

2 No. 22
In the Matter of Regional
Economic Community Action
Program, Inc.,
 Appellant,
 v.
Bonnie Bernaski, &c.,
 Respondent.

Order reversed, with costs, petition
granted and respondent directed to grant
petitioner a real property tax exemption
for the tax year 2004/2005.
Opinion by Judge Smith.
Chief Judge Kaye and Judges Ciparick,
Graffeo, Read, Pigott and Jones concur.

1 No. 33
In the Matter of Mitchell Schorr,
 Respondent,
 v.
New York City Department of
Housing Preservation and
Development, et al.,
 Appellants.

Order reversed, with costs, and petition
dismissed, in a memorandum.
Chief Judge Kaye and Judges Ciparick,
Graffeo, Read, Smith, Pigott and Jones
concur.

 No. 35
The People &c.,
 Respondent,
 v.
Marcos Urbaez,
 Appellant.

Order affirmed, in a memorandum.
Chief Judge Kaye and Judges Ciparick,
Graffeo, Read, Smith, Pigott and Jones
concur.

1 No. 25
Vigilant Insurance Company, et
al.,
 Appellants,
 v.
The Bear Stearns Companies, Inc.,
 Respondent.

Order reversed, with costs, plaintiffs'
motion for summary judgment granted,
judgment granted declaring in accordance
with the opinion herein and certified
question answered in the negative.
Opinion by Judge Graffeo.
Judges Ciparick, Read, Smith, Pigott and
Jones concur.
Chief Judge Kaye took no part.

MOTIONS

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2-10 Mo. No. 42
Alaaddin Akkaya, et al.,
Appellants.
v.
Prime Time Transportation, Inc.,
Respondent.

Motion for leave to appeal denied with one hundred dollars costs and necessary reproduction disbursements.

2-10 Mo. No. 53
In the Matter of AC I Shore
Road, LLC,
Respondent,
v.
Incorporated Village of Great
Neck, et al.,
Appellants,
et al.,
Respondents.

Motion to enlarge the record on appeal denied.
Motion for leave to appeal denied.

2-13 Mo. No. 1431
Leroy Baker,
Appellant,
v.
City of New York, et al.,
Respondents,
et al.,
Defendants.

Motion for leave to appeal denied with one hundred dollars costs and necessary reproduction disbursements.

2 Mo. No. 218
Clare C. Bassile,
Respondent,
v.
Scott O. Myers,
Appellant.

Motion for reargument of motion for leave to appeal denied.

3-10 Mo. No. 68
Nelson K. Bauersfeld,
Appellant,
v.
Board of Education of the
Morrisville-Eaton Central School
District,
Respondent.

Motion for leave to appeal denied with one hundred dollars costs and necessary reproduction disbursements.

2-10 Mo. No. 91
In the Matter of Seasia D.
(Anonymous).

Mr. Anonymous, et al.,
Appellants;
Kareem W. (Anonymous),
Respondent.
Tenisha D. (Anonymous),
Nonparty.

On the Court's own motion, appeal dismissed, without costs, upon the ground that no substantial constitutional question is directly involved.
Motion for leave to appeal granted.

1 Mo. No. 29
Leonor Datil Perez,
Appellant,
v.
Time Moving & Storage,
Respondent.

On the Court's own motion, appeal dismissed, without costs, upon the ground that the order appealed from does not finally determine the action within the meaning of the Constitution.
Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the action within the meaning of the Constitution.
Motion for a stay dismissed as academic.

2-14 Mo. No. 36
Isabel DeOliviera, &c.,
Appellant,
v.
Robert M. Manners,
Respondent,
et al.,
Defendant.

Motion for leave to appeal denied.

3 Mo. No. 62
In the Matter of Amil Dinsio,
Appellant,
v.
Supreme Court, Appellate
Division, Third Judicial
Department, Committee on
Professional Standards,
Respondent.

On the Court's own motion, appeal dismissed, without costs, upon the ground that the orders appealed from do not finally determine the proceeding within the meaning of the Constitution.
Motion for poor person relief dismissed as academic.

