

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 June 15, 2010.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

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

-against-

M-2459
Ind. No. 3542/06

Ramon Perez,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about January 23, 2007,

Now, upon reading and filing the stipulation of the parties hereto, dated April 22, 2010, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 June 15, 2010.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzaelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
Cheryl Thorpe and Roslyn Burns,
Plaintiffs-Respondents,

-against-

M-2457
Index No. 303626/07

Gregory M. Lloyd, Isaac J. Wilson
and Cassandra Wilson,
Defendants-Respondents,

-and-

Corporan Corporation and Miguel A.
Ovalle,
Defendants-Appellants.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about December 22, 2009,

Now, upon reading and filing the stipulation of the parties hereto, dated March 22, 2010, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the June 2010 Term, is withdrawn in accordance with the aforesaid stipulation.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 June 15, 2010.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
322 West 57th Owner LLC,
Petitioner-Landlord-Respondent,

-against-

Penhurst Productions, Inc.,
Respondent-Tenant-Appellant.
-----X

M-2647
Index No. 570020/07

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about March 20, 2007,

Now, upon reading and filing the stipulation of the parties hereto, dated May 6, 2010, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the June 2010 Term, 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 June 15, 2010.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
Judith Klebanow,
Plaintiff-Respondent-Appellant,

-against-

M-2254
Index No. 108528/08

139 East 57th Street, L.L.C.,
Defendant-Appellant-Respondent,

-and-

Vitamin Shoppe Industries, Inc.,
Defendant-Respondent.

-----X

An appeal and cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about November 12, 2009 (mot. seq. no. 001),

Now, upon reading and filing the stipulation of the parties hereto, filed March 2, 2010, with respect to the cross appeal and on or about April 22, 2010, with respect to the direct appeal and due deliberation having been had thereon,

It is ordered that the direct appeal, previously perfected for the April 2010 Term, and the cross appeal are withdrawn in accordance with the aforesaid stipulations.

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 June 15, 2010.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David B. Saxe, Justices.

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

-against-

M-2076
Ind. No. 3308/03

Johnathan McAllister,
Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of **resentence** of the Supreme Court, New York County, rendered on or about February 3, 2010, 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 upon 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 10 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) two transcripts 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.

Steven Banks, 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 June 15, 2010.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

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

-against-

M-2078
Ind. No. 4698/09

Victor Morales,
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 March 10, 2009, 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 upon 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 10 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) 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.

Steven Banks, 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 June 15, 2010.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David B. Saxe, Justices.

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

-against-

M-2083
Ind. No. 6728/08

Gregory Palmer,
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 March 24, 2010, 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 upon 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 10 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) 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.

Steven Banks, 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 June 15, 2010.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

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

-against-

M-2085

Ind. No. 1304/09

David Snipes,
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 March 23, 2010, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief,

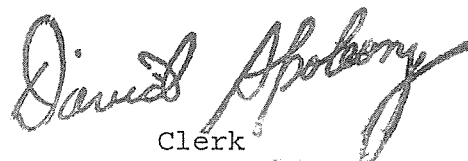
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard upon 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 10 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) 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, 74 Trinity Place, 11th 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 June 15, 2010.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
The People of the State of New York
ex rel. Sundra Franks,
Petitioner,

M-2559
DC #56
Index No. 340397/08

For a Judgment, etc.,

-against-

Warden, New York City Department
of Corrections,
Respondent.

-----X

An Article 78 proceeding to review a determination of respondent, having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, Bronx County, entered on or about November 10, 2008,

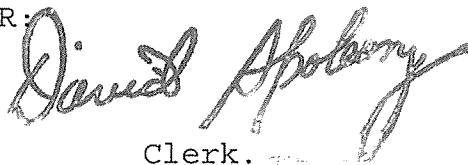
And said proceeding not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 13, 2010, pursuant to Rule 600.12(c) of said Rules of Practice, and there being no response by counsel and/or petitioner,

Now, upon the Court's own motion, it is

Ordered that the motion is granted and the proceeding is dismissed.

