

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 December 17, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David Friedman, Justices.

-----X
Clara Cruz,
Plaintiff-Respondent,

-against-

M-4924X
Index No. 111114/11

AMC United, Inc.,
Defendant-Appellant.
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about April 12, 2013,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 25, 2013, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 December 17, 2013.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David Friedman, Justices.

-----X
Jeffrey S. Rabhan,
Plaintiff-Appellant,

-against-

M-5183X
Index No. 301840/13

Abra P. Potkin,
Defendant-Respondent.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about June 6, 2013,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" October 10, 2013, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 December 17, 2013.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David Friedman, Justices.

-----X
Laura Faustini Annunziata, et al.,
Plaintiffs-Respondents,

-against-

M-5220X
Index No. 301864/10

Quest Diagnostics Incorporated, et al.,
Defendants-Appellants,

Neil H. Melnick,
Defendant.

-----X

Appeals having been taken from the order of the Supreme Court, Bronx County, entered on or about June 27, 2011,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" October 15, 2013, and due deliberation having been had thereon,

It is ordered that the appeals are withdrawn in accordance with the aforesaid stipulation.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 December 17, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David Friedman, Justices.

-----X
Wanda Ortiz,
Plaintiff-Appellant,

-against-

M-5868X
Index No. 309522/10

The City of New York and Wildlife
Conservation Society, et al.,
Defendants-Respondents.
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about September 20, 2013,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" November 12, 2013, 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 December 17, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David Friedman, Justices.

-----X

Alexandra Kasmin,

Plaintiff-Appellant,

-against-

M-5935X
Index No. 312592/11

Paul Kasmin,

Defendant-Respondent.

-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about April 30, 2013, April 12, 2013, and May 29, 2012, respectively,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" November 13, 2013, and due deliberation having been had thereon,

It is ordered that the appeals are 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 December 17, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David Friedman, Justices.

-----X

Sean Segota,

Plaintiff-Respondent,

-against-

M-5949X
Index No. 108049/10

Tishman Construction Corporation
of New York, et al.,

Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about January 23, 2013 (mot. seq. no. 003),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" November 15, 2013, 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 December 17, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David Friedman, Justices.

-----X

Yolanda Arias,

Plaintiff-Appellant,

-against-

M-5952X

Index No. 306157/11

601 West 135th Street Company LLC,

Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about July 26, 2013,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" November 14, 2013, 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 December 17, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David Friedman, Justices.

-----X
Emilio Irizarry,

Plaintiff-Respondent,

-against-

M-5867
Index No. 308161/11

1366 White Plains Road Associates,
L.L.C. and Universal Management
Agency, LLC,

Defendants-Appellants.
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about December 11, 2012,

Now, upon reading and filing the stipulation of the parties hereto, dated November 12, 2013, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the September 2013 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 December 17, 2013.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzaelli
Richard T. Andrias
David Friedman, Justices.

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

-against-

M-5704
Ind. No. 6135/97

Derrick Neal,
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 (Richard Carruthers, J.), entered on or about September 11, 2013, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Carruthers as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Steven Banks, 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 December 17, 2013.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David Friedman, Justices.

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

-against-

M-5642
Ind. No. 1094/13

Delvin Moronta Alvarez,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about June 11, 2013, for leave to prosecute the appeal as a poor person upon the original record and upon a reproduced appellant's brief, and for assignment of counsel,

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

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

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

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, NY 10007, Telephone No. (212)402-4100, 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 December 17, 2013.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David Friedman, Justices.

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

-against-

M-5678
Ind. No. 1597/10

Jermel Redwine,
Defendant-Appellant.

-----X

An order of this Court having been entered on October 13, 2011 (M-3828) granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about November 23, 2010, and assigning Steven Banks, Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, 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 striking the designation of assigned counsel Steven Banks, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. (212)402-4100, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 17, 2013.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David Friedman, Justices.

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

-against-

M-5926
Ind. No. 5763/08

Mark Hollingsworth,
Defendant-Appellant.

-----X

An order of this Court having been entered on October 13, 2011 (M-3824), granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about July 20, 2011, and assigning Steven Banks, Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, 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 striking the designation of assigned counsel Steven Banks, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. (212) 402-4100, as such counsel. The poor person relief previously granted is continued.

