

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 October 1, 2013.

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

-----X  
Qian Li,

Plaintiff-Appellant,

-against-

Clyer International, Inc., etc.,  
et al.,

M-2695  
DC #14  
Index No. 108523/11

Defendants-Respondents.  
-----X

An appeal having been taken by plaintiff from the order of the Supreme Court, New York County, entered on or about December 14, 2011,

And said 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, 2013, 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 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 October 1, 2013.

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

-----X

Joseph Thomas,  
Plaintiff-Respondent,

-against-

Ricale Taxi, Inc., et al.,  
Defendants-Respondents,

M-2708  
DC #27  
Index No. 150131/08

-and-

American Transit Insurance Company,  
Defendant-Appellant.

-----X

An appeal having been taken by defendant American Transit Insurance Company from the order of the Supreme Court, New York County, entered on or about April 12, 2011,

And said 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 , 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 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 October 1, 2013.

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

-----X

Donald Trump, etc.,  
Plaintiff-Appellant,

-against-

The Carlyle Group, et al.,  
Defendants-Respondents,

M-2709  
DC #28  
Index No. 603097/08

Hudson Waterfront Associates I  
Through V, L.P.s,  
Defendant.

-----X

An appeal having been taken by from the orders of the Supreme Court, New York County, entered on or about March 30, 2010,

And said 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, 2013, 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 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 October 1, 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-4001  
Ind. No. 3946/08  
Case No. 55606C/08

Eshawn Almodovar,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about September 6, 2011, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of 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) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, 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 October 1, 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-4012  
Ind. No. 4359/10

Eugene Baugh,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about May 29, 2013, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of 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) 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.

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 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 October 1, 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-4014  
Ind. No. 5496/11

Allen Brown,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about June 12, 2013, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of 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) 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 October 1, 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-4016  
Ind. No. 1483/11  
Case No. 5227C/11

Lawrence G. Beatty,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about June 14, 2013, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of 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.

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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 October 1, 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-4017  
Ind. No. 1166/10

Santo Carrero Silva, also known as  
Silva Santo Carrero,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about July 2, 2013, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of 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) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, 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 October 1, 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-4018  
Ind. No. 719/13

Karen Cooper,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about July 1, 2013, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of 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) 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 October 1, 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-4019  
Ind. No. 1252/11  
Case No. 18923C/11

Saturino Diaz,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about April 22, 2013, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of 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) 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 October 1, 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-4020  
Ind. No. 5714/12

Jeffrey Davis,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about June 20, 2013, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of 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) 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 October 1, 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-4021  
Ind. No. 1239/11

Camilo Frontela,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about June 28, 2013, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of 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) 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 October 1, 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-4023  
Ind. No. 2896/11  
Case No. 48590C/11

Jamel Fielder,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about July 2, 2013, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of 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) 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 October 1, 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-4024  
Ind. No. 6512/10

Alberto Gonzalez,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgments of the Supreme Court, New York County, rendered on or about January 31, 2013, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of 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) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, 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 October 1, 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-4026  
Ind. No. 1816/12

Luis Hiraldo,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgments of the Supreme Court, New York County, rendered on or about July 8, 2013, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of 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) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, 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 October 1, 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-4028  
Ind. No. 2115/12  
Case No. 34438C/12

Dshell Hill, also known as Bshell Hill,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgments of the Supreme Court, Bronx County, rendered on or about July 8, 2013, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of 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.

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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 October 1, 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-4051  
Ind. Nos. 4277/10, 1174/11  
Case Nos. 66688C/10, 16010C/11

William Foskey,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgments of the Supreme Court, Bronx County, rendered on or about July 11, 2013, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of 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.

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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 October 1, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Angela M. Mazzairelli  
Rolando T. Acosta  
Dianne T. Renwick, Justices.

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

-against-

M-4365  
Ind. No. 5973/09

Jeremy Fulton,  
Defendant-Appellant.

-----X

Defendant-appellant, pro se, 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 December 20, 2011, for a copy of the trial transcripts and for an enlargement of time to file said pro se supplemental brief, 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 granted to the extent of directing defendant to serve and file 8 copies of his pro se supplemental brief on or before December 2, 2013 for the February 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 October 1, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Rolando T. Acosta  
Dianne T. Renwick  
Leland G. DeGrasse  
Rosalyn H. Richter, Justices.

-----X  
Jonathan Ullman,  
Plaintiff-Appellant,

-against-

Kazuko Hillyer,  
Defendant-Respondent.