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 June 15, 2010.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
Elliot Green,

Petitioner,

-against-

Warden, New York City Department
of Corrections,

M-2560
DC #57
Index No. 340432/08

Respondent.
-----X

An order of the Supreme Court, Bronx County, having been entered on or about September 29, 2008,

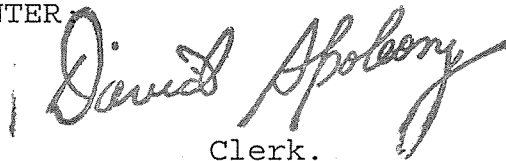
And said purported appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 13, 2010, pursuant to Rule 600.12(c) of said Rules of Practice, and there being no response by counsel and/or appellant,

Now, upon the Court's own motion, it is

Ordered that the motion is granted and the purported appeal is dismissed.

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 June 15, 2010.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
Gilbert Howlett, et al.,

Petitioners,

For a Judgment, etc.,

-against-

New York City Housing Authority,

Respondent.
-----X

M-2561
DC #58
Index No. 401857/08

An Article 78 proceeding to review a determination of respondent, having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about November 17, 2008,

And said proceeding not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 13, 2010, pursuant to Rule 600.12(c) of said Rules of Practice, and there being no response by counsel and/or petitioner,

Now, upon the Court's own motion, it is

Ordered that the motion is granted and the proceeding is dismissed.

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 June 15, 2010.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
David B. Saxe
James M. Catterson
James M. McGuire
Rolando T. Acosta, Justices.

-----X
S.M. Pires,
Plaintiff-Appellant,

-against-

Frota Oceanica Brasileira, S.A., M-279
Defendant-Respondent, Index No. 1453/06

Galveston Wharves, doing business as
Port of Galveston, et al.,
Defendants.

-----X

An order of this Court having been entered December 10, 2009 (M-4339) granting defendant-respondent's motion for dismissal of the consolidated appeals taken from the orders of the Supreme Court, Bronx County, entered on or about April 30, 2008 and September 25, 2008, respectively,

And plaintiff-appellant having moved for an order substituting appellate counsel, vacating the aforesaid order of dismissal (M-4339), for reinstatement of said consolidated appeals and an enlargement of time in which to perfect same, or for alternative relief and/or 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 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 June 15, 2010.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick
Nelson S. Román, Justices.

-----X
Maria Auqui, as Guardian of the
Property of Jose Verdugo and
Maria Verdugo,

Plaintiffs-Appellants,

M-1903

Index No. 100232/04

-against-

Seven Thirty One Limited Partnership,
Bovis Lend Lease LMB, Inc. and North
Side Structures, Inc.,
Defendants-Respondents.

-----X

Appeals having been taken to this Court by plaintiffs-appellants from orders of the Supreme Court, New York County, entered on or about October 7, 2009 and an order of said Court entered on or about December 8, 2009, respectively,

And plaintiffs-appellants having moved for leave to amend the caption *nunc pro tunc* to reflect that plaintiff Jose Verdugo is represented by a guardian on the appeal from the aforesaid order of the Supreme Court, New York County, entered October 7, 2009,

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

It is ordered that the motion is granted to the extent of accepting for filing the record on appeal and appellant's brief filed by plaintiffs on April 12, 2010 with the amended caption reflecting that plaintiff Jose Verdugo is represented by a guardian on the appeals from the orders of the Supreme Court, New York County, entered on October 7, 2009 and December 8, 2009, respectively.

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 June 15, 2010.

PRESENT: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
James M. Catterson
Karla Moskowitz
Rolando T. Acosta, Justices.

-----X
Coast to Coast Energy, Inc., and
Coast to Coast American Drilling I
LP,
Plaintiffs-Respondents,

-against-

M-2545
Index No. 602044/09

Mark Gasarch, John Wampler,
Continental Drilling Corporation,
Gasmark Corp. and Albert B. Greco,
Defendants-Counterclaim
Plaintiffs-Appellants,

-against-

Coast to Coast Energy, Inc. and
Coast to Coast American Drilling I
LP, Lawrence Doherty and John and
Jane Does 1-250 (Unidentified).,
Counterclaim Defendants-
Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about May 5, 2010,

And defendants-counterclaim-plaintiffs-appellants having moved for relief in the nature of a preliminary appellate injunction barring plaintiffs-respondents from using certain information currently protected by a "firewall" for any purpose and from seeking information by discovery or other means, pending hearing and determination of the aforesaid appeal,

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

Ordered that the motion is granted to the extent of continuing the relief afforded appellants by order of a Justice of this Court dated May 6, 2010 on condition appellants perfect the appeal on or before August 9, 2010 for the October 2010 Term and the Clerk is directed to calendar the appeal for hearing in the first week of said October 2010 Term. The motion is denied with respect to discovery issues presently subjudice in Supreme Court, without prejudice to further proceedings.