The time to perfect the appeal is enlarged to June 2014 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 December 17, 2013.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David Friedman, Justices.

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

-against-

M-5898
Ind. No. 2281/12

Donovan Singleton,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about December 13, 2012,

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

It is ordered that the motion is granted to the extent of deeming the moving papers a timely filed notice of appeal.

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 December 17, 2013.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Richard T. Andrias
David B. Saxe
Rosalyn H. Richter
Darcel D. Clark, Justices.

-----X
La Rock & Perez, LLP.,
Plaintiff-Respondent,

-against-

M-5406
M-5536

Sim & Park, LLP,
Defendant,

Index No. 100320/12

Sang Joon Sim, also known as Peter
Sim, Esq.,
Defendant-Appellant,

Inho Andrew Park, Esq., also known
as Andrew Park,
Defendant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about January 23, 2013,

And defendant-appellant, Sang Joon Sim, also known as Peter Sim, Esq., having moved to enlarge the time to perfect his appeal (M-5406),

And defendant, Inho Andrew Park, Esq., also known as Andrew Park, having cross-moved for leave to file a late notice of appeal and to enlarge the time to perfect said appeal (M-5536),

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 defendant-appellant Sim's motion is granted to the extent of enlarging the time to perfect his appeal to the April 2014 Term (M-5406). Defendant Park's cross motion is denied (M-5536).

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 December 17, 2013.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Richard T. Andrias
David B. Saxe
Rosalyn H. Richter
Darcel D. Clark, Justices.

-----X
Isabelis Marmol, an Infant by her
Mother and Natural Guardian, Lucy
Acevedo,

Plaintiff-Appellant,

M-5677

Index No. 350259/08

-against-

Kimberly Mudge, M.D., et al.,

Defendants-Respondents.
-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from a judgment of the Supreme Court, Bronx County, entered on or about October 19, 2012,

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 April 2014 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 December 17, 2013.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David Friedman, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-5777
Ind. No. 5511/09

Andre Scott,

Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, New York County, rendered on or about April 14, 2011,

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 May 2014 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 December 17, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Richard T. Andrias
David B. Saxe
Rosalyn H. Richter
Darcel D. Clark, Justices.

-----X
Shelton Stewart,
Plaintiff-Appellant,

-against-

New York City Transit Authority,
Defendant-Respondent.

M-5894
Index No. 13911/99

-----X

Plaintiff-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 January 14, 2013,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the May 2014 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 December 17, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Rosalyn H. Richter
Darcel D. Clark, Justices.

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

-against-

Levon Pratt, also known as Pratt Levon,
Defendant-Appellant.
-----X

M-3719
M-5150
Ind. No. 3829/08

A decision and order of this Court having been entered on November 17, 2011 (Appeal No. 6069), unanimously affirming a judgment of the Supreme Court, New York County (Cataldo, J.), rendered on July 9, 2009,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate counsel, and for related relief (M-3719),

And defendant-appellant having moved separately for assignment of counsel to assist in preparation of the aforesaid application (M-5150),

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 denied (M-3719/M-5150).

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 December 17, 2013.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Richard T. Andrias
David B. Saxe
Rosalyn H. Richter
Darcel D. Clark, Justices.

-----X

Ivonne J. Cuascut,

Plaintiff-Respondent,

-against-

M-5215

Index No. 3885/01

Emmanuel Johnson,

Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about August 16, 2013,

And defendant-appellant having moved to stay enforcement of the aforesaid order pending hearing and disposition of the aforesaid appeal,

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

Ordered that the motion is denied, without prejudice to defendant-appellant posting a sufficient undertaking to obtain a stay pursuant to CPLR 5519(a)(2). The interim relief granted by an order of a Justice of this Court dated October 11, 2013, 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 December 17, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
Dianne T. Renwick
Paul G. Feinman
Darcel D. Clark, Justices.

-----X

Kyle Jiggets,
Plaintiff-Appellant,

-against-

M-5604
Index No. 401084/13

New York City Department of
Citywide Administrative Services,
AlliedBarton Security Services, LLC
and SEIU, Local 32BJ,
Defendants-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about September 9, 2013,

And defendants-respondents AlliedBarton Security Services, LLC and SEIU, Local 32BJ having jointly moved to dismiss the aforesaid appeal and for other relief,

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

It is ordered that the motion is granted to the extent of dismissing the appeal 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 December 17, 2013.

