

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 March 3, 2016.

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

-----X
MRC RE Holdings LLC,

Plaintiff-Respondent,

-against-

M-449
Index No. 653480/13

Joel Schreiber, et al.,

Defendants-Appellants.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about February 18, 2015,

Now, upon reading and filing the stipulation of the parties hereto, dated January 28, 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It is ordered that the appeal, previously perfected, is withdrawn in accordance with the aforesaid stipulation.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 March 3, 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 Under Article 8 of the
Family Court Act.

Linnett A.,
Petitioner-Appellant,

M-116
Docket No. O-15491/14

-against-

Jonathan M. D.,
Respondent-Respondent.

-----X
Petitioner-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 11, 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, Alexandra Lewis-Reisen, Esq., New York Legal Assistance Group, 7 Hanover Square, 18th Floor, New York, NY 10004, Telephone No. 212-613-6574, 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

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

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-380, 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 March 3, 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 Under Article 8 of the
Family Court Act.

Linnett A.,
Petitioner-Appellant,

M-380
Docket No. O-15491/14

-against-

Jonathan M. D.,
Respondent-Respondent.

-----X

Respondent-respondent having moved for leave to respond, as a poor person, to the appeal from the order of the Family Court, Bronx County, entered on or about June 11, 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, John R. Eyeran, Esq., 225 Broadway, Suite #1800, New York, NY 10007, Telephone No. 212-921-0069, 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-116, 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 March 3, 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

Yadiells G.,
A Person Alleged to Be a Juvenile Delinquent,
Respondent-Appellant.
-----X

M-179

Docket No. D-29236/13

Appellant having moved for leave to prosecute the appeal from an order of the Family Court, Bronx County, entered on or about December 11, 2015, as a poor person, 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 Section 35 of the Judiciary Law and Section 1120 of the Family Court Act, George E. Reed, Jr., Esq., 222 Mamaroneck Ave., White Plains, NY 10605, Telephone No. 914-946-5000, 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 therefor;¹ **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) directing appellant 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 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 March 3, 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

Michael Angelo D., also known as
Michael B.,

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

- - - - -

Sheltering Arms Children and Family
Services, et al.,
Petitioners-Respondents,

M-181
Docket No. B-45555/14

AbbyAnn D., also known as Abby Ann D.,
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 November 19, 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, Dora M. Lassinger, Esq., 6 Howland Road, East Rockaway, NY 11518, Telephone No. 516-887-8987, 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 March 3, 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
Paternity Under Article 5 of the
Family Court Act.

Samuel O. M.,
Petitioner-Appellant,

M-182
Docket Nos. P-39364/15
P-39365/15

-against-

Patricia Mari Daniella B.,
Respondent-Respondent.

-----X
Petitioner-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 December 11, 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, George E. Reed, Jr., Esq., 222 Mamaroneck Ave., White Plains, NY 10605, Telephone No. 914-946-5000, 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 March 3, 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

Kenny J. M.,

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-220
Docket No. NN-10159/14

John M.,
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 November 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, John R. Eyeran, Esq., 225 Broadway, Suite #1800, New York, NY 10007, Telephone No. 212-921-0069, 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 March 3, 2016.

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

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

-against-

M-149
Ind. No. 925/15

Andre O'Neal,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about October 14, 2015, for leave to prosecute the appeal as a poor person 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 deeming the notice of appeal as 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 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 March 3, 2016.

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

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

-against-

M-174
Ind. No. 4851/14

Shaina Foster, also known as Shaina
Torres,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about August 6, 2015, for leave to prosecute the appeal as a poor person 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 deeming the notice of appeal as 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 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, 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 March 3, 2016.

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

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

-against-

M-167
Ind. No. 5117/08

Jason Lara,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of **resentence** of the Supreme Court, New York County, rendered on or about December 1, 2015, for leave to have the appeal heard upon 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 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 **resentence**. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

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 March 3, 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-392
Ind. No. 5147/10

Alexis Matos, Jr.,
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 (Thomas Farber, J.), entered on or about December 17, 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 Farber 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 March 3, 2016.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-153
Ind. No. 5080/08

Melvin Peters,
Defendant-Appellant.

-----X

Defendant-appellant having moved for 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 June 7, 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 denied as premature, said appeal not having been perfected.

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 March 3, 2016.

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

-----x
Joshua DeJesus, an infant by his mother
and natural guardian, Lydia DeJesus,
and Lydia DeJesus, Individually,

Plaintiffs-Respondents,

-against-

M-49
Index No. 17136/05

Richard Ortecho, et al.,

Defendants-Appellants.
-----x

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

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 March 3, 2016.