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 June 15, 2010.

Present: Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Leland G. DeGrasse
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of

Anaya Michelle L.,

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

M-2030
Docket No. B513/08

- - - - -
Leake and Watts Services, Inc., et al.,
Petitioners-Respondents,

Shaquana Michelle M., also known as
Shaquana M.-L.,
Respondent-Appellant.

- - - - -
Ava Gutfriend, Esq.,
Law Guardian for the Child.

-----X

Respondent-appellant mother 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 January 5, 2010, and 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 granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Randall Carmel, Esq., 53 Jackson Avenue, Syosset, NY 11791, Telephone No. (603) 313-1951, 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) directing appellant to perfect this appeal 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 June 15, 2010.

PRESENT: Hon. Angela M. Mazzairelli, Justice Presiding,
John W. Sweeny, Jr.
James M. Catterson
Dianne T. Renwick
Sallie Manzanet-Daniels, Justices.

-----X
Donald Cohen,
Plaintiff-Respondent,

-against-

New York University, New York
University School of Medicine
Foundation, Inc., New York
University Medical Center,
New York University Faculty
Practice Radiology,
Defendants-Appellants,

M-2232
Index No. 113982/06

John Doe the unidentified owner
and/or operator of the MRI
equipment and Jane Doe, the
unidentified owner and/or
operator of the MRI equipment,
Defendants.


-----X

Defendants-appellants having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about June 30, 2009,

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 in which to perfect the appeal to the November 2010 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 June 15, 2010.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Helen E. Freedman
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

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

- - - - - M-1494
Steven R., Docket No. V14744-08/08A
Petitioner-Respondent,

-against-

Maribel P.,
Respondent-Appellant.

-----X

Respondent-appellant mother having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about September 9, 2009, and 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 granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Randall Carmel, Esq., 53 Jackson Avenue, Syosset, NY 11791, Telephone No. (603) 313-1951, 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) directing appellant to perfect this appeal 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 June 15, 2010.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Helen E. Freedman
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of

Bryan G.,

A Person Alleged to Be a Juvenile
Delinquent,

M-1780
Docket No. D10967/09


Respondent-Appellant.
-----X

Respondent-appellant having moved for leave to prosecute the appeal from an order of the Family Court, Bronx County, entered on or about February 22, 2010, 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, Steven N. Feinman, Esq., 19 Court Plaza, Suite 201, White Plains, NY 10601, Telephone No. (914) 949-8214, 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 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 June 15, 2010.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Helen E. Freedman
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of

Anizabel B.,

A Person Alleged to Be a Juvenile
Delinquent,

M-1787
Docket No. D564/09

Respondent-Appellant.
-----X

Respondent-appellant having moved for leave to prosecute the appeal from an order of the Family Court, New York County, entered on or about March 18, 2010, 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, Howard M. Simms, Esq., 295 Greenwich St., #222, New York, NY 10007, Telephone No. (212)655-5802, 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 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 June 15, 2010.

Present: Hon. Angela M. Mazzaelli, Justice Presiding,
John W. Sweeny, Jr.
Helen E. Freedman
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of

Antonious Daniel R.,

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

M-1789
Docket No. B13332/07

Salvation Army Social Services of Greater
New York, et al.,
Petitioners-Respondents,

Crystal R.,
Respondent-Appellant.

Steven Banks, Esq.,
Law Guardian for the Child.

-----X
Respondent-appellant mother 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 January 29, 2010, and 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 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) directing appellant to perfect this appeal 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 June 15, 2010.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Helen E. Freedman, Justices.

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

Karl Taylor,
Petitioner-Appellant,

For a Judgment Pursuant to Article
78 of the CPLR,

M-1368
M-1498
Index No. 402106/08

-against-

New York City Housing Authority,
Respondent-Respondent.

