

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 November 24, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
Victoria Maldonado Morales,
Plaintiff-Respondent,

-against-

M-4668X
Index No. 105128/11

424 Broadway Condominium and Joan Shih,
Defendants-Appellants,

CM Rock Corp., Bonnie Fashion Inc.
and Isaac Shih,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about April 22, 2015,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 21, 2015, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 24, 2015.

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-4708
Ind. No. 1313/12

Shawayne Legall,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, rendered on or about March 13, 2014,

Now, upon reading and filing the stipulation of the parties hereto, dated September 21, 2015, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 24, 2015.

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-4789
Ind. No. 2245/12

Daisy Rangel,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about November 1, 2013,

Now, upon reading and filing the stipulation of the parties hereto, dated September 25, 2015, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 24, 2015.

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

-----X
Dolores S. Suarez,
Plaintiff-Respondent,

-against-

Shapiro Family Realty Associates, LLC, M-4791X
et al., Index No. 155825/13
Defendants-Respondents,

Duane Reade, Inc.,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about November 6, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 22, 2015, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 24, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
Anthony DeJesus and Jeannette DeJesus,
Plaintiffs,

-against-

M-4792X
Index No. 108417/07

888 Seventh Avenue LLC, et al.,
Defendants.

- - - - -

888 Seventh Avenue LLC,
Third-Party Plaintiffs-Respondents,

-against-

SMB Windows LLC.,
Third-Party Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about April 13, 2015,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 22, 2015, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 24, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
Mahamadou Jabbi and Lakeisha Jabbi,
Plaintiffs,

-against-

M-4881X
Index No. 311205/11

Gruda Realty Corp.,
Defendant.

- - - - -

Gruda Realty Corp.,
Third-Party Plaintiff-Appellant,

-against-

Index No. 83698/13

USA Construction Company, et al.,
Third-Party Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about May 5, 2015,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" October 19, 2015, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 24, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
Fredy Orlando Murillo,
Plaintiff-Respondent,

-against-

M-5083X
Index No. 105451/11

NYC Partnership Housing Development
Fund Company, Inc., et al.,
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about April 22, 2015,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" October 13, 2015, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 24, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X

Cory Borress,
Plaintiff-Appellant,

-against-

M-5286X
Index No. 113804/11

200 Park, L.P., et al.,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 4, 2015,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" October 20, 2015, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 24, 2014.

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-5386
Ind. No. 5154/13

Don Wilkerson,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about April 8, 2015,

Now, upon reading and filing the stipulation of the parties hereto, dated October 21, 2015, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 24, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
Promed Corinthian, LLC,
Plaintiff-Respondent,

-against-

M-4597
Index No. 651710/14

L.A. Saint Louis, M.D., P.C. and
Dr. Leslie A. St. Louis,
Defendants,

JC-Duggan Inc.,
Defendant-Respondent,

-and-

Excalibur Group, LLC,
Defendant-Appellant.
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about January 15, 2015,

Now, upon reading and filing the stipulation of the parties hereto, dated September 11, 2015, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected, is withdrawn in accordance with the aforesaid stipulation.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 24, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
April Harris,

Plaintiff-Appellant,

-against-

M-5303

Index No. 250759/12

Daniel Sherwood and MAT Enterprises
of New York, Inc.,

Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about February 19, 2015,

Now, upon reading and filing the stipulation of the parties hereto, dated October 7, 2015, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected, is withdrawn in accordance with the aforesaid stipulation.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 24, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
BGC Notes, LLC,
Plaintiff-Appellant,

-against-

M-4888
Index No. 651808/14

Kevin J. Gordon,
Defendant-Respondent.

-----X

Defendant-respondent having moved for dismissal of the appeal taken from orders of the Supreme Court, New York County, entered on or about July 15, 2015,

Now, upon reading and filing the papers with respect to the motion, including the stipulation between the parties dated October 14, 2015, and due deliberation having been had thereon,

It is ordered that the motion is withdrawn.

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 November 24, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
John W. Sweeny, Jr.
David Friedman, Justices.