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

-----x

Jildy Gross,

Plaintiff-Respondent,

-against-

M-119

Index No. 156639/12

Jean Henrick Pierre, et al.,

Defendants-Appellants.

-----x

Defendants-appellants having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about March 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 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 March 3, 2016.

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

-----x
In the Matter of the Application of
James Geist,
Petitioner-Appellant,

To Vacate a Decision of a Hearing
Officer Pursuant to Education Law
§ 3020-a and CPLR § 7511,

M-307
Index No. 654135/13

-against-

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

-----x
Petitioner-appellant having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, New York County, entered on or about March 26, 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 March 3, 2016.

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

-----x
Bill Bace,

Plaintiff-Appellant,

-against-

M-41

Index No. 400803/08

Tai May Realty, Inc.,

Defendant-Respondent.
-----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 December 5, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal 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 March 3, 2016.

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

-----X
Alejandro Olmedo,
Plaintiff-Respondent,

-against-

M-326
Index No. 152340/12

Farrington Realty, LLC,
Defendant-Appellant,

Train Theater, et al.,
Defendants.

-----X

Defendant-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 17, 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 September 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 March 3, 2016.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Sallie Manzanet-Daniels, Justices.

-----X
Rafael Perez, et al.,

Plaintiffs-Appellants,

-against-

M-6488
Index No. 302081/09

Gateway Realty LLC, et al.,

Defendants-Respondents.
-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about February 24, 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 September 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 March 3, 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
ex rel. Frank Monte,
Petitioner,

-against-

Warden Maxsolaine Mingo, etc.,
Respondents.

M-42
M-6284
Ind. No. 1021/14

-----X

The above-named petitioner having made two separate motions for, inter alia, a writ of habeas corpus to be issued from this Court,

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 only to the extent of transferring the proceeding to and be heard before a Justice of the Supreme Court of the State of New York, New York County, 60 Centre Street, New York, New York 10007, forthwith, and

It is further ordered that service by mail of a copy of this writ of habeas corpus, petition and supporting papers, by the Clerk of this Court, contemporaneous with the entry hereof, upon the Deputy Warden at Riker's Island, 16-16 Hazen Street, East Elmhurst, NY 11370; the Attorney General of the State of New York, 120 Broadway, New York, New York 10271; and the District Attorney of New York County, One Hogan Place, New York, NY 10013, be deemed due and sufficient notice.

The motions are 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 March 3, 2016.

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

-----X

Monika S.,
Plaintiff-Respondent,

-against-

Leonardo S.,
Defendant-Appellant.

-----X

CONFIDENTIAL

M-190

Index No. 308500/11

Defendant-appellant having moved for a stay of the residential prong of the custody order, pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about December 16, 2015, and said appeal having been perfected,

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

It is ordered that the motion is 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 March 3, 2016.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Sallie Manzanet-Daniels, Justices.

-----X
Mutual Benefits Offshore Fund,
Plaintiff,

-against-

Emanuel Zeltser, et al.,
Defendants,

Joseph Kay, Sternik & Zeltser,
Defendants-Appellants.

-----X
Sternik & Zeltser, as Trustee for the
Assets of Kayley Investments, Ltd.,
and Joseph Kay,
Counterclaim-Plaintiffs-Appellants,

M-6486
M-388

Index No. 650438/09

-against-

Triangle International Management, Ltd.,
et al.,
Counterclaim Defendants-Respondents,

Christopher Samuelson, et al.,
Additional Counterclaim Defendants.

-----X

Appeals having been taken from an order of the Supreme Court, New York County, entered on or about September 24, 2014, and said appeals having been perfected,

And respondents having moved to dismiss the appeal as to Sternik & Zeltser or, in the alternative, to strike defendants-appellants' brief and record on appeal and for an adjournment of said appeal (M-6486),

And appellants having cross-moved for an enlargement of time to perfect the appeal and for this Court to take judicial notice of certain documents (M-338),

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

Ordered that the motion and cross motion are granted to the extent of deeming the appeal timely perfected. Appellants are directed to file, forthwith, a supplemental record on appeal containing: a transcript of the August 8, 2013 hearing (Supreme Court Docket No. 428), respondents' submission and exhibits on motion to dismiss dated July 30, 2013 (Docket No. 426); the trial Court's decision and order dated November 1, 2010 (mot. seq. no. 006); the so-ordered stipulation dated November 29, 2012 (nos. 383-384) and the judgment of the United States District Court for the Southern District of Florida, dated September 18, 2013, attached to the cross motion papers as Exhibit 1, of which this Court shall take judicial notice, and otherwise denied. The appeal will be maintained on this Court's calendar for the June 2016 Term (M-6486/M-388).