M-3168  
Index No. 110068/11

-----X

Plaintiff-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on May 21, 2013 (Appeal No. 10154),

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 October 1, 2013.

Present - Hon. Peter Tom, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Darcel D. Clark, Justices.

-----x  
African Diaspora Maritime Corporation,

Plaintiff-Appellant,

-against-

Golden Gate Yacht Club,

Defendant-Respondent.  
-----x

M-3847

M-3909

Index No. 653419/11

Defendant-respondent having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on June 25, 2013 (Appeal No. 9896), and for related relief [M-3847],

And plaintiff-appellant having cross-moved for leave to appeal to the Court appeals from the aforesaid decision and order of this Court in the event defendant-respondent's motion for leave is granted [M-3909],

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

It is ordered that the motion and cross motion are denied.

All concur except Tom, J., who dissents and would grant leave to appeal to the Court of 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 October 1, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
John W. Sweeny, Jr.  
David B. Saxe  
Karla Moskowitz, Justices.

-----X  
In the Matter of the Application of  
Alicia Echevarria,  
Petitioner-Respondent,

For a Judgment Pursuant to Article 78  
of the Civil Practice Law and Rules

M-3110  
Index No. 103396/12

-against-

Mark Andermanis and Sandra Andermanis,  
Respondents-Appellants,

Matthew M. Wambua, Commissioner of the  
City of New York Department of Housing  
Preservation and Development,  
Respondents,

East Midtown Plaza Housing Company,  
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to appeal to this Court from the order and judgment of the Supreme Court, New York County, entered on or about May 3, 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 (See M-3111, 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 October 1, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
John W. Sweeny, Jr.  
David B. Saxe  
Karla Moskowitz, Justices.

-----X  
In the Matter of the Application of  
Alicia Echevarria,  
Petitioner-Respondent,

For a Judgment Pursuant to Article 78  
of the Civil Practice Law and Rules

-against-

Matthew M. Wambua, Commissioner of the  
City of New York Department of Housing  
Preservation and Development,  
Respondent,

M-3111  
Index No. 103396/12

East Midtown Plaza Housing Company,  
Respondent-Appellant,

Mark Andermanis and Sandra Andermanis,  
Respondents-Appellants.

-----X

Respondent East Midtown Plaza Housing Company having moved for leave to appeal to this Court from the order and judgment of the Supreme Court, New York County, entered on or about May 3, 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 (See M-3110, 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 October 1, 2013.

Present: Hon. Richard T. Andrias, Justice Presiding,  
John W. Sweeny, Jr.  
Rolando T. Acosta  
David B. Saxe  
Darcel D. Clark, Justices.

-----X  
In Re: 91<sup>st</sup> Street Crane Collapse  
Litigation: (Index No. 771000/2010)

-----X  
Maria Leo, Administratrix for the  
Estate of Her Son, Donald Christopher  
Leo, Deceased May 30, 2008,  
Plaintiff-Respondent,

**M-4550**  
Index No. 117294/08

-against-

The City of New York, et al.,  
Defendants-Appellants,

-and-

New York Crane & Equipment Corp.,  
et al.,  
Defendants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 14, 2013,

And plaintiff-respondent having moved for an order striking defendants-appellants' record on appeal and brief as based on an inadequate record on 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 with leave granted to plaintiff-respondent to submit a supplemental appendix containing six "appendices" in question referred to in said plaintiff-respondent's brief at Pages 8 and 9, with costs thereof to abide the event.

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 October 1, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Judith J. Gische  
Darcel D. Clark, Justices.

-----X  
Scott Ziegler,  
Plaintiff-Appellant,

-against-

Twenty Two Degree Energy Corp.,  
et al.,  
Defendants-Respondents.

M-3968  
Index No. 652215/10

-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, New York County, entered on or about July 23, 2012,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties dated September 17, 2013, and due deliberation having been had thereon,

It is ordered that the motion is deemed 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 October 1, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Judith J. Gische  
Darcel D. Clark, Justices.

-----X  
Emma Reyes, as Administratrix for  
the Estate of Octavio Reyes,  
Plaintiff-Respondent,

-against-

M-3387  
Index No. 307714/10

John Doe #1 and Nicole H. Wilson,  
Defendants-Appellants.

-----X

Plaintiff-respondent having moved for dismissal of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about March 22, 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 and the 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 October 1, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Darcel D. Clark, Justices.