Present - Hon. Peter Tom,
David Friedman
Rolando T. Acosta
Karla Moskowitz
Judith J. Gische,

Justice Presiding,

Justices.

-----X
Madison 96th Associates, LLC,
Plaintiff,

-against-

17 East Owners Corp.,
Defendant.

-----X
17 East Owners Corp.,
Plaintiff,

-against-

Madison 96th Associates, LLC and 21
East 96th Street Condominium,
Defendants.

-----X
Madison 96th Associates, LLC,
Defendant and Third-Party Plaintiff,

-against-

Atlantic Demolition Corp.,
Third-Party Defendant.

-----X
Madison 96th Associates, LLC,
Third-Party Plaintiff,

-against-

Marson Contracting, Inc.,
Third-Party Defendant.

-----X
Madison 96th Associates, LLC,
Third-Party Plaintiff,

-against-

Illinois Union Insurance Company,
Third-Party Defendant.

-----X

Action No. 1

M-5605

M-5870

Index No. 601386/03

Action No. 2

Index No. 108695/04

Action No. 3

Index No. 591089/05

Index No. 591089/05

Index No. 590585/07

-----X
 Madison 96th Associates, LLC,
 Third-Party Plaintiff-Respondent,

 -against-

 QBE Insurance Corporation,
 Third-Party Defendant-Appellant.
 -----X

Index No. 590113/08

Appeals having been taken from an order of the Supreme Court, New York County, entered on or about December 11, 2012 and from a judgment of the same Court entered on or about May 9, 2013, respectively,

And third-party defendant QBE Insurance Corporation having moved for an enlargement of time to perfect the appeal from the order entered on or about December 11, 2012, for consolidation of the aforesaid appeals and for an enlargement of time to perfect same (M-5605),

And plaintiff Madison 96th Associates, LLC having cross-moved to dismiss the appeal taken from the order entered on or about December 11, 2012 (M-5870),

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

It is ordered that the motion (M-5605) is granted, the appeals are consolidated and appellant is permitted to prosecute the consolidated appeals upon 9 copies of one record and one set of appellant's points covering the consolidated appeals. The time to perfect the consolidated appeals is enlarged to the April 2014 Term, and it is further,

Ordered that the cross motion (M-5870) is granted to the extent of dismissing the appeal from the order entered on or about December 11, 2012 unless perfected for said April 2014 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 December 17, 2013.

Present: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzairelli
Helen E. Freedman
Rosalyn H. Richter
Paul G. Feinman, Justices.

-----X
The People of the State of New York
ex rel. Andre A. Johnson,

Petitioner-Appellant,

M-5140

Index No. 400858/13

-against-

Stephen Wettenstein, Warden, B.K.D.C.,

Respondent-Respondent.
-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the purported appeal from the judgment of the Supreme Court, New York County, entered on or about June 20, 2013, which dismissed a habeas corpus proceeding, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for assignment of counsel,

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

It is ordered that the motion is denied, with leave to renew upon petitioner's submission of motion papers which shall include a copy of the order from which the appeal was taken.

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 December 17, 2013.

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

-----X
Adrienne Faye Saunders,

Plaintiff-Respondent,

-against-

Richard Mark Guberman,

Defendant-Appellant.
-----X

M-5874
Index No. 350015/12

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 January 24, 2013 (mot. seq. no. 002),

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 April 2014 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 December 17, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
Rolando T. Acosta
Karla Moskowitz
Judith J. Gische, Justices.

-----X
Lingsworth Pendley,

Plaintiff-Respondent,

-against-

M-5768
Index No. 100629/12

The City of New York, New York City
Department of Homeless Services,

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 November 28, 2012,

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 April 2014 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 December 17, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
Rolando T. Acosta
Karla Moskowitz
Judith J. Gische, Justices.

-----X
Ilias Hatzantonis,
Plaintiff-Appellant,

-against-

M-5755
Index No. 101727/11

Best Buy Stores, L.P., et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant 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 December 27, 2012 (mot. seq. no. 002),

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 May 2014 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 December 17, 2013.