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 March 3, 2016.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
David B. Saxe
Judith J. Gische, Justices.

-----X
Samaad Bishop,

Plaintiff-Appellant,

-against-

M-40

Index No. 251419/13

Katz Delicatessen of Houston Street,
Inc., et al.,

Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about February 11, 2015,

And plaintiff-appellant 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 the motion granted to the extent of enlarging the appeal to the September 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 March 3, 2016.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
David B. Saxe
Judith J. Gische, Justices.

-----X
Daniele Malpeli,
Plaintiff-Appellant,

-against-

M-118
Index No. 101885/11

Balvir Singh, et al.,
Defendants-Respondents.
-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about March 10, 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 September 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 March 3, 2016.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
David B. Saxe
Judith J. Gische, Justices.

-----X
Government Employees Insurance Company,
(GEICO), et al.,
Plaintiffs-Respondents,

-against-

M-295
Index No. 151591/13

Central Broadway Medical, P.C.,
Defendant-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about March 13, 2015,

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

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the September 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 March 3, 2016.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
David B. Saxe
Judith J. Gische, Justices.

-----X
Tamara Holt,
Plaintiff-Appellant,

-against-

M-367
Index No. 106564/11

Bulthaup Corporation, et al.,
Defendants-Respondents.
-----X
(And a third-party action)
-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from orders of the Supreme Court, New York County, both entered on or about April 30, 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 September 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 March 3, 2016.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
David B. Saxe
Judith J. Gische, Justices.

-----X
Jill Humphries,
Plaintiff-Appellant,

-against-

M-426
Index No. 654455/13

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

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about November 12, 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 September 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 March 3, 2016.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
David B. Saxe
Judith J. Gische, Justices.

-----X
J. Christopher Flowers,
Plaintiff-Appellant,

-against-

M-373
Index No. 651036/10

73rd Townhouse, LLC, et al.,
Defendants-Respondents.
-----X

Appeals having been taken from an order of the Supreme Court, New York County, entered on or about October 15, 2014 and from an order of the same Court and Justice entered on or about March 30, 2015,

And plaintiff-appellant having moved to consolidate the aforesaid appeals and for an enlargement of time to perfect same,

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 appeals to the September 2016 Term, with leave to seek further enlargements, if necessary, and 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 March 3, 2016.

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

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

Adelaide M.,
Petitioner-Respondent,

M-33
Docket No. F-022269/14

-against-

Solomon M.,
Respondent-Appellant.

-----X

Petitioner-respondent having moved for leave to respond, as a poor person, to 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 denied, with leave to renew upon petitioner's submission of a detailed notarized affidavit, in compliance with CPLR 1101(a), setting forth the terms of defendant's retainer agreement with Family Court counsel, the amount and sources of funds utilized for 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 petitioner.)

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 March 3, 2016.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Richard T. Andrias
Karla Moskowitz, Justices.

-----X

Robert Nunez,
Plaintiff-Respondent,

-against-

M-6194
Index No. 114186/10

Porfirio Miranda, Jr., et al.,
Defendants-Appellants.

-----X

Defendants-appellants having moved for a stay of trial pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about November 20, 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 11, 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 March 3, 2016.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Richard T. Andrias
Karla Moskowitz, Justices.

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

Jayden Isaiah O., also known as
Jayden O.,

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

- - - - -
Catholic Guardian Services,
Petitioner-Respondent,

M-446
Docket No. B-833/14

Rossely R.-O.,
Respondent-Appellant.
- - - - -

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

-----X

Respondent-appellant having moved for an enlargement of time to perfect the appeal from the order of the Family Court, Bronx County, entered on or about April 1, 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 aforesaid appeal to the September 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 March 3, 2016.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Richard T. Andrias
Karla Moskowitz, Justices.

-----X
IN RE: NEW YORK CITY ASBESTOS LITIGATION
-----X

Luis Acevedo and Susan Acevedo,
Plaintiffs-Respondents,

-against-

M-482

Index No. 116194/02

A.P. Green Industries, Inc., et al.,
Defendants,

Crane Co.,
Defendant-Appellant.

-----X
IN RE: NEW YORK CITY ASBESTOS LITIGATION
-----X

Peter C. Liman and Regine Feinstein,
Plaintiffs-Respondents,

-against-

M-484

Index No. 190217/12

Air & Liquid Systems Corp., et al.,
Defendants,

Crane Co.,
Defendant-Appellant.