-----X  
Stephen Kest,  
Plaintiff-Appellant,

-against-

M-4000  
Index No. 106103/11

Rudy Rezzadeh, et al.,  
Defendants-Respondents.  
-----X

Defendant-respondent Rudy Rezzadeh having moved for dismissal of the appeal taken from the judgment of the Supreme Court, New York County, entered on or about July 16, 2012, for failure to timely perfect,

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 and the 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 October 1, 2013.

Present - Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Judith J. Gische  
Darcel D. Clark, Justices.

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

Respondent,

-against-

M-4221  
Ind. No. 9095/90

Basilio Green,

Defendant-Appellant.  
-----x

Respondent having moved for dismissal of the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about March 27, 1991,

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 demonstration of service of the moving papers upon defendant or after diligent efforts to accomplish same.

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 October 1, 2013.

Present: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Judith J. Gische  
Darcel D. Clark, Justices.

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

-against- **M-4063**  
Ind. No. 5326/11

Gregory Vining,  
Defendant-Appellant.

-----X

An order of this Court having been entered on October 2, 2012 (M-3703), 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 18, 2012, and assigning counsel therefor,

And assigned counsel, Steven Banks, Esq., having moved for an order to be relieved as counsel for defendant and to substitute other counsel to prosecute defendant's 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 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 October 1, 2013.

Present: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Judith J. Gische  
Darcel D. Clark, Justices.

-----X  
People of the State of New York  
ex rel. Jamaluddin Almahdi,  
Petitioner,

-against-

**M-3926**  
Index No. 401344/12

Warden, Rikers island Correctional  
Facility,  
Respondent.

-----X

Petitioner pro se having moved for an enlargement of time to file a notice of appeal from an order of the Supreme Court, New York County, entered on or about July 13, 2012, which dismissed a habeas corpus proceeding, and for related relief,

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

Ordered that the motion is denied, as moot.

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 October 1, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Judith J. Gische  
Darcel D. Clark, Justices.

-----x  
Thomas Gass,

Plaintiff,

-against-

Susan Gass,

Defendant.  
-----x

M-3958  
Index No. 302536/08

Defendant-appellant pro se having moved to file a late notice of appeal taken from a judgment of the Supreme Court, New York County, entered on or about October 25, 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 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 October 1, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Judith J. Gische  
Darcel D. Clark, Justices.

-----X  
In the Matter of the Application of  
JPMorgan Chase Bank, N.A., as Trustee  
of the trust created by

Harry Edison,  
Grantor,

M-4175  
**Surrogate's Court**  
File Nos. 3676/10  
3676A/10

for the benefit of Edna L. Edison.

-----X  
In the Matter of the Application of  
JP Morgan Chase Bank, N.A., as Trustee  
of the trust created by

Harry Edison,  
Grantor,

**Surrogate's Court**  
File No. 3676/10

for the benefit of Sidney J. Edison.

-----X  
Appellant, pro se, Judith Abrams having moved for a further enlargement of time to perfect the appeal from the order of the Surrogate's Court, New York County, entered on or about April 6, 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 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 October 1, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Judith J. Gische  
Darcel D. Clark, Justices.

-----X  
Helena Albuquerque and David Fenyo,  
Plaintiffs-Appellants,

-against-

M-4165  
Index No. 104439/05

Joao Sinatra, et al.,  
Defendants-Respondents.

-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about August 16, 2012 (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 granted to the extent of enlarging the time to perfect the appeal to the January 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 October 1, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Judith J. Gische  
Darcel D. Clark, Justices.

-----X  
Iris Wellington,  
Plaintiff-Respondent,

-against-

M-4104  
Index No. 22827/05

New York City Transit Authority and  
Kirk B. Seung,  
Defendants-Appellants,

Michelle F. Bhalerao,  
Defendant.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal from a judgment of the Supreme Court, Bronx County, entered on or about November 5, 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 January 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 October 1, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Judith J. Gische  
Darcel D. Clark, Justices.

-----X  
Carlos Ramirez,  
Plaintiff-Appellant,

-against-

M-4079  
Index No. 306487/08

BB and BB Management Corp.,  
et al.,  
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about November 29, 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 January 2014 Term, with leave to seek further enlargements if necessary.

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 October 1, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,  
Helen E. Freedman  
Rosalyn H. Richter  
Paul G. Feinman  
Judith J. Gische, Justices.