Mo. No. 124
Louis S. Ederer,
Respondent,
v.
Steven R. Gursky, et al.,
Appellants.

Motion for reargument denied with one hundred dollars costs and necessary reproduction disbursements.

2-10 Mo. No. 35
Denise Edwards,
Appellant,
v.
City of New York,
Respondent.

Motion for leave to appeal denied with one hundred dollars costs and necessary reproduction disbursements.

Mo. No. 251
Fair Price Medical Supply Corp.,
as Assignee of Cesar Nivelto,
Respondent,
v.
Travelers Indemnity Company,
Appellant.

Motion by New York Insurance Association, Inc. for leave to appear amicus curiae on the appeal herein granted only to the extent that the proposed brief is accepted as filed. Two copies of the brief must be served and 24 copies filed within seven days.

Mo. No. 216
In the Matter of Donald Feola,
Respondent,
v.
Patrick J. Carroll, &c. et al.,
Appellants.

Motion by City of New York for leave to file a brief amicus curiae on the appeal herein granted. Two copies of the brief must be served and 24 copies filed within seven days.

Mo. No. 39
In the Matter of Woodrow
Flemming,
Appellant,
v.
Hon. Charles Tejada, &c., et al.,
Respondents.

Motion for reargument denied.

Mo. No. 249
The People &c.,
Respondent,
v.
Dwight Giles,
Appellant.

Motion for assignment of counsel granted and Susanna De La Pava, Esq., 110 Wall Street, 11th Floor, New York, NY 10005 assigned as counsel to the appellant on the appeal herein.

1-10 Mo. No. 24
The People &c. ex rel. Harry
Goldberg,
Appellant,
v.
Warden, Rikers Island
Correctional Facility,
Respondent.

Motion for leave to appeal denied.

2-10 Mo. No. 1451
Anthony Golfo et al.,
Appellants,
v.
Kycia Associates, Inc. et al.,
Respondents.

Motion for leave to appeal denied with one hundred dollars costs and necessary reproduction disbursements.

1-10 Mo. No. 1179
Great Northern Insurance Company
et al.,
Plaintiffs,
v.
Kobrand Corporation,
Appellant,
Safeguard Insurance Company
et al.,
Respondents.

Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the action within the meaning of the Constitution.

2-10 Mo. No. 66
The People &c.,
Respondent,
v.
Joseph Imperato,
Appellant.

Motion for leave to appeal denied.

Mo. No. 293
Jericho Water District,
Respondent,
v.
One Call Users Council, Inc.
et al.,
Appellants.

Motion to strike portions of respondent's
brief denied.

Mo. No. 257
Christine Kopsachilis,
Respondent,
v.
130 East 18 Owners Corp. et al.,
Appellants.

Motion by Riverbay Corporation for leave
to file a letter brief amicus curiae on
the appeal herein granted and the letter
brief is accepted as filed.

Mo. No. 166
The People &c.,
Respondent,
v.
Delon Lucas,
Appellant.

Motion for assignment of counsel granted
and Steven Banks, Esq., The Legal Aid
Society, 199 Water Street, New York,
NY 10038 assigned as counsel to the
appellant on the appeal herein.

2-14 Mo. No. 14
Mark Misk,
Appellant,
v.
Joyce G. Moss et al.,
Defendants,
Angela O'Brien,
Respondent.

Motion for leave to appeal denied with
one hundred dollars costs and necessary
reproduction disbursements.

4-10 Mo. No. 23
Joseph Montesano, &c., et al.,
Appellants,
v.
Floyd A. Madison, &c., et al.,
Defendants,
City of Rochester,
Respondent.

Motion for leave to appeal dismissed upon
the ground that the order sought to be
appealed from does not finally determine
the action within the meaning of the
Constitution.

4-10 Mo. No. 70
James J. Moran and Kathleen D.
Moran,
Respondents,
v.
Mehmet Erk and Susan Erk,
Appellants.

Motion for leave to appeal granted.

4-10 Mo. No. 40
Rachelle Moulden,
Appellant,
v.
Ronald White, &c.,
Defendant,
Richard I. Low, &c., et al.,
Respondents.