-----X

An appeal having been taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about July 21, 2009,

And petitioner having moved (M-1368) for leave to prosecute the aforesaid appeal as a poor person, upon the original record and reproduced petitioner's brief, for a stay of eviction pending hearing and determination said appeal, and for related relief,

And respondent having cross moved (M-1498) to dismiss the appeal as untimely filed,

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

It is ordered that the cross-motion is granted and said appeal is dismissed (M-1498); petitioner's motion is denied as academic (M-1368).

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 June 15, 2010.

PRESENT: Hon. Angela M. Mazzairelli, Justice Presiding,
James M. McGuire
Leland G. DeGrasse
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
Jorge Moreno and Edgar Neftali
Ruano Perez,
Plaintiffs-Respondents,

-against-

M-2383
Index No. 7698/07

2180 Realty Corp.,
Defendant-Appellant.

-----X
2180 Realty Corp.,
Third-Party Plaintiff,

-against-

Third Party
Index No. 85929/07

Louis Licea,
Third-Party Defendant.

-----X

Defendant-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about July 24, 2009,

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 in which to perfect the appeal to the October 2010 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 June 15, 2010.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Leland G. DeGrasse
Sheila Abdus-Salaam
Sallie Manzanet-Daniels, Justices.

-----X
Jose Bone,
Plaintiff-Respondent,

-against-

M-2350
Index No. 111464/06

The City of New York, Delcor Associates,
Inc., B.J. Piping & Heating Co. and
H & S Contracting of NY, Inc.,
Defendants-Appellants.

-----X

Defendant-appellant H & S Contracting 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 12, 2009 (mot. seq. no. 006),

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 June 15, 2010.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Leland G. DeGrasse
Sheila Abdus-Salaam
Sallie Manzanet-Daniels, Justices.

-----X
Teresa Spencer and Lisa Spencer,
Plaintiffs-Respondents,

-against-

M-2416
Index No. 6859/06

Golden Eagle, Inc. and Carlos E. Sosa,
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, Bronx County, entered on or about March 22, 2010, 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 granted.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in in the County of New York on June 15, 2010.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
John W. Sweeny, Jr.
Eugene Nardelli
James M. Catterson, Justices.

-----X
W&W Glass, LLC,
Plaintiff-Respondent,

-against-

M-2489
Index No. 101723/09

1113 York Avenue Realty Company LLC,
60th Street Development LLC,
Defendants-Appellants,

-and-

Pacific Lawn Sprinklers, Posillico
Civil Inc., TMJ Plumbing & Heating
Corp., Federal National Mortgage
Association, The Criminal Court of
the City of New York and Sota
Glazing, Inc.,
Defendants.

-----X

Defendants-appellants 1113 York Avenue Realty Company LLC, 60th Street Development LLC having moved for a stay of all proceedings pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about May 3, 2010 (mot. seq. no. 003),

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 May 5, 2010, 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 June 15, 2010.

Present: Hon. Richard T. Andrias, Justice Presiding,
David Friedman
James M. Catterson
James M. McGuire
Nelson S. Román, Justices.

-----X
In the Matter of

Xavion Liviro H.,

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

M-1749
Docket No. B958/09

- - - - -
Catholic Guardian Society and Home Bureau, et al.,
Petitioners-Respondents,

Alexandra B. Bunch, also known as Alexandria Bridget B.,
Respondent-Appellant.

- - - - -
Hal Silverman, Esq., Lawyers for Children,
Law Guardian 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 January 6, 2010, and 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 granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Dora M. Lasinger, 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) directing appellant to perfect this appeal 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 June 15, 2010.

Present: Hon. Richard T. Andrias, Justice Presiding,
David Friedman
James M. Catterson
James M. McGuire
Nelson S. Román, Justices.

-----X
In the Matter of

Tyrique Alexandra B.,

A Dependent Child under 18 Years
of Age Pursuant to §384-b of the
Social Services Law.

M-1751
Docket No. B957/09

- - - - -
Catholic Guardian Society and Home
Bureau, et al.,
Petitioners-Respondents,

Alexandra B. B., also known as
Alexandria Bridget B.,
Respondent-Appellant.

- - - - -
Hal Silverman, Esq., Lawyers for
Children,
Law Guardian for the Child.

-----X
Respondent-appellant mother 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 January 6, 2010, and 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 granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Randall Carmel, Esq., 53 Jackson Avenue, Syosset, NY 11791, Telephone No. (603) 313-1951, 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) directing appellant to perfect this appeal within 60 days of receipt of the transcripts. Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.