-----X  
American Express Travel Related  
Services, Inc.,  
Plaintiff-Respondent,

-against-

Edwardo Espinoza,  
Defendant-Appellant.

M-4330  
Index No. 27544/90

-----X

Defendant-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 16, 2011 (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 granted to the extent of enlarging the time to perfect the appeal to the January 2014 Term, with no further enlargements to be granted.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 1, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Judith J. Gische  
Darcel D. Clark, Justices.

-----X  
Maritza Velez Cordero and Edwin  
Cordero,  
Plaintiffs-Respondents-Appellants,

-against-

M-4283  
Index No. 301133/08

Nemeh LLC, et al.,  
Defendants-Appellants-Respondents,

Metalline Fire Door Co., Inc.,  
et al.,  
Defendants.

-----X

An appeal and cross appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about November 1, 2012,

And defendants-appellants having moved for an enlargement of time to perfect their appeal from 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 granted to the extent of enlarging the time to perfect the appeal and cross appeal to the January 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 October 1, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Judith J. Gische  
Darcel D. Clark, Justices.

-----X  
Tower National Insurance Company,  
Plaintiff-Appellant,

-against-

M-3959  
Index No. 112847/10

Evelyn Douglin Center for Serving  
People in Need, Inc., et al.,  
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about June 7, 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 February 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 October 1, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Judith J. Gische  
Darcel D. Clark, Justices.

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

Jean D.,  
Petitioner-Respondent,

-against-

Eva B.-F.,  
Respondent-Appellant.

M-4061  
Docket Nos.  
V-28500-01/04/09C  
V-28500-01/09D

-----X  
Respondent-appellant having moved for an enlargement of time in which to perfect the appeal from the order and judgment (one paper) of the Family Court, Bronx County, entered on or about June 5, 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 February 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 October 1, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Judith J. Gische  
Darcel D. Clark, Justices.

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

Jenna Nicole B., also known as  
Jenna B.,

A Dependant Child Under the Age of 14 Years  
Pursuant to Section 384-b of the Social  
Services Law of the State of New York.

M-4263  
Docket No. B-21088/09

- - - - -  
Lutheran Social Services of New York,  
Petitioner-Respondent,

Jennifer Nicole B., also known as  
Jennifer B.,  
Respondent-Appellant.

- - - - -  
Ira Landsman, Esq.,  
Attorney for the Children.

-----X

Respondent-appellant having moved for an enlargement of time to perfect the appeal from an order of the Family Court, Bronx County, entered on or about October 23, 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 February 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 October 1, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Judith J. Gische  
Darcel D. Clark, Justices.

-----X  
Amy Wilensky,  
Plaintiff-Respondent,

-against-

M-4329  
Index No. 309228/10

Ben Hohn,  
Defendant-Appellant.  
-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about 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 February 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 October 1, 2013.

Present - Hon. David Friedman, Justice Presiding,  
Helen E. Freedman  
Rosalyn H. Richter  
Paul G. Feinman  
Judith J. Gische, Justices.

-----X

61 Fifth Ave. LLC,  
Plaintiff-Respondent,

-against-

M-4426  
Index No. 101995/12

Wilshire Limited, et al.,  
Defendants-Appellants.

-----X

Defendants-appellants having moved for an order enlarging the time to perfect the consolidated appeals from an order of the Supreme Court, New York County, entered on or about June 18, 2012 (mot. seq. no. 002), an order of the said Court entered on or about July 11, 2012 and an order and judgment (one paper) of said Court entered on or about September 12, 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 February 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 October 1, 2013.

Present - Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Judith J. Gische  
Darcel D. Clark, Justices.

-----x

Carole Seborovski,  
Plaintiff-Respondent,

-against-

M-4281

Index No. 304958/10

Jorge Kirschtein,  
Defendant-Appellant.

-----x

An appeal having been taken to this Court from the judgment, denominated a "partial judgment", of the Supreme Court, New York County, entered on or about September 24, 2012,

And defendant-appellant having moved for an enlargement of time to perfect the appeal, and for an order permitting petitioner-respondent to make a PDF copy of Trial Court Exhibit 5 to be included in defendant's reproduced record on 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 enlarging the time perfect the appeal to the February 2014 Term, with no further enlargements to be granted. The Clerk of the Supreme Court, New York County, is directed to transmit a PDF copy of the aforesaid exhibit to this Court, said exhibit to be filed *under seal*.