-----X
IN RE: NEW YORK CITY ASBESTOS LITIGATION
-----X

Angelina Maldonado, as personal
representative of the Estate of Tomas
Maldonado, Jr., and Angelina Maldonado,
Individually,
Plaintiffs-Respondents,

-against-

M-486

Index No. 101375/05

A.O. Smith Water Products, Co., et al.,
Defendants,

Crane Co.,
Defendant-Appellant.

-----X

-----X
IN RE: NEW YORK CITY ASBESTOS LITIGATION

-----X

Dolores Breschard, as Personal
Representative for the Estate of Robert
J. Breschard, and Dolores Breschard,
Individually,
Plaintiffs-Respondents,

-against-

M-487
Index No. 100564/06

A.O. Smith Water Products, Co., et al.,
Defendants,

Crane Co.,
Defendant-Appellant.

-----X
IN RE: NEW YORK CITY ASBESTOS LITIGATION

-----X

Sarantis Markou and Hariklia Markou,
Plaintiffs-Respondents,

-against-

M-488
Index No. 190315/13

Air & Liquid Systems Corp., et al.,
Defendants,

Crane Co.,
Defendant-Appellant.

-----X

Defendant-appellant in the above-named actions having moved for an enlargement of time to perfect the appeals taken from the orders of the Supreme Court, New York County, entered on or about August 13, 2013, September 26, 2013, September 11, 2014, December 4, 2013 and August 28, 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 December 2016 Term.

ENTER:



CLERK

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

BEFORE: Hon. Peter Tom
Justice of the Appellate Division

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

Respondent,

M-600
Ind. No. 3817/09

-against-

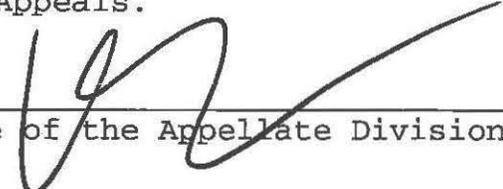
Darrell Spencer,

CERTIFICATE
GRANTING LEAVE TO APPEAL
TO THE COURT OF APPEALS

Defendant-Appellant.
-----X

I, Peter Tom, 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.



Justice of the Appellate Division

Dated: February 22, 2016
New York, New York

ENTERED: **MAR 03 2016**

*Description of Order:

Supreme Court, Bronx County, entered on July 18, 2013.
App. Div., 1st Dept., Appeal No. 16142, Affd on January 26, 2016.

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.

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

BEFORE: Hon. Angela M. Mazzarelli
Justice of the Appellate Division

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

M-6413
Ind. No. 4712/10

-against-

CERTIFICATE
DENYING LEAVE TO
APPEAL
TO THE COURT OF
APPEALS

Joseph Kastner,
Defendant.

-----x

I, Angela M. Mazzarelli, a Justice of the Appellate Division, Supreme Court, First Department, do hereby certify that, in the record and proceedings herein, there being no questions of law which ought to be reviewed by the Court of Appeals, it is

ORDERED, pursuant to CPL 460.20, that permission hereby is denied to the above-named defendant to appeal to the Court of Appeals from the decision and order of this Court, entered October 16, 2015.¹


Justice of the Appellate Division

Dated: February 8, 2016
New York, New York

ENTERED:

MAR 03 2016

¹ The related relief sought by defendant in M-6413 is denied as academic.

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

BEFORE: Hon. Angela M. Mazzarelli,
Justice of the Appellate Division

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

M-5312
Ind. No. 6066/08
Ind. No. 6172/08

-against-

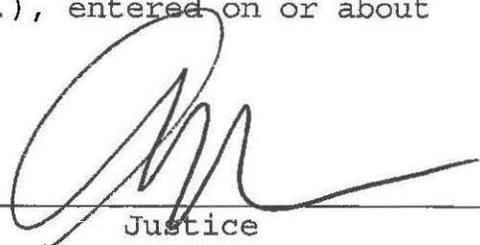
CERTIFICATE
DENYING LEAVE

Kerwin Johnson,

Defendant.

-----X

I, Angela M. Mazzarelli, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County (Bonnie G. Wittner, J.), entered on or about September 18, 2015, is hereby denied.


Justice

Dated: New York, New York
February 9, 2016

ENTERED

MAR 03 2016

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

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

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

M-160
Ind. No. 1091/09
SCI No. 3920/09

-against-

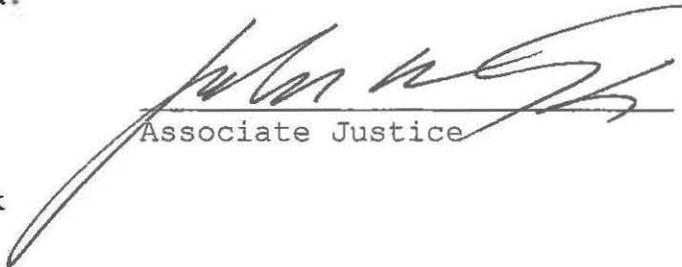
CERTIFICATE
DENYING LEAVE

Chester Burns,

Defendant.