ENTER:

A handwritten signature in cursive script that reads "David Apokony". The signature is written in dark ink and is positioned above the printed name "Clerk:".

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 June 15, 2010.

Present: Hon. Richard T. Andrias, Justice Presiding,
David Friedman
James M. Catterson
James M. McGuire
Nelson S. Román, Justices.

-----X
In the Matter of

Jarvis H.,

A Person Alleged to Be a Juvenile
Delinquent,

Respondent-Appellant.
-----X

M-1754
Docket No. D43824/09
D485-08/09A
D54795/09

Respondent-appellant having moved for leave to prosecute the appeal from an order of the Family Court, New York County, entered on or about February 17, 2010, 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, Neal D. Futerfas, Esq., 50 Main Street, Suite 1000, White Plains, NY 10606, Telephone No. (914) 682-2171, 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 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 June 15, 2010.

Present: Hon. Richard T. Andrias, Justice Presiding,
James M. Catterson
Dianne T. Renwick
Rosalyn H. Richter
Nelson S. Román, Justices.

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

Shemeek D.,
Petitioner-Respondent,

-against-

Teresa B.,
Respondent-Appellant,

Keith T., et al.,
Respondents.

M-1870
Docket Nos. V02554/08
V07326/08

-----X
Respondent-appellant Teresa B. having moved for leave to prosecute, as a poor person, the appeal from the order of the Family Court, Bronx County, entered on or about February 22, 2010, and 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 granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, John J. Marafino, Esq., 9 West Prospect Ave., Suite 409, Mount Vernon, NY 10550, Telephone No. (914) 663-1500, 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) directing appellant to perfect this appeal 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 June 15, 2010.

Present: Hon. Richard T. Andrias, Justice Presiding,
James M. Catterson
Dianne T. Renwick
Rosalyn H. Richter
Nelson S. Román, Justices.

-----X
In the Matter of

Aliyah B.,
Kayla B.
and Sharnell B.,

M-1910
Docket Nos. NN17021/09
NN17022/09
NN17023/09

Dependent 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,

Denise J.,
Respondent-Appellant.

- - - - -
Steven Banks, Esq.,
Law Guardian for the Children.

-----X

Respondent-appellant mother 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 March 17, 2010, and 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 granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Andrew Baer, Esq., 299 Broadway,

Suite 1415, New York, NY 10007, Telephone No. (212) 233-0318, 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) directing appellant to perfect this appeal 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 June 15, 2010.

Present: Hon. David B. Saxe, Justice Presiding,
David Friedman
Eugene Nardelli
Helen E. Freedman
Sheila Abdus-Salaam, Justices.

-----X
In the Matter of

Jahloni G.,

A Person Alleged to Be a Juvenile
Delinquent,

M-1642
Docket No. D16666/09

Respondent-Appellant.
-----X

Respondent-appellant having moved for leave to prosecute the appeal from the order of the Family Court, Bronx County, entered on or about March 4, 2010, 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, Michael S. Bromberg, Esq., 44 Hampton St., Sag harbor, NY 11963, Telephone No. (631) 725-0641, 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 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 June 15, 2010.

Present: Hon. David B. Saxe, Justice Presiding,
David Friedman
Eugene Nardelli
Helen E. Freedman
Sheila Abdus-Salaam, Justices.

-----X
In the Matter of

Javon Reginald G., also known as
Javon N.-L., also known as Javon N.,

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

M-1818
Docket No. B6905/08

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

Everton Reginald G.,
Respondent-Appellant.

- - - - -
Steven Banks, Esq.,
Law Guardian 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 February 9, 2010, and 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 granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Douglas Reiniger, Esq., 801 Second Avenue, 10th Fl., New York, NY 10017, Telephone No. (212) 972-5430, 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) directing appellant to perfect this appeal 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 June 15, 2010.

Present: Hon. David B. Saxe, Justice Presiding,
David Friedman
Eugene Nardelli
Helen E. Freedman
Sheila Abdus-Salaam, Justices.

-----X
In the Matter of

I-Majestic A. and I-Conscious R.,

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

M-1827
Docket Nos. NA13207-8/08

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

George S., also known as Sun A.,
Respondent-Appellant.

- - - - -
Steven Banks, Esq.,
Law Guardian for the Children.