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 October 1, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Judith J. Gische  
Darcel D. Clark, Justices.

-----X  
Kathleen Lauricella and Benjamin  
Lauricella,  
Plaintiffs-Respondents,

-against-

M-4062  
Index No. 300366/10

New York Yankees Partnership,  
et al.,  
Defendants-Appellants.

-----X

Defendants-appellants having moved for a stay of all proceedings in the above-entitled action pending hearing and determination of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about November 23, 2012, and for enlargement to time to perfect said 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 enlarging the time to perfect the appeal to the February 2014 Term, with leave to move for a further enlargement, if necessary and without prejudice to proceedings in Supreme Court pursuant to CPLR 1015.

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 October 1, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Judith J. Gische  
Darcel D. Clark, Justices.

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

-against-

M-4141  
Ind. No. 4081/09

Joseph Palaguachi,  
Defendant-Appellants.

-----X

Defendant-appellant 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 September 22, 2010,

Now, upon reading and filing the papers with respect to the motion, including the stipulation between the parties dated August 6, 2013, and due deliberation having been had thereon,

It is ordered that the motion is granted, on consent, to the extent of enlarging the time to perfect the appeal to the March 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 October 1, 2013.

Present: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Judith J. Gische  
Darcel D. Clark, Justices.

-----X

Olivia Kate Ofer,

Plaintiff-Appellant,

-against-

**M-4157**

**M-4340**

Ido Sirota,

Index No. 311215/12

Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about April 17, 2013, and said appeal having been perfected,

And plaintiff-appellant having moved for a preference in the hearing of the aforesaid appeal to the extent of maintaining said appeal on this Court's October 2013 calendar (M-4157),

And defendant-respondent having cross-moved for an adjournment of the aforesaid appeal (M-4340),

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 plaintiff's motion is denied (M-4157). Defendant-respondent's cross motion is granted to the extent of adjourning the aforesaid appeal to the December 2013 Term, with no further adjournments to be granted (M-4340).

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 October 1, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Judith J. Gische  
Darcel D. Clark, Justices.

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

-----  
Oscar S., M-4170  
Petitioner-Appellant, Docket Nos. V-5022-3/11A  
V-14293-4/11A  
-against-

Gale B.,  
Respondent-Respondent.  
-----X

An appeal having been taken from an order of the Family Court, New York County, entered on or about June 27, 2013,

And petitioner-appellant having moved to stay the aforesaid order being appealed and for an order directing Family Court to allow petitioner to call a certain witness, 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 October 1, 2013.

Present - Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Paul G. Feinman  
Judith J. Gische  
Darcel D. Clark, Justices.

-----X  
Renaissance Economic Development  
Corporation,  
Petitioner-Respondent,

-against-

M-3886  
Index No. 102313/11

Jin Hua Lin, etc.,  
Respondent-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 10, 2013 (mot. seq. no. 003, 004),

And respondent-appellant having moved for a stay of all related proceedings in Housing Court 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, and the interim relief granted by the order of a Justice of this Court dated July 24, 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 in the County of New York on October 1, 2013.

Present: Hon. David Friedman, Justice Presiding,  
Helen E. Freedman  
Rosalyn H. Richter  
Paul G. Feinman  
Judith J. Gische, Justices.

-----X  
Noah H. Silverman,  
Plaintiff-Respondent,

-against-

**M-3954**  
Index No. 107586/11

Mary Joe D'Arco,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for a stay of enforcement of the judgment of the Supreme Court, New York County, entered on or about May 28, 2013, 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, and the interim relief granted by an order of a Justice of this Court dated July 29, 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 October 1, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,  
Paul G. Feinman  
Judith J. Gische  
Darcel D. Clark, Justices.

-----x

Resat Keles,  
Plaintiff-Appellant, M-3967  
-against- Index No. 116143/09

Zvi Galil, et al.,  
Defendants-Respondents.  
- - - - -

Resat Keles,  
Plaintiff-Appellant,  
-against- Index No. 116468/09

Alan Brinkley, et al.,  
Defendants-Respondents.  
- - - - -

Resat Keles,  
Plaintiff-Appellant,  
-against- Index No. 116752/09

Lee Bollinger, et al.,  
Defendants-Respondents.  
-----x

Appeals having been taken to this Court by plaintiff from the orders of the Supreme Court, New York County, entered on or about January 13, 2012, and said appeals having been perfected

And plaintiff-appellant Resat Keles, pro se, having moved to enlarge the record on appeal to include certain exhibits 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 October 1, 2013.