-----X
Carol Hermann, as Executrix of the
Estate of Lawrence Hermann, Deceased,
Plaintiff-Appellant,

-against-

M-4681
Index No. 158517/12

Lincoln Towers Apartments, 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, New York County, entered on or about November 13, 2014,

Now, upon reading and filing the papers with respect to the motion, including the correspondence from Jay J. Massaro, Esq., counsel to appellant, dated September 21, 2015, and due deliberation having been had thereon,

It is ordered that the instant motion and appeal are deemed withdrawn.

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 November 24, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
David Friedman
Barbara R. Kapnick, Justices.

-----X
Wathne Imports, Ltd.,
Plaintiff-Appellant,

-against-

M-3065
Index No. 603250/05

PRL USA, Inc., et al.,
Defendants-Respondents.
-----X

Plaintiff-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court, entered on June 18, 2015 (Appeal No. 15484N),

Now, upon reading and filing the papers with respect to the motion, and a stipulation of the parties dated October 9, 2015 and October 12, 2015, 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 November 24, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X

Ngina Duckett,
Plaintiff-Respondent,

-against-

New York Presbyterian Hospital,
Defendant-Appellant.

-----X

M-4156

M-4157

Index No. 114004/10

Defendant-appellant having moved for reargument of (M-4156) or, in the alternative, for leave to appeal to the Court of Appeals (M-4157) from the decision and order of this Court entered on July 9, 2015 (Appeal No. 15623),

Now, upon reading and filing the stipulation of the parties hereto, dated October 22, 2015, and due deliberation having been had thereon,

It is ordered that the motions are deemed withdrawn (M-4156/M-4157) 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 November 24, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-4331
Ind. No. 334N/12

Edward Reid,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about March 12, 2014,

Now, upon reading and filing the submissions to the Court, and due deliberation having been had thereon,

It is ordered that defendant's pro se motion to withdraw the appeal 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 November 24, 2015.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
John W. Sweeny, Jr.
Sallie Manzanet-Daniels
Barbara R. Kapnick, Justices.

-----X
Aaron Fuchs and Gil Selinger,
Plaintiffs-Appellants,

-against-

Robert Finocchio, et al.,
Defendants-Respondents.

M-5110
Index No. 150916/14

-----X

Defendants-respondents having moved to dismiss the appeal from the order of the Supreme Court, New York County, entered on or about August 6, 2015,

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 November 24, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X

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

Amanda C.,
Petitioner-Respondent,

M-4698
Docket No. V-17155-13/14C

-against-

Jonathan Z.,
Respondent-Appellant.

Michael Mastrangelo, Esq.,
Children's Law Center,
Attorney for the Child.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about August 10, 2015, 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, Kenneth M. Tuccillo, 591 Warburton Avenue, #576, Hastings On Hudson, New York, NY 10706, Telephone No. (914) 439-4843, 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;¹ **within 30 days (FCS 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 the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** (See M-4699, decided simultaneously herewith.)

ENTER:



CLERK

¹Service of appellant's brief upon respondent(s) shall include assigned counsel's copy of the transcript.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 24, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X

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

Amanda C.,
Petitioner-Respondent,

M-4699
Docket No. V-17155-13/14C

-against-

Jonathan Z.,
Respondent-Appellant.

Michael Mastrangelo, Esq.,
Children's Law Center,
Attorney for the Child.

-----X

Petitioner-respondent having moved for leave to respond, as a poor person, to the appeal from the order of the Family Court, Bronx County, entered on or about August 10, 2015, 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, Leslie S. Lowenstein, Esq., 567 Sunset Drive, Woodmere, NY 11598, Telephone No. (516) 994-6831, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this Court. (See M-4699, 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 November 24, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
In the Matter of

Jessica P.,
Joseph P.,
Maya F.,
Star R.,
and Lily P.,

M-4696

Docket Nos.
B-28754/13
B-40756/13
B-28755/13
B-28756/13
B-28757/13
B-28758/13

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

New Alternatives for Children, Inc.,
et al.,,
Petitioners-Respondents,

Michelle F., also known as
Michelle Lee R., also known as
Michelle F.R.,
Respondent-Appellant,

Edwin P.,
Respondent-Appellant.

Seymour W. James, Jr., Esq.,
The Legal Aid Society,
Juvenile Rights Division,
Attorney for the Children.