-----X

Respondent-appellant father having moved for leave to prosecute, as a poor person, the appeals from the orders of the Family Court, New York County, entered on or about March 19, 2010, and 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 granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Carol Lipton, Esq., 800 Greenwood Avenue, #3L, Brooklyn, NY 11218, Telephone No. (718) 436-5359, 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) directing appellant to perfect this appeal 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 June 15, 2010.

PRESENT: Hon. David Friedman, Justice Presiding,
Eugene Nardelli
Karla Moskowitz
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----X
Ten's Cabaret, Inc., formerly known as
Stringfellow's of New York, Ltd.,
Pussycat Lounge, Inc., doing business
as "Pussycat Lounge", Church Street
Café, Inc., doing business as "Baby
Doll" and 62-20 Queens Blvd., Inc.,
doing business as "Nickels",
Plaintiffs-Appellants,

-against-

M-2366
Index No. 121197/02

The City of New York; Mayor Michael
Bloomberg, as Mayor of the City of
New York and Patricia Lancaster, as
Commissioner of Department of Buildings
of the City of New York,
Defendants-Respondents.

-----X

Plaintiffs-appellants having moved for a stay of all proceedings in the above-entitled action pending hearing and determination of the appeal taken from the judgment of the Supreme Court, New York County, entered on or about April 23, 2010,

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

It is ordered that the motion is granted on condition that the appeal is perfected on or before September 7, 2010 for the November 2010 Term. Upon failure to so perfect, an order vacating the stay may be entered ex parte, provided that respondents serve a copy of this order upon appellants within 10 days after the date of entry hereof. (See M-2797 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 June 15, 2010.

PRESENT - Hon. David B. Saxe, Justice Presiding,
David Friedman
Eugene Nardelli
Karla Moskowitz
Rosalyn H. Richter, Justices.

-----X
For the People Theatres of N.Y., Inc.,
doing business as Fair Theatre and
JGJ Merchandise Corp., doing business as
Vishans Video, also known as
Mixed Emotions,
Plaintiffs-Appellants,

-against-

M-2797
Index No. 121080/02

The City of New York, et al.,
Defendants-Respondents.
-----X

The above-named plaintiffs-appellants, in connection with the appeal taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about May 19, 2010, having moved for an order in the nature of a preliminary appellate injunction pursuant to CPLR 5518 staying enforcement of the 2001 Adult Use Amendments to the Zoning Resolution of the City of New York "2001 Amendments", pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is granted on condition the appeal is perfected on or before September 7, 2010 for the November 2010 Term. Upon failure to so perfect an order vacating the stay may be entered ex parte, provided that respondents serve a copy of this order upon appellants within 10 days from the date of entry hereof. (See M-2366 decided simultaneously herewith) The Clerk is directed to calendar the appeals for hearing together in said November 2010 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 June 15, 2010.

PRESENT: Hon. Eugene Nardelli, Justice Presiding,
James M. McGuire
Rolando T. Acosta
Helen E. Freedman
Nelson S. Román, Justices.

-----X
Elaine Eng,
Petitioner-Landlord-Appellant,

-against-

M-1741
Index No. 570441/09

Oswaldo Rosado and Wanda Gonzalez-
Rosado,
Respondents-Tenants-Respondents.
-----X

Petitioner-landlord having moved for leave to appeal to this Court from the decision and order of the Appellate Term entered in the office of the Clerk of the Supreme Court, New York County, on or about October 22, 2009, and for a stay of Housing Court proceedings,

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.

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

BEFORE: Hon. Richard T. Andrias,
Associate Justice

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

M-2259
Ind. No. 1682/01

-against-

CERTIFICATE
DENYING LEAVE

Roberto Velazquez,

Defendant.

-----X

I, Richard T. Andrias, 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 Section 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, (Juan Merchan, J.), entered January 26, 2010, which denied defendant's motion pursuant to CPL 440.10, is hereby denied.

Dated: New York, New York
May 24, 2010



Justice of the Appellate Division

ENTERED

JUN 15 2010

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-2066
Ind. No. 176/94

-against-

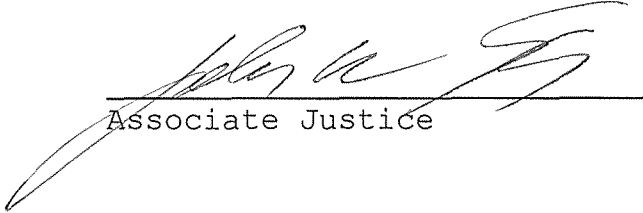
CERTIFICATE
DENYING LEAVE

Wayne Haywood,

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, Bronx County, entered on or about November 20, 2009 (Megan Tallmer, J.) is hereby denied.


