

MOTION NOS. (296-297/13) KA 11-01643. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V RICHARD A. SAID, DEFENDANT-APPELLANT. (APPEAL NO. 1.) KA 11-01644. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V RICHARD A. SAID, DEFENDANT-APPELLANT. (APPEAL NO. 2.) -- Motion for writ of error coram nobis denied. PRESENT: WHALEN, P.J., CENTRA, CARNI, TROUTMAN, AND WINSLOW, JJ. (Filed Dec. 20, 2019.)

MOTION NO. (1025/16) KA 14-01504. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V RAYSHAWN BETHANY, DEFENDANT-APPELLANT. -- Motion for writ of error coram nobis denied. PRESENT: SMITH, J.P., CENTRA, PERADOTTO, LINDLEY, AND CURRAN, JJ. (Filed Dec. 20, 2019.)

MOTION NO. (221/18) KA 12-02145. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V JEFFREY J. TERBORG, DEFENDANT-APPELLANT. -- Motion for writ of error coram nobis denied. PRESENT: WHALEN, P.J., SMITH, LINDLEY, DEJOSEPH, AND NEMOYER, JJ. (Filed Dec. 20, 2019.)

MOTION NO. (327/18) CA 17-01674. -- WILMINGTON SAVINGS FUND SOCIETY, FSB, DOING BUSINESS AS CHRISTIANA TRUST, NOT INDIVIDUALLY BUT AS TRUSTEE FOR PRETIUM MORTGAGE ACQUISITION TRUST, PLAINTIFF-APPELLANT, V STEVEN E. GUSTAFSON, PAM L. GUSTAFSON, DEFENDANTS-RESPONDENTS, ET AL., DEFENDANTS. -- Motion for reargument denied. PRESENT: CENTRA, J.P., CARNI, NEMOYER, CURRAN, AND WINSLOW, JJ. (Filed Dec. 20, 2019.)

MOTION NO. (370/18) KA 16-00620. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V DAVID M. CAREY, DEFENDANT-APPELLANT. -- Motion for writ of error coram nobis denied. PRESENT: CENTRA, J.P., CARNI, DEJOSEPH, TROUTMAN, AND WINSLOW, JJ. (Filed Dec. 20, 2019.)

MOTION NO. (535/19) CA 18-02063. -- RODNEY BARBER, PLAINTIFF-RESPONDENT, V CHARLES SORCE, ET AL., DEFENDANTS, AND VICTOR J. ANZIANO, DEFENDANT-APPELLANT. -- Motion for leave to appeal to the Court of Appeals denied. PRESENT: CENTRA, J.P., PERADOTTO, LINDLEY, TROUTMAN, AND WINSLOW, JJ. (Filed Dec. 20, 2019.)

MOTION NO. (701/19) CA 18-00550. -- THOMAS H. O'NEILL, JR., PLAINTIFF-APPELLANT-RESPONDENT, V ROSE R. O'NEILL, DEFENDANT-RESPONDENT-APPELLANT. (APPEAL NO. 2.) -- Motion for reargument denied. PRESENT: CENTRA, J.P., LINDLEY, NEMOYER, TROUTMAN, AND WINSLOW, JJ. (Filed Dec. 20, 2019.)

MOTION NO. (823/19) CA 18-01281. -- IN THE MATTER OF BRIAN BROWDER, PETITIONER-APPELLANT, V NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES, RESPONDENT-RESPONDENT. -- Motion for reargument or leave to appeal to the Court of Appeals denied. PRESENT: CENTRA, J.P., PERADOTTO, CARNI, TROUTMAN, AND WINSLOW, JJ. (Filed Dec. 20, 2019.)

MOTION NO. (896/19) CA 19-00452. -- MICHELE GENTILE, INDIVIDUALLY, AND AS ADMINISTRATRIX OF THE ESTATE OF JESSICA N. GENTILE, DECEASED, PLAINTIFF-RESPONDENT, V MATTHEW MALENICK, DEFENDANT-APPELLANT, ET AL., DEFENDANTS. -- Motion for leave to appeal to the Court of Appeals denied. PRESENT: WHALEN, P.J., SMITH, CENTRA, NEMOYER, AND TROUTMAN, JJ. (Filed Dec. 20, 2019.)

KA 17-01338. -- THE PEOPLE OF THE STATE OF NEW YORK, APPELLANT, V JALEN EVERETT, DEFENDANT-RESPONDENT. Motion to dismiss granted. Memorandum: The matter is remitted to Monroe County Court to vacate the judgment of conviction and dismiss the indictment (*see People v Matteson*, 75 NY2d 745 [1989]). PRESENT: WHALEN, P.J., SMITH, CENTRA, PERADOTTO, AND CARNI, JJ. (Filed Dec. 20, 2019.)

KA 19-01598. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V KAAZIM F. FREEMAN, DEFENDANT-APPELLANT. Motion to dismiss granted. Memorandum: The matter is remitted to Supreme Court, Monroe County, to vacate the judgment of conviction and dismiss the indictment (*see People v Matteson*, 75 NY2d 745 [1989]). PRESENT: WHALEN, P.J., SMITH, CENTRA, PERADOTTO, AND CARNI, JJ. (Filed Dec. 20, 2019.)