-----X
Respondent-appellant father having moved for leave to prosecute, as a poor person, the appeals from Orders of Fact-Finding and Disposition (one paper) of the Family Court, New York County, entered on or about November 3, 2014 and on or about August 14, 2015, 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, Larry S. Bachner, Esq., 153-01 Jamaica Avenue, Suite #201, Jamaica, NY 11432, Telephone No. (917) 378-0176, as counsel for purposes of prosecuting the appeals; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record(s) on appeals, the cost thereof to be charged against the City of New York from funds available therefor;¹ **within 30 days (FCS 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(s) from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record(s) upon receipt of this order;** and (4) appellant is directed to perfect the appeals, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** (See M-4373, decided simultaneously herewith.)

ENTER:



CLERK

¹Service of appellant's brief upon respondent(s) shall include assigned counsel's copy of the transcript.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 24, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
In the Matter of

Jessica P.,
Joseph P.,
Maya F.,
Star R.,
and Lily P.,

M-4373

Docket Nos.
B-28754/13
B-40756/13
B-28755/13
B-28756/13
B-28757/13
B-28758/13

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

New Alternatives for Children, Inc.,
et al.,
Petitioners-Respondents,

Michelle F., also known as
Michelle Lee R., also known as
Michelle F.R.,
Respondent-Appellant,

Edwin P.,
Respondent-Appellant.

Seymour W. James, Jr., Esq.,
The Legal Aid Society,
Juvenile Rights Division,
Attorney for the Children.

-----X
Respondent-appellant mother having moved for leave to prosecute, as a poor person, the appeals from Orders of Fact-Finding and Disposition (one paper) of the Family Court, New York County, entered on or about November 3, 2014 and on or about August 14, 2015, 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, Kenneth M. Tuccillo, Esq., 591 Warburton Avenue, #576, Hastings On Hudson, New York, NY 10706, Telephone No. (914) 439-4843, as counsel for purposes of prosecuting the appeals; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record(s) on appeals, the cost thereof to be charged against the City of New York from funds available therefor;¹ **within 30 days (FCS 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(s) from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record(s) upon receipt of this order;** and (4) appellant is directed to perfect the appeals, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** (See M-4696, decided simultaneously herewith.)

ENTER:



CLERK

¹Service of appellant's brief upon respondent(s) shall include assigned counsel's copy of the transcript.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 24, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

Michael B., Docket Nos. V-11107/10
Petitioner-Respondent, V-16234/10

-against-

Lillian B.,
Respondent-Appellant.

Seymour W. James, Jr., Esq.,
The Legal Aid Society,
Juvenile Rights Division,
Attorney for the Child.
-----X

Respondent-appellant mother having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about August 31, 2015, 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, Kenneth M. Tuccillo, Esq., 591 Warburton Avenue, #576, Hastings On Hudson, New York, NY 10706, Telephone No. (914) 439-4843, 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;¹ **within 30 days (FCS 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 the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** (See M-4752, decided simultaneously herewith.)

ENTER:



CLERK

¹Service of appellant's brief upon respondent(s) shall include assigned counsel's copy of the transcript.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 24, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

Michael B.,
Petitioner-Respondent,

M-4752
Docket Nos. V-11107/10
V-16234/10

-against-

Lillian B.,
Respondent-Appellant.

Seymour W. James, Jr., Esq.,
The Legal Aid Society,
Juvenile Rights Division,
Attorney for the Child.

-----X

Petitioner-respondent father having moved for leave to respond, as a poor person, to the appeal from the order of the Family Court, New York County, entered on or about August 31, 2015, 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, Leslie S. Lowenstein, Esq., 567 Sunset Drive, Woodmere, NY 11598, Telephone No. (516) 994-6831, as counsel for purposes of responding to the appeal;

(2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this Court. (See M-4751, decided simultaneously herewith.)

ENTER:

A handwritten signature in black ink, appearing to read "Susan R. Jones". The signature is written in a cursive style with a prominent initial "S".

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 November 24, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X

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

Melinda M.,
Petitioner-Respondent,

M-4703
Docket Nos. V-5534-04/15M
V-5535-04/15M
V-24133-13/15D

-against-

Anthony J. H., Jr.,
Respondent-Appellant.