Present - Hon. Peter Tom, Justice Presiding,
David Friedman
Dianne T. Renwick
Paul G. Feinman
Darcel D. Clark, Justices.

-----X
In the Matter of the Application of
Margarita M. DeJesus,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78 M-5759
of the CPLR, Index No. 102346/12

-against-

Raymond Kelly, etc., et al.,
Respondents-Respondents.
-----X

An order of this Court having been entered on October 17, 2013 (M-3738), inter alia, enlarging the time for petitioner to perfect the appeal from the judgment of the Supreme Court, New York County, entered on or about October 12, 2012 to the February 2014 Term, and denying, with leave to renew, petitioner's application for leave to prosecute the appeal as a poor person,

And petitioner-appellant having renewed the motion for leave to prosecute the appeal as a poor person (M-3738),

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

It is ordered that said motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serve one copy of such brief upon the attorney for respondent and file 8 copies of such brief, together with the original record, with this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record. Petitioner-appellant is directed to perfect the appeal to on or before January 27, 2014 for the April 2014 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 December 17, 2013.

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

-----X
Barbara Kulig Hochmuller,
Plaintiff,

-against-

M-5686
Index No. 103397/12

Bellwest Management Corporation,
et al.,
Defendant.

-----X

A decision and order of this Court having been entered on May 2, 2013 (Appeal No. 9979) affirming the order of the Supreme Court, New York County (Geoffrey D. Wright, J.), entered on or about April 17, 2012,

And plaintiff having moved for relief in the nature of a stay with respect to orders of the Supreme Court, New York County (Geoffrey D. Wright J.), captioned *Hochmuller v Bellwest Management Corp.* under Index No. 103397/12, 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:


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 December 17, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
Rolando T. Acosta
Karla Moskowitz
Judith J. Gische, Justices.

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

-against-

M-5625
Ind. No. 437N/12

Jamel Monroe,
Defendant-Appellant.

-----X

Defendant-appellant, pro se, 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 18, 2012, 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 December 17, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

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

-against-

M-5225
Ind. No. 4780/85

Edward Bowman,
Defendant.

-----X

An order of this Court having been entered on July 23, 2013 (M-2586) denying defendant's motion for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about December 13, 1985,

And defendant, pro se, having moved for renewal and/or reargument of the aforesaid order of this Court entered July 23, 2013 (M-2586),

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 (CPL 460.30[1]).

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 December 17, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Leland G. DeGrasse
Helen E. Freedman
Judith J. Gische, Justices.

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

-against-

M-5807
Ind. No. 179/09

Michael Smith,
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to file a pro se supplemental brief in connection with an appeal from a judgment of the Supreme Court, New York County, rendered on or about February 6, 2012, for a copy of the trial transcripts and for an enlargement of time in which to file said pro se supplemental brief,

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

It is ordered that the motion is granted to the extent of directing defendant to serve and file 8 copies of his pro se supplemental brief on or before March 17, 2014 for the June 2014 Term, to which Term the appeal is adjourned. The Clerk of the Court is directed to forward to the Warden at the State correctional facility wherein defendant is incarcerated a transcript of the minutes relating to defendant's appeal, said transcript to be made available to appellant and returned by appellant to this Court when submitting the pro se supplemental brief hereto. The appeal will not be heard unless and until all material furnished to appellant has been returned.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 17, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Leland G. DeGrasse
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

-----x

Nidia E. Rodriguez,
Plaintiff-Appellant,

-against-

M-5693
Index No. 115531/07

New York City Transit Authority,
Defendant-Respondent.

-----x

Plaintiff-appellant having moved for an enlargement of time to perfect her consolidated appeals from the order of the Supreme Court, New York County, entered on or about July 16, 2012, and from the judgment of said Court entered on or about September 18, 2012, respectively,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the consolidated appeals to the April 2014 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 December 17, 2013.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

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

Respondent,

-against-

Gonzales L. Medina,

Defendant-Appellant.
-----X

M-1428
Ind. No. 2365/71

A decision and order of this Court having been entered on February 27, 1975 (Appeal No. 1956), unanimously affirming a judgment of the Supreme Court, Bronx County (Kapelman, J.), rendered on March 2, 1973,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate counsel, 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 said application 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 December 17, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
Dianne T. Renwick
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

-----X

ACA Financial Guaranty Corp.,

Plaintiff-Respondent,

-against-

Goldman, Sachs & Co.,

Defendant-Appellant.