PRESENT - Hon. David Friedman, Justice Presiding,  
Helen E. Freedman  
Rosalyn H. Richter  
Paul G. Feinman  
Judith J. Gische, Justices.

-----X  
Betty Rainey,  
Plaintiff-Appellant,

-against-

M-4173  
Index No. 117056/09

Frawley Plaza, LLC, et al.,  
Defendants-Respondents.

-----X  
Frawley Plaza, LLC, et al.,  
Defendants Third-Party  
Plaintiffs-Respondents,

-against-

Iveragh Construction Corp.,  
Third-Party Defendant-Respondent.

-----X

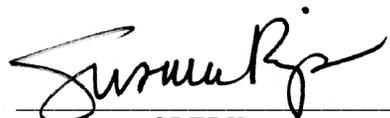
An appeal having been taken by plaintiff-appellant from the order of the Supreme Court, New York County, entered on or about January 11, 2013,

And defendant third-party defendant Iveragh Construction Corp. having moved for an order striking portions of respondent Frawley Plaza, LLC's respondent's 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 and defendant third-party plaintiffs-respondents Frawley Plaza, LLC, et al., are directed to strike out the language at pages 39 and 40 of its brief beginning with the word "However" on page 39 through the word "Iveragh" on page 40. Sua sponte, the appeal is adjourned to the November 2013 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 October 1, 2013.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Leland G. DeGrasse  
Sallie Manzanet-Daniels  
Darcel D. Clark, Justices.

-----X  
Debra Watson,  
Plaintiff-Respondent,

-against-

M-4437  
Index No. 15852/06

Jade Luxury Transportation Corp.,  
Francisco Carrero,  
Defendants-Appellants,

Derek Gonzalez and "XYZ",  
Defendants.

-----X

An appeal having been taken to this Court from the order of the Supreme Court, Bronx County, entered on or about July 8, 2013, and said appeal having been perfected,

And defendants-appellants having moved for a stay of trial in the above-entitled action 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.

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 October 1, 2013.

Present - Hon. Dianne T. Renwick, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

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

-against-

M-3416  
SCI No. 30068/13

Miguel Muñoz,  
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 (Kahn, J.), entered on or about June 19, 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, for the continued representation of Robert S. Dean, Esq., as counsel on 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) two transcripts of the stenographic minutes of the SORA hearing and any other proceedings before Justice Kahn as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Robert S. Dean, 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 October 1, 2013.

Present: Hon. Dianne T. Renwick, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

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

-against-

**M-3732**  
Ind. No. 963/12

Martin Concepcion,  
Defendant-Appellant.

-----X

Defendant having renewed his motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about November 21, 2012, 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 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) 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 October 1, 2013.

Present: Hon. Dianne T. Renwick, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X  
In the Matter of

Sihiem B. W., and  
Syhliya Aurora B.,

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

**M-3862**  
Docket Nos. NN-11386/11  
NN-27325/12

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

Ida B.,  
Respondent-Appellant.

-----  
Steven Banks, Esq., The Legal Aid  
Society, Juvenile Rights Division,  
Attorney for the Children.

-----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 June 20, 2013, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Sabrina Tann, Esq., Center for Family Representation, 40 Worth Street, Suite #605, New York, NY 10013, Telephone No. (212) 691-0950, 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 therefor<sup>1</sup> **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:

  
CLERK

---

<sup>1</sup>Service 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 October 1, 2013.

Present - Hon. Dianne T. Renwick, Justice Presiding,  
Helen E. Freedman  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X  
In the Matter of the Application of  
Kyle Jiggetts,

Petitioner-Appellant,

-against-

M-3716  
Index No. 400358/13

MTA Metro-North Railroad, et al.,

Respondents-Respondents.  
-----X

Petitioner-appellant pro se having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, entered on or about July 1, 2013 (mot. seq. nos. 001-003), and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, 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 denied, with leave to renew upon submission of an affidavit setting forth the amount and sources of his income pursuant to CPLR 1101(a).

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 October 1, 2013.

Present - Hon. Dianne T. Renwick, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----x  
In the Matter of the Application of  
Cassandra McKay-Brown,  
Petitioner-Appellant,

For a Judgment Pursuant to Article 78  
of the CPLR,

M-3633  
Index No. 107779/11

-against-

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

-----x  
Petitioner-appellant having moved for an enlargement of time to perfect the appeal from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about March 20, 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 January 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 October 1, 2013.