Motion for leave to appeal denied with
one hundred dollars costs and necessary
reproduction disbursements.

2-10 Mo. No. 88
The People &c.,
Respondent,
v.
Mauro Palladino,
Appellant.

Motion for leave to appeal denied.

3 Mo. No. 30
In the Matter of Sweta Patel,
Appellant,
v.
Thomas A. Breslin, as County
Judge of Albany County, et al.,
Respondents.

Motion for leave to appeal denied.

2-10 Mo. No. 58
The People &c.,
Respondent,
v.
James Penson,
Appellant.

Motion for leave to appeal denied.
Motion for poor person relief dismissed
as academic.

2-13 Mo. No. 45
Village of Pomona,
Appellant,
v.
Town of Ramapo, et al.,
Respondents.

Motion for reargument of motion for leave to appeal denied.

4-10 Mo. No. 26
In the Matter of Richard D.
Priest, Jr.,
Appellant,
v.
Joe C. Mareane, as Chief Fiscal
Officer for Onondaga County
Finance Department, et al.,
Respondents.

Motion for leave to appeal denied.

2-10 Mo. No. 1411
Brad S. Ralin,
Appellant,
v.
City of New York, et al.,
Respondents.

Motion for leave to appeal denied with one hundred dollars costs and necessary reproduction disbursements.
Motion for a stay dismissed as academic.

1-10 Mo. No. 1415
Jose Ramirez et al.,
Appellants,
v.
Mark T. Miller, et al.,
Defendants,
Eichner Rudd Management
Associates, Ltd., &c.,
Respondent.

Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the action within the meaning of the Constitution.

2-13 Mo. No. 90
Deonarine Ramnarain,
Appellant,
v.
Chandradat Ramnarain,
Respondent,
et al.,
Defendant.

Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the action within the meaning of the Constitution.

2-10 Mo. No. 94
Norma Reshevsky, et al.,
Appellants,
v.
United Water New York, Inc.,
Respondent.

Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the action within the meaning of the Constitution.

Mo. No. 211
The People &c.,
Respondent,
v.
William Shankle,
Appellant.

Motion for an extension of the time within which to apply for permission to appeal pursuant to CPL 460.20 denied as unnecessary and motion papers treated as a timely CPL 460.20 application.

Mo. No. 196
Solow Management Corp.,
Respondent,
v.
Steven Tanger et al.,
Respondents.
New York City Marshal Jerome
Janof,
Nonparty-Appellant.

Motion, insofar as it seeks to strike Addendum A to appellant's reply brief and references thereto in the reply brief, denied; motion, insofar as it seeks consideration of the arguments contained in paragraphs 28-31 of the Brown affirmation, granted.

Mo. No. 176
The People &c.,
Respondent,
v.
Panagiotis Souris, &c.,
Appellant.

Motion for an extension of the time within which to apply for permission to appeal pursuant to CPL 460.20 granted and motion papers treated as a timely CPL 460.20 application.

1-10 Mo. No. 18
The People &c.,
Respondent,
v.
Scott Sullivan,
Appellant.

Motion for leave to appeal denied.
Motion for poor person relief dismissed as academic.

1-10 Mo. No. 8
Tri State Construction, LLC,
Appellant,
v.
Vaij Realty Associates,
Respondent.

Motion for leave to appeal denied.

2-10 Mo. No. 21
The People &c.,
Respondent,
v.
Phillip Turner,
Appellant.

Motion for leave to appeal denied.

Mo. No. 221
TAG 380, LLC,
Respondent,
v.
ComMet 380, Inc.,
Appellant.

Motion to enlarge the record on appeal
granted.
Cross motion to strike portions of
appellant's reply brief denied.

ComMet 380, Inc.,
Third-Party Plaintiff,
v.
GMAC Commercial Mortgage
Corporation,
Third-Party Defendant.

4-13 Mo. No. 1330
In the Matter of United Church
Residences of Fredonia, New York,
Inc., &c.,
Appellant,
v.
Roger Newell, Assessor, Town of
Pomfret et al.,
Respondents.

Motion for leave to appeal granted.

