and listing property with its value.

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 11, 2016.

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

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

For Commitment Under Article 10 of the
Mental Hygiene Law,

-against-

SEALED
M-6311
Index No. 30060/14

Carlos Abreu,
Respondent-Appellant.

-----x

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about May 7, 2015,

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

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

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

The court reporter shall promptly make and file with the Supreme Court two transcripts of the stenographic minutes of any proceedings related to the above-captioned matter. 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.

Carol L. Kahn, Esq., 225 Broadway, Suite 1510, New York, NY 10007, Telephone No. (212) 227-0206, is assigned as counsel for purposes of prosecuting the appeal on respondent's behalf.

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 11, 2016.

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

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

-against-

M-6128
Ind. No. 2200/13

Kroucher Deleon, also known as
Krouche Deleon,
Defendant-Appellant.

-----X

Defendant having renewed his motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about January 31, 2014, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of 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 reproduced copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 11, 2016.

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

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

Respondent,

-against-

Anderson Ross,

M-6244
Ind. Nos. 3426/13
1521/14

Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about March 6, 2015, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, in compliance with CPLR 1101(a), setting forth the terms of defendant's retainer agreement with trial counsel, Edward J. Rinaldi, Esq., the amount and sources of funds for trial counsel's fee 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 11, 2016.

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

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

-against-

M-6169
Ind. No. 2190/13

Devonte Kelly,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about September 21, 2015, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of 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 reproduced copies of such brief, together with the original record, with this Court.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 11, 2016.

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

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

-against-

M-6170
Ind. No. 3575/13

Natoine Marshall,
Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about September 16, 2015, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of 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 reproduced copies of such brief, together with the original record, with this Court.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 11, 2016.

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

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

-against-

M-6320
Ind. No. 4241/14

Salvatore Cappuccio,
Defendant-Appellant.

-----X

Defendant having renewed his motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about March 31, 2015, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of 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 reproduced copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 11, 2016.

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

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

-against-

M-6392
Ind. No. 4649/11

Kahn Hightower,
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about July 10, 2012,

And an order of this Court entered on February 24, 2015 (M-4829) assigning Richard Weinstein, Esq., as appellant's counsel for purposes of prosecuting the appeal, and related relief,

And assigned counsel, Richard Weinstein, Esq., having moved for an order relieving him as appellant's counsel, 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 relieving Richard Weinstein, Esq., as counsel. The time to perfect the appeal is enlarged 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 11, 2016.

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

-----X
Delight Bvunzawabaya,
Plaintiff-Appellant,

-against-

M-6398
Index No. 400434/14

J.P. Morgan Chase & Co., et al.,
Respondents-Respondents.
-----X

Plaintiff-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 January 22, 2015, and for leave to prosecute said appeal as a poor person, and related relief,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the June 2016 Term. The motion is otherwise 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 11, 2016.

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

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

-against-

M-6455
Ind. No. 2721/13

Abdul Robinson,
Defendant-Appellant.
-----x

An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, entered on or about May 1, 2014,

And defendant having moved for an order enlarging the record on appeal to include, and directing the court reporter(s) to transcribe, the plea minutes of September 23, 2004 (Court Reporter Diercks), and the sentencing minutes from October 19, 2004 (Court Reporter Tabinsky) held before Judge Latella, 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 record on appeal to include the requested minutes, and directing the Clerk of the Supreme Court, New York County, to have the subject minutes transcribed, for inclusion in the record on appeal, within 30 days from the date of service of a copy of this order, which defendant's counsel is directed to serve upon the Clerk and the individual court reporter(s) within 10 days from the date of entry hereof, with a copy of the transcript thereof to be included in the record on appeal and another to be made available to appellant's counsel, without charge. Defendant's time to perfect the aforesaid appeal is enlarged until 120 days after receipt of the aforesaid minutes.

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 11, 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,
Respondent,

-against-

M-107
Ind. No. 4281/11

Larry McLean,
Defendant-Appellant.

-----X

Defendant-appellant having moved to be provided with specified material, for use in preparing a pro se supplemental brief, in connection with an appeal from a judgment of the Supreme Court, New York County, rendered on or about January 7, 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 only to the extent of directing defendant to serve and file 9 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 Clerk of the Court is directed to forward to the Warden at the State correctional facility wherein defendant is incarcerated a transcript of the minutes relating to defendant's appeal, said transcript to be made available to appellant and returned by appellant to this Court when submitting the pro se supplemental brief hereto. The appeal will not be heard unless and until all material furnished to appellant has been returned. Motion otherwise 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 11, 2016.

Present: Hon. David Friedman, Justice Presiding,
Diane T. Renwick
David B. Saxe
Karla Moskowitz, Justices.

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

-against-

M-6404

Docket No. 2009NY095297

Kenneth Carter,
Defendant-Appellant.