Seymour W. James, Jr., Esq.,
The Legal Aid Society,
Juvenile Rights Division,
Attorney for the Child.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about August 3, 2015, 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, Kenneth M. Tuccillo, Esq., 591 Warburton Avenue #576, Hastings On Hudson, New York, NY 10706 Telephone No. (914) 439-4843, 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;¹ **within 30 days (FCS 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 the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** (See M-4728, decided simultaneously herewith.)

ENTER:



CLERK

¹Service of appellant's brief upon respondent(s) shall include assigned counsel's copy of the transcript.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 24, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

Melinda M.,
Petitioner-Respondent,

M-4728
Docket Nos. V-5534-04/15M
V-5535-04/15M
V-24133-13/15D

-against-

Anthony J. H., Jr.,
Respondent-Appellant.

Seymour W. James, Jr., Esq.,
The Legal Aid Society,
Juvenile Rights Division,
Attorney for the Child.

-----X
Petitioner-respondent having moved for leave to respond, as a poor person, to the appeal from the order of the Family Court, Bronx County, entered on or about August 3, 2015, 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, Leslie S. Lowenstein, Esq., 567 Sunset Drive, Woodmere, NY 11598, Telephone No. (516) 994-6831, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced

respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this Court. (See M-4703, decided simultaneously herewith.)

ENTER:

A handwritten signature in black ink, appearing to read "Susan R. Jones". The signature is written in a cursive style with a prominent initial "S".

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 November 24, 2015.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

Antonio Dwayne G.,
Petitioner-Appellant,

-against-

M-5764
Docket No. V-05363-03/14N

Ericka Monte E.,
Respondent-Respondent.

-----X

Respondent-respondent having moved for leave to respond, as a poor person, to the appeal from the order of the Family Court, New York County, entered on or about September 9, 2014, 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, Randall Carmel, Esq., 53 Jackson Avenue, Syosset, NY 11791, Telephone No. (516) 921-8800, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this Court.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 24, 2015.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Sallie Manzanet-Daniels, Justices.

-----X

In the Matter of the Application of
Michael Grabell,
Petitioner-Respondent,

For a Judgment Under Article 78 of
the CPLR,

M-5013
M-5422
Index No. 100580/13

-against-

New York City Police Department,
Defendant-Appellant.

-----X

An appeal having been taken to this Court by the above-named respondent from the order of the Supreme Court, New York County, entered on or about January 8, 2015, and said appeal having been perfected,

And the Reporters Committee for Freedom of the Press and 21 media organizations (collectively, the "News Media Movants") [M-5013] and the New York Civil Liberties Union and the Brennan Center for Justice [M-5422] having separately moved for leave to file a brief amici curiae in connection with the aforesaid appeal,

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 granted, and the movants are directed to file 9 copies of said amici curiae briefs in this Court forthwith.

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 November 24, 2015.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
John W. Sweeny, Jr.
Sallie Manzanet-Daniels
Barbara R. Kapnick, Justices.

-----X
In the Matter of a Support Proceeding
Under Article 4 of the Family Court Act.

Stefani P.,
Petitioner-Appellant,

-against-

M-4871
Docket No. F-27775/09

Eugene B.,
Respondent-Respondent.

-----X

Respondent-respondent having moved to dismiss the appeal from the order of the Supreme Court, New York County, entered on or about April 16, 2013, or in the alternative, additional time to file a 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 to the extent of adjourning the appeal to the March 2016 Term, and the motion is otherwise denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 24, 2015.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
John W. Sweeny, Jr.
Sallie Manzanet-Daniels
Barbara R. Kapnick, Justices.

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

EDJ Realty, LLC,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78
and Section 3001 of the CPLR,

-against-

Darryl C. Towns, etc., et al.,
Respondents-Respondents,

Ben Alfano, et al.,
Respondents-Respondents.

M-4363
M-5111
Index No. 260199/13

-----X

Respondent-respondent New York State Division of Housing & Community Renewal having moved to dismiss the appeal from the order and judgment (one paper) of the Supreme Court, Bronx County, entered on or about November 14, 2013 (M-4363),

And petitioner-appellant having cross-moved for an order determining the paper entered November 14, 2013 to be a "Decision" not an order, and as such deemed not appealable, denying respondent-respondent New York State Division of Housing & Community Renewal's motion to dismiss the appeal, and for related relief (M-5111),

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 to dismiss the appeal is granted (M-4363). The cross motion is denied in its entirety (M-5111).