Present - Hon. Dianne T. Renwick, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----x

Eugene Shalik,  
Plaintiff-Respondent,

-against-

M-3685  
Index No. 653054/11

Michael Stein,  
Defendant-Appellant.

-----x

Appeals having been taken to this Court by defendant from the order of the Supreme Court, New York County, entered on or about October 9, 2012, and from the judgment of said Court entered on or about November 27, 2012, respectively,

And defendant-appellant having moved for consolidation of the aforesaid appeals,

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 defendant-appellant to prosecute the consolidated appeals upon 9 copies of one record and one set of appellant's points covering the consolidated appeals. The attention of the parties is directed to 22 NYCRR § 600.11. The time to perfect the consolidated appeals is enlarged to the January 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 October 1, 2013.

Present - Hon. Dianne T. Renwick, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----x  
Anna Pezhman,

Plaintiff,

-against-

M-3682

Index No. 402354/09

Department of Education of the City  
of New York, et al.,

Defendants.  
-----x

A purported appeal having been taken from the decision and order of the Supreme Court, New York County, entered on or about May 9, 2013,

And plaintiff having moved for an order "declaring her appeal complete and timely for the September 2013 Term",

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 a timely taken appeal from an appealable paper.

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 October 1, 2013.

Present - Hon. Dianne T. Renwick, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----x  
Susan Angel,  
Petitioner/Plaintiff-Appellant,

-against-

Christopher O'Neill,  
Respondent/Defendant-Respondent.

M-3757  
Docket No. F44460-10/11D  
Index No. 350072/05

-----x

Appeals having been taken to this Court by petitioner/plaintiff-appellant from an order of the Family Court, New York County, entered on or about December 19, 2012, and from an order of the Supreme Court, New York County, entered on or about September 4, 2012 (mot. seq. no. 092), respectively,

And an order of this Court having been entered on May 7, 2013 (M-450/M-895), inter alia, consolidating the aforesaid appeals upon 9 copies of one record and one set of appellant's points covering the appeals, enlarging the time to perfect same to the January 2014 Term, and otherwise denying the motion and cross motion,

And petitioner/plaintiff-appellant pro se having moved for leave to amend the order of this Court entered on May 7, 2013 (M-450/M-895) so as to permit her to file the appeals using the appendix method,

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 granting petitioner/plaintiff leave to prosecute the aforesaid appeals using the appendix system, if so advised (CPLR 5528[a][5]; 22 NYCRR 600.5). Sua sponte, the time to perfect the consolidated appeals is enlarged to the February 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 October 1, 2013.

Present - Hon. Leland G. DeGrasse, Justice Presiding,  
Helen E. Freedman  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

**M-3625**

Ind. No. 2390/96

George Harris,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the an order of **resentence** of the Supreme Court, Bronx County, rendered on or about July 2, 2013, 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 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) 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.

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 October 1, 2013.

Present: Hon. Leland G. DeGrasse, Justice Presiding,  
Helen E. Freedman  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

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

-against-

**M-3484**

Ind. No. 1979/09

Marcus King, also known as Markus King,  
also known as Marcus Knight,  
Defendant-Appellant.

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

-against-

**M-3485**

Ind. No. 3842/10

Marcus King, also known as Markus King,  
also known as Marcus Knight,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to file a pro se supplemental brief in connection with separate appeals taken from judgments of the Supreme Court, Bronx County, rendered on or about January 11, 2012 (Ind. No. 1979/09) and on or about February 29, 2013 (Ind. No. 3482/10), and for related relief,

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 as premature, without prejudice to defendant resubmitting his request for the aforesaid relief once assigned counsel, Robert S. Dean, Esq., Center for Appellate Litigation, has filed an appellant's brief for each of the aforesaid appeals.

ENTER:

  
CLERK

STATE OF NEW YORK  
APPELLATE DIVISION : FIRST DEPARTMENT

BEFORE: Hon. David B. Saxe  
Justice of the Appellate Division

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

M-1898  
Bronx Co.  
Ind No. 2033/02

-against-

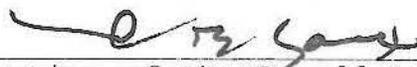
CERTIFICATE  
DENYING LEAVE

Michael Potter,

Defendant.

-----X  
I, David B. Saxe, 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, Bronx County, entered on  
March 1, 2013, is hereby denied.