-----X

I, John W. Sweeny, Jr., a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, dated on or about October 21, 2015 (Bonnie G. Wittner, J.) is hereby denied.


Associate Justice

Dated: February 22, 2016
New York, New York

ENTERED: **MAR 03 2016**

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

BEFORE: Hon. Rosalyn H. Richter
Justice of the Appellate Division

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

M-6390
Ind. No. 3080/04

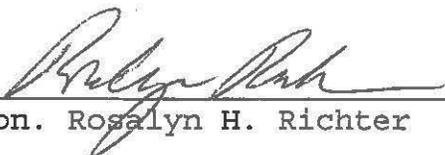
-against-

CERTIFICATE
DENYING LEAVE

Ralph Hall,

Defendant.
-----X

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



Hon. Rosalyn H. Richter

Dated: February 10, 2016
New York, New York

ENTERED: MAR 03 2016

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

BEFORE: Hon. Rosalyn H. Richter
Justice of the Appellate Division

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

M-6416
Ind. Nos. 6549/03

-against-

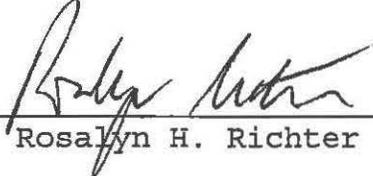
CERTIFICATE
DENYING LEAVE

Michael Nash

Defendant.

-----X

I, Rosalyn H. Richter, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon the application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about November 17, 2015 is hereby denied.



Hon. Rosalyn H. Richter

Dated: February 10, 2016
New York, New York

ENTERED: **MAR 03 2016**

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

BEFORE: Hon. Sallie Manzanet-Daniels
Justice of the Appellate Division

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

M-6376
Ind. No. 5022/10

-against-

CERTIFICATE
DENYING LEAVE

Godfrey Molemohi,

Defendant.
-----X

I, Sallie Manzanet-Daniels, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about December 4, 2015, is hereby denied. In light of the above, defendant's request for poor person relief is denied as moot.


Associate Justice

Dated: February 8, 2016
New York, New York

ENTERED: MAR 03 2016

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

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

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

M-363
Ind. No. 1383/09

-against-

CERTIFICATE
GRANTING LEAVE

David Everette,
Defendant-Appellant.
-----X

I, Judith J. Gische, a Justice of the Appellate Division, First Judicial Department, do hereby certify that in the proceedings herein questions of law or fact are involved which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is hereby granted to the above-named defendant to appeal to the Appellate Division, First Judicial Department, from the order of the Supreme Court, New York County (Richard Carruthers, J), entered on or about December 23, 2015.¹

Dated: February 17, 2016
New York, New York

ENTERED

MAR 03 2016

Hon. Judith J. Gische
Associate Justice

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

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

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

BEFORE: Hon. Barbara R. Kapnick
Justice of the Appellate Division

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

M-5817
Ind. No. 2934/04

-against-

CERTIFICATE
DENYING LEAVE

Edelmiro Cesario,

Defendant.

-----X

I, Barbara R. Kapnick, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon the application 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, dated September 21, 2015, is hereby denied.

Dated: February 19, 2016
New York, New York

ENTERED

MAR 03 2016



Hon. Barbara R. Kapnick
Associate Justice

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 March 3, 2016.

Present: Hon. Diane T. Renwick, Justice Presiding,
Richard T. Andrias
David B. Saxe
Rosalyn H. Richter, Justices.

-----X

In the Matter of a Petition for
Letters on Administration, c.t.a.,
In the Estate of

Paula X. Assimakopoulos,
Deceased.

M-304
Surrogate's Court
File No. 1154/12

- - - - -
Eva Lana,
Petitioner-Appellant.

-----X

An appeal having been taken from a Decree of the Surrogate's Court, New York County, entered on or about September 25, 2013, granting Limited Ancillary Letters of Administration, c.t.a., to respondent Nicolle Assimakopoulos-Panuthos,

And pro se petitioner-appellant Eva Lana having moved for leave to serve a corrected brief for the April 2016 Term, or later,

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 petitioner's brief withdrawn and directing petitioner to serve and file 8 copies of a corrected brief, limited to correcting citations and format, on or before March 21, 2016, for the June 2016 Term, to which Term the appeal is adjourned.

ENTER:


CLERK