Associate Justice

Dated: May 17, 2010
New York, New York

ENTERED: JUN 15 2010

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

BEFORE: Hon. James M. Catterson
Justice of the Appellate Division

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

Respondent

M-557
Ind. No. 3032/06

-against-

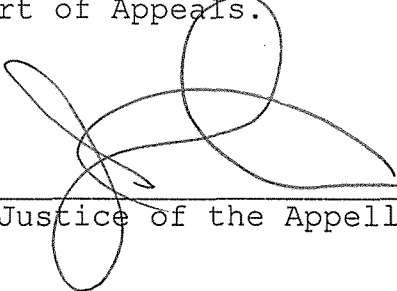
CERTIFICATE
GRANTING LEAVE TO APPEAL
TO THE COURT OF APPEALS

Daniel Thomas,

Defendant-Appellant.

-----x
I, James M. Catterson, 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: June 2, 2010
New York, New York

ENTERED: JUN 15 2010

*Description of Order:

Supreme Court, New York County, rendered on March 27, 2007.
App. Div., Appeal No. 78, affirmed on December 29, 2009.

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 JUDICIAL DEPARTMENT

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

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

M-2218
Ind. No. 4262/04

-against-

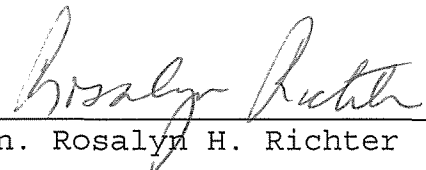
CERTIFICATE
DENYING LEAVE

Ronald Williams,

Defendant.

-----X

I, Rosalyn H. Richter, 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, entered on or about November 19, 2009, is hereby denied.



Hon. Rosalyn H. Richter

Dated: May 19, 2010
New York, New York

ENTERED: **JUN 15 2010**

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-2181
Ind. No. 1219/07

-against-

CERTIFICATE
DENYING LEAVE

Elbert Powell,

Defendant.

-----X

I, Rosalyn H. Richter, 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, entered on or about January 29, 2010, is hereby denied.

Rosalyn Richter
Hon. Rosalyn H. Richter

Dated: May 21, 2010
New York, New York

ENTERED: JUN 15 2010

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

BEFORE: Hon. Nelson S. Román
Associate Justice of the Appellate Division

-----X
James Pettus,

Plaintiff,

-against-

M-2702
Ind. No. 6117/02

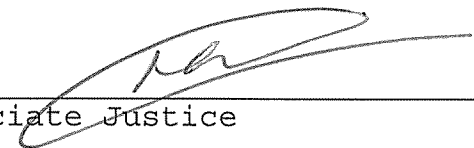
Chief Clerk, New York, and ADA Randolph
Clark, Jr.,

Defendants.
-----X

Plaintiff having moved for leave to appeal to this Court
from the order of the Supreme Court, New York County, rendered on
or about March 4, 2010,

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. Plaintiff's motion
seeking leave to proceed as a poor person and for the appointment
of appellate counsel is also denied as academic.



Associate Justice

Dated: June 4, 2010
New York, New York

Entered:

JUN 15 2010

PM ORDERS

ENTERED

JUNE 10, 2010

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 June 10, 2010.

PRESENT: Hon. Peter Tom, Justice Presiding,
Karla Moskowitz
Dianne T. Renwick
Leland G. DeGrasse,
Sallie Manzanet-Daniels, Justices.

-----X
Elline Farrington,
Plaintiff-Respondent,

-against-

M-2739
Index No. 305081/08

Go On Time Car Service and John Doe,
Defendants,

Miguel A. Chavez,
Defendant-Appellant.

-----X

Defendant-appellant Miguel A. Chavez having moved for an order staying the trial in the above-entitled action pending determination of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about September 16, 2009,

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

It is ordered that the motion is granted.

ENTER:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 10, 2010.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
James M. McGuire
Rolando T. Acosta
Nelson S. Román, Justices.