Dated: *August 15, 2013*  
New York, New York

  
Justice of the Appellate Division

**ENTERED** OCT 01 2013

STATE OF NEW YORK  
APPELLATE DIVISION : FIRST DEPARTMENT

BEFORE: Hon. David B. Saxe  
Justice of the Appellate Division

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

M-2011  
NY Co.  
Ind No. 794/07

-against-

CERTIFICATE  
DENYING LEAVE

Terriel Smith,

Defendant.  
-----X

I, David B. Saxe, 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, entered on November 29, 2012, is hereby denied.

Dated: *August 15, 2013*  
New York, New York

  
Justice of the Appellate Division

**ENTERED**

**OCT 01 2013**

STATE OF NEW YORK  
APPELLATE DIVISION : FIRST DEPARTMENT

BEFORE: Hon. David B. Saxe  
Justice of the Appellate Division

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

M-2333  
New York Co.  
Indictment No.  
2209/04

-against-

CERTIFICATE  
DENYING LEAVE

Lamaar Pleasant,

Defendant.  
-----X

I, David B. Saxe, 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, entered on or about March 18, 2013 is hereby denied.

Dated: *August 15, 2013*  
New York, New York

*David B. Saxe*  
Justice of the Appellate Division

**ENTERED** OCT 01 2013

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

BEFORE: Hon. Helen E. Freedman  
Justice of the Appellate Division

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

M 3781  
Ind. No.2486/05

-against-

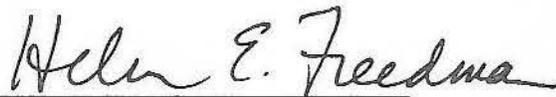
ORDER DENYING LEAVE  
UPON REARGUMENT

Leroy Johnson,

Defendant.

-----X

I, Helen E. Freedman, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application made by the above-named defendant for reargument of the order of a Justice of this Court (M-1740), entered on May 23, 2013, which denied his motion for a certificate pursuant to Criminal Procedure Law, section 450.15, and no question of law or fact having misapprehended or overlooked, permission to reargue the denial of leave to appeal from the order of Supreme Court, New York County, entered on or about January 24, 2013 is hereby denied.



Hon. Helen E. Freedman  
Associate Justice

Dated: August 7, 2013  
New York, New York

ENTERED: OCT 01 2013

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,  
Respondent,

M-4412  
Ind. No. 1640/97

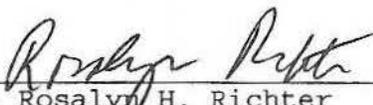
-against-

CERTIFICATE  
GRANTING LEAVE

Juan Paulino Rosario,  
Defendant-Appellant.  
-----X

I, Rosalyn H. Richter, a Justice of the Appellate Division, First Judicial Department, do hereby certify that in the proceedings herein questions of law or fact are involved which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is hereby granted to the above-named defendant to appeal to the Appellate Division, First Judicial Department, from the order of the Supreme Court, New York County, dated July 19, 2013.<sup>1</sup>

Dated: September 19, 2013  
New York, New York

  
\_\_\_\_\_  
Hon. Rosalyn H. Richter  
Associate Justice

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

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

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

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

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

-against-

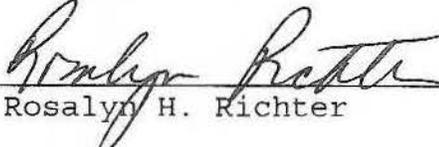
Carlos DeLarosa,  
Defendant.

M-3418  
Ind. No. 4365/10

CERTIFICATE  
DENYING LEAVE

-----X

I, Rosalyn H. Richter, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon the application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County, entered on or about March 23, 2013, is hereby denied. The portion of the motion which seeks poor person relief and assignment of counsel is denied as academic.

  
Hon. Rosalyn H. Richter

Dated: August 8, 2013  
New York, New York

ENTERED: OCT 01 2013

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

BEFORE: Hon. Paul G. Feinman,  
Justice of the Appellate Division

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

M-3721  
Ind. No. 2920/92

-against-

CERTIFICATE  
DENYING LEAVE

Wilson Rodriguez,

Defendant.  
-----X

I, Paul G. Feinman, 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 (James M. Kindler, J.), entered on or about May 28, 2013, is hereby denied.

  
Justice

Dated: New York, New York  
August 14, 2013

ENTERED

OCT 01 2013