ENTER:



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 September 24, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
John W. Sweeny, Jr.
Sallie Manzanet-Daniels
Barbara R. Kapnick, Justices.

-----X
Samuel Mininni,
Plaintiff-Respondent,

-against-

M-4955
Index No. 260584/13

Department of Housing Preservation
and Development,
Defendant-Appellant,

-and-

Hutchinson Parkway Apartment, Inc.,
Defendant.

-----X

Appeals having been taken from an order of the Supreme Court, Bronx County, entered on or about May 13, 2014 and from an order of the same Court and Justice entered on or about September 24, 2015,

And defendant-appellant having moved for an enlargement of time to perfect the appeal taken from the aforesaid order of the Supreme Court, Bronx County, entered on or about May 13, 2014,

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 appeals, which are, sua sponte, consolidated, to the March 2016 Term. Appellant is permitted to prosecute the appeals upon 9 copies of one record and one set of appellant's points covering the aforesaid appeals.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 24, 2015.

PRESENT - Hon: Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Sallie Manzanet-Daniels, Justices.

-----X
Samuel Alan Spearin,
Plaintiff-Appellant,

-against-

M-4886
Index No. 155561/12

Linmar, L.P., et al.,
Defendants-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about December 24, 2014 (mot. seq. no. 007),

And plaintiff-appellant having moved for an order sealing the appeal or having an anonymous title designated,

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

It is ordered that the motion is denied. The Clerk's office is directed to remove any "Sealed" designation in connection with this matter.

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 November 24, 2015.

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

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

-against-

M-4490
Ind. No. 2560/94

Richard Williams,
Defendant-Appellant.

-----X

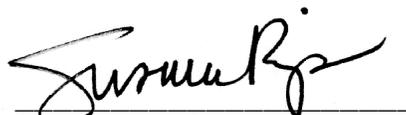
A decision and order of this Court having been entered on September 29, 1998 (Appeal No. 2031-32), unanimously affirming a judgment of the Supreme Court, New York County (Daniel Fitzgerald, J.), rendered on March 15, 1995,

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

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

It is ordered that said application is denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 24, 2015.

PRESENT - Hon. Peter Tom, Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
Karla Moskowitz, Justices.

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

-against-

M-2655
IDV No. 20164/14

Louis Rohde,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about April 10, 2015, for leave to have the appeal heard on 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 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 8 reproduced copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, 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. (See M-2656, 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 November 24, 2015.

PRESENT - Hon. Peter Tom, Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
Karla Moskowitz, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-2656
IDV. No. 20111/15

Louis Rohde,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about April 10, 2015, for leave to have the appeal heard on 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 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 8 reproduced copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, 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. (See M-2655 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 November 24, 2015.

PRESENT - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzairelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-4455
Ind. No. 3589/09

Melvin Porter,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on September 24, 2013 (Appeal No. 10563), unanimously affirming a judgment of the Supreme Court, New York County (Cassandra Mullen, J.), rendered on January 5, 2011, as amended January 31, 2011,

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

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

It is ordered that said application is denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 24, 2015.

PRESENT - Hon. Peter Tom, Justice Presiding,
David Friedman
Dianne T. Renwick
Karla Moskowitz, Justices.

-----X
Seung Won Lee, et al.,
Plaintiffs-Respondents,

-against-

M-4166
Index No. 154157/14

Woori Bank, etc.,
Defendant-Appellant.