-----X

Defendant having moved for an order transferring his present appeal to this Court which was taken from a judgment of the Appellate Term entered in the office of the Clerk of the Supreme Court, New York County, on or about December 3, 2011, 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. Defendant-appellant shall file two copies of the pre-argument statement and of this order with the Clerk of the Appellate Term with proof of service, pursuant to Section 600.17 of the Rules of 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 11, 2016.

Present: Hon. David Friedman, Justice Presiding,
Diane T. Renwick
David B. Saxe
Karla Moskowitz, Justices.

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

Dawn Bortman,
Petitioner-Respondent,

M-6435

Pursuant to Article 75 of the CPLR,
for Confirmation of a FINRA Dispute
Resolution Arbitration Award and
Entry of Judgment,

Index No. 652924/13

-against-

Henry Lucander,
Respondent-Appellant.

-----X

Petitioner-respondent having moved for leave to respond, as a poor person, to the appeal taken from the order of the Supreme Court, New York County, entered on or about June 4, 2014, and for a free copy of the transcript, and for related relief, and to dismiss respondent-appellant's appeal,

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

It is ordered that the motion is denied in its entirety.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 11, 2016.

Present: Hon. David Friedman, Justice Presiding,
Diane T. Renwick
David B. Saxe
Karla Moskowitz, Justices.

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

-against-

M-6465
Ind. No. 3980/13

Haywood Hinton,
Defendant-Appellant.

-----X

Defendant-appellant, in connection with an appeal taken from the judgment of the Supreme Court, New York County, entered on or about November 6, 2014, having moved for leave to file a pro se supplemental 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 directing defendant 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 Clerk of the Court is directed to forward to the Warden at the State correctional facility wherein defendant is incarcerated a transcript of the minutes relating to defendant's appeal, said transcript to be made available to appellant and returned by appellant to this Court when submitting the pro se supplemental brief hereto. The appeal will not be heard unless and until all material furnished to appellant has been returned.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 11, 2016.

Present: Hon. David Friedman, Justice Presiding,
Diane T. Renwick
David B. Saxe
Karla Moskowitz, Justices.

-----X
Ricky Zegelstein, M.D., et al.,
Plaintiffs-Appellants,

-against-

M-6479
Index No. 651198/14

Michael J. Faust, M.D., et al.,
Defendants-Respondents.
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 26, 2015,

And plaintiffs-appellants having moved to stay this and all related lower court proceedings pending 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 11, 2016.

Present: Hon. David Friedman, Justice Presiding,
David B. Saxe
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X

Tonya Muro Phillips,
Plaintiff-Respondent,

-against-

M-6347

Index No. 307883/12

Roger Phillips,
Defendant-Appellant.

-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about June 19, 2015 and June 29, 2015,

And defendant-appellant having moved to renew a prior order of this Court (M-3077 and M-3078), entered on August 4, 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 on December 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 11, 2016.

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

-----X
Yolanda Mero, as Administratrix of
the Estate of Elsa Samayoa, Deceased,
Plaintiff-Respondent-Appellant,

-against-

M-4

Index No. 105113/10

Anna Vuksanovic and Caco Son Realty,
Corp.,
Defendant-Appellant-Respondent.

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

An appeal and cross appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 15, 2015, and said appeal and cross appeal having been perfected,

And plaintiff-respondent-appellant having moved for leave to enlarge the record on 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 denied.

ENTER:


CLERK

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

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

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The People of the State of New York,

M-6312
Ind. No. 1321/92

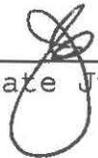
-against-

CERTIFICATE
DENYING LEAVE

Budha Tor,
Defendant.

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I, Judith J. Gische, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County (Hon. Joseph J. Dawson), entered on or about October 15, 2015, and order (Hon. Joseph J. Dawson), entered on or about November 30, 2015 is hereby denied.



Associate Justice

Dated: January 27, 2016
New York, New York

ENTERED: February 11, 2016

P.M. ORDERS
FOR
FEBRUARY
11, 2016

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 11, 2016.

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

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The People of the State of New York,
Respondent,

-against-

M-6280
Ind. No. 1580/14

Diann Grohoske,
Defendant-Appellant.

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Defendant having moved for an enlargement of time to perfect the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about August 14, 2015, and for continuation of a previously granted stay of execution of judgment pending hearing and determination of said 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 vacating the order of the Supreme Court, New York County, entered on or about December 16, 2015, which revoked the prior bail order, and reinstating bail on the same terms and conditions as originally ordered by the Supreme Court, New York County, entered on or about August 14, 2015, and upon condition that appeal is perfected on or before February 22, 2016 for the May 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 11, 2016.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Karla Moskowitz
Barbara R. Kapnick, Justices.

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David Landes, et al.,
Plaintiffs-Respondents,

-against-

M-67
Index No. 155096/14

Provident Realty Partners II, L.P.
and Imico Un Rental LLC,
Defendant,

-and-

PRPII Corp., BRG Gramercy Units
LLC and Daniel Benedict,
Defendants-Appellants.

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An appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 4, 2015, and said appeal having been perfected,

And defendants-appellants having moved for a stay of all proceedings 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