-----X
Robert D. Patenaude,
Plaintiff-Respondent,

-against-

M-2654
Index No. 306647/08

Shawn M. Patenaude,
Defendant-Appellant.

-----X

Defendant-appellant having moved for a stay of enforcement of certain provisions of the order of the Supreme Court, New York County, entered on or about May 10, 2010, 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. The interim relief afforded appellant by an order of a Justice of this Court dated May 12, 2010, is vacated.

ENTER:



Clerk.

PM ORDERS

ENTERED

JUNE 11, 2010

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 June 11, 2010.

Present: Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
James M. Catterson
James M. McGuire
Nelson S. Román, Justices.

-----X
Capmark Finance, Inc., as servicer
for Capmark Bank and Capmark Bank,
Plaintiffs-Respondents,

-against-

M-2861
Index No. 603196/08

2 South Avenue Partners, LLC, Richard
Hoch, David Soares and Joseph Esmail,
Defendants-Appellants,

City of New York and Cove Club
Condominium,
Defendants.

-----X
2 South Avenue Partners, LLC, Richard
Hoch, David Soares and Joseph Esmail,
Defendants/Counterclaim
Plaintiffs-Appellants,

-against-

Capmark Finance Inc. And Capmark Bank,
Plaintiffs/Counterclaim
Defendants-Respondents,

-and-

Capmark Financial Group Inc. And
"John Does 1 through 10",
Third-Party Defendants-
Respondents.

-----X

Appeals having been taken from the original and amended orders of the Supreme Court, New York County, entered on or about December 28, 2009 and February 19, 2010, respectively,

And defendants/counterclaim plaintiffs-appellants having moved for an order in the nature of a preliminary appellate injunction staying a foreclosure sale of premises known as Cove Club Condominium, Commercial Units T1 and C1, 2 South End Avenue, New York, NY 10280 pending hearing and determination of the aforesaid appeals, 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.

ENTER:

A handwritten signature in black ink that reads "David Apolony". The signature is written in a cursive, flowing style.

Clerk.

PM ORDERS

ENTERED

JUNE 15, 2010

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 June 15, 2010.

PRESENT: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
John W. Sweeny, Jr.
Helen E. Freedman
Sheila Abdus-Salaam, Justices.

-----X

Joshua Guberman,
Plaintiff-Appellant,

-against-

M-2653
Index No. 105002/10

Paul E. Rudder, as Receiver,
Defendant-Respondent.

-----X

Plaintiff-appellant having moved in the nature of a preliminary appellate injunction with respect to a certain parcel of property known as 335 Little Noyac Path, Watermill, New York, pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about May 12, 2010, and for other relief,

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

It is ordered that the 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 June 15, 2010.

PRESENT - Hon. David B. Saxe, Justice Presiding,
David Friedman
Eugene Nardelli
Karla Moskowitz
Rosalyn H. Richter, Justices.

-----x
Willow Media LLC, M-2820
Plaintiff-Appellant, Index No. 103313/10
Signal Outdoor Advertising, LLC, Index No. 103314/10
Plaintiff-Appellant,
Mogul Media, Inc., Index No. 103315/10
Plaintiff-Appellant,
Elliot Media, Inc., Index No. 103325/10
Plaintiff-Appellant,
Vector Media, LLC, Index No. 103665/10
Plaintiff-Appellant,
Atlantic Outdoor, Inc., Index No. 103735/10
Plaintiff-Appellant,
Scenic Outdoor, Inc., Index No. 103792/10
Plaintiff-Appellant,

-against-

The City of New York, et al., etc.,
Defendants-Respondents.
-----x

Appeals having been taken to this Court from the respective orders of the Supreme Court, New York County, dated May 4, 2010,

And the respective plaintiffs-appellants having jointly moved in the nature of a preliminary appellate injunction with respect to the enforcement of certain Zoning Resolutions that govern the posting and registration of New York City outdoor advertising signs and for other relief,

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

It is ordered that the motion is granted to the extent of staying enforcement of the aforesaid regulations on condition appellants perfect their appeals on or before September 7, 2010 for the November 2010 Term. The motion is otherwise denied.

ENTER:

A handwritten signature in black ink, reading "David Apolony". The signature is written in a cursive, flowing style with a large initial "D".

Clerk