-----X

M-3420
Index No. 650027/11

Plaintiff-respondent having moved for reargument of the decision and order of this Court entered on May 14, 2013 (Appeal No. 9037),

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. All concur except Manzanet-Daniels, J., and Clark, J., who dissent and would grant the motion.

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 December 17, 2013.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
Rolando T. Acosta
Karla Moskowitz
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

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

-against-

M-5626
Ind. No. 1643/10

Rayvon Guice,
Defendant.

-----X

Defendant-appellant, pro se, 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 January 19, 2011,

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 (CPL 460.30[1]).

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 December 17, 2013.

PRESENT - Hon. Rolando T. Acosta, Justice Presiding,
David B. Saxe
Dianne T. Renwick
Leland G. DeGrasse
Rosalyn H. Richter, Justices.

-----X
Suarna Mehulic,

Plaintiff-Appellant,

-against-

New York Downtown Hospital,

Defendant-Respondent.
-----X

M-5889
Index No. 103297/08

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about May 23, 2012,

And an order of this Court having been entered on October 24, 2013 (M-4351) denying plaintiff-appellant's motion for preserving her objection to "documents labeled 'confidential'" in the record on appeal,

And plaintiff-appellant having moved for reconsideration and modification of the aforesaid order,

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 December 17, 2013.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
Rolando T. Acosta
Karla Moskowitz
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

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

-against-

Shaniqua White,

Defendant.

M-5636
Ind. Nos. 3873/08
3190/08

-----X

Defendant-appellant, pro se, having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about March 4, 2011,

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 (CPL 460.30[1]).

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 December 17, 2013.

Present: Hon. Richard T. Andrias, Justice Presiding,
David Friedman
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

-----X
In the Matter of

Cameron Xavier W.,
also known as Cameron W., **CONFIDENTIAL**
Kiya Eisha Coates W., **M-5037**
also known as Kiya Coates W., Docket Nos. B-4266/10
also known as Kiya C., B-4268/10
also known as Kiya W., B-4269/10
Kiyu Nasir Coates W., B-4270/10
also known as Kiyu Coates W.,
also known as Kiyu C.,
also known as Kiyu W.,
Xavier Cameron W., also known
as Xavier W.,

Dependent Children Under 18 Years of Age
Pursuant to §384-b of the Social
Services Law.

- - - - -
SCO Family of Services,
Petitioner-Respondent,

Lakeisha Eisha W., also known as
Lakeisha W.,
Respondent-Appellant.

- - - - -
Wendy Luger, Esq.,
Attorney for the Children.

-----X

Wendy Luger, Esq., attorney for the subject children, having moved on said children's behalf for leave to respond, as poor persons, to the appeals taken from orders of the Family Court, New York County, entered on or about June 18, 2013, and for assignment of counsel, and related relief,

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

Ordered that the motion is denied, with leave to renew in the event respondent-appellant mother moves for poor person relief or perfects the aforesaid appeals.

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 December 17, 2013.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Judith J. Gische, Justices.

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

-against-

M-3784
Index No. 1573/08

Sam Allen,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on April 25, 2013 (Appeal No. 9910), unanimously affirming a judgment of the Supreme Court, Bronx County (Clancy, J.), rendered on September 28, 2010,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate counsel, 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 said application 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 December 17, 2013.

Present: Hon. Rolando T. Acosta, Justice Presiding,
David B. Saxe
Dianne T. Renwick
Leland G. DeGrasse
Rosalyn H. Richter, Justices.

-----X
In the Matter of

Starlaylah C.,

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

M-4627
Docket No. B-4798/12

Administration for Children's Services,
Petitioner-Respondent,

Josephine F.,
Respondent-Appellant.

Jessica Brown, Esq.,
Attorney for the Child.
-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Family Court, Bronx County, entered on or about July 12, 2013, and for assignment of counsel, a free copy of the transcript, and for related relief in the nature of a stay,

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

Ordered that the motion is denied, with leave to renew upon submission of a copy of the order appealed with notice of entry, and a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth facts sufficient to establish that respondent-appellant has no funds or assets with which to prosecute the appeal.

ENTER:


CLERK