-----X

Defendant-appellant having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on July 28, 2015 (Appeal No. 14872),

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 November 24, 2015.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of

Cameron Xavier W.,
also known as Cameron W.,
Kiya Eisha Coates W.,
also known as Kiya Coates W.,
also known as Kiya C.,
also known as Kiya W.,
Kiyu Nasir Coates W.,
also known as Kiyu Coates W.,
also known as Kiyu C.,
also known as Kiyu W.,
Xavier Cameron W., also known
as Xavier W.,

CONFIDENTIAL

M-5157
Docket Nos. B-4266/10
B-4268/10
B-4269/10
B-4270/10

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

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

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

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

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Randall Carmel, Esq., 53 Jackson Avenue, Syosset, NY 11791, Telephone No. (516) 921-8800, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for respondent-appellant and 8 copies thereof are filed with this Court.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 24, 2015.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----x
Macy's, Inc., et al.,
Plaintiffs-Appellants,

-against-

J.C. Penney Corporation, Inc.,
Defendant-Respondent,

SEALED

M-5311

Index No. 650197/12

-and-

Martha Stewart Living Omnimedia, Inc.,
Defendant.

-----x
An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about June 11, 2015, and said appeal having been perfected,

And defendant J.C. Penney Corporation, Inc. having moved for leave to strike the reply brief filed by plaintiffs-appellants as untimely filed,

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

It is ordered that the motion is denied, and the appeal is maintained on this Court's calendar for the December 2015 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 November 24, 2015.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

In the Matter of the Application of
Grand Imperial, LLC,
Petitioner-Respondent,

For a Judgment Pursuant to Article 78
of the CPLR,

M-5472
Index No. 100704/14

-against-

The New York City Board of Standards
and Appeals ("BSA"), et al.,
Respondents-Appellants.

-----X

An appeal having been taken to this Court by the above-named respondents from the judgment of the Supreme Court, New York County, entered on or about April 22, 2015, and said appeal having been perfected,

And MFY Legal Services, Inc., and the Office of the Manhattan Borough President having moved for leave to file a brief amicus curiae in connection with 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, and movants are directed to file 9 copies of the amicus curiae brief with this Court forthwith.

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 November 24, 2015.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
Sassan Naderi, M.D.,

Plaintiff-Appellant,

-against-

M-5165
Index No. 158028/13

North Shore-Long Island Jewish Health System, et al.,

Defendants-Respondents.
-----X

An appeal having been taken to this Court by the above-named plaintiff from the order of the Supreme Court, New York County, entered on or about March 3, 2014, and said appeal having been perfected,

And an order of this Court having been entered on September 15, 2015 (M-3442), denying the motion by the American Academy of Emergency Medicine ("AAEM") for leave to file a brief amicus curiae brief in connection with the aforesaid appeal, with leave to re-file by proper counsel,

And the American Academy of Emergency Medicine ("AAEM") having renewed the motion for leave to file a brief amicus curiae,

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 movants are directed to file 9 copies of the brief amicus curiae forthwith.

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 November 24, 2015.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
In re Dorlis B., and Another,

Children Under Eighteen Years of Age,
etc.,

Dorge B.,
Respondent-Appellant,

M-5293
Docket Nos.
N-13998-1400/11

Commissioner of the Administration
For the Children's Services, City of
New York,
Petitioner-Respondent,

Julissa B.,
Respondent.

-----X

An appeal having been taken from Orders of Fact-Finding and Disposition of the Family Court, Bronx County, entered on or about February 5, 2015 and February 6, 2015, respectively,

And a decision and order of this Court having been entered on October 27, 2015 (Appeal Nos. 15965-15965A) affirming the aforesaid orders of Family Court,

And petitioner-respondent having moved for an order dismissing respondent-appellant's reply 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 denied, as academic, the appeal having been decided, as indicated.

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 November 24, 2015.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

In the Matter of Ibrahim Donmez,
Petitioner,

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

M-4899
Index No. 401875/13

-against-

Department of Parks & Recreation,
Department of Consumer Affairs,
Respondents.

-----X

An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about February 14, 2014, to review a determination of respondent,

And petitioner having moved for an order enlarging the record with six items, five of which were not before the hearing officer,

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 solely to the extent of permitting the petitioner to file a supplemental record containing the document attached to the moving papers as "Exhibit F."

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 November 24, 2015.

PRESENT - Hon: Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
Phoenix Light SF Limited, Silver Elms
CDO PLC, Silver Elms CDO II Limited,
Kleros Preferred Funding V PLC,
Plaintiffs-Appellants,

-against-

M-5553
Index No. 653235/13

Merrill Lynch & Co., Inc., et al.,
Defendants-Respondents.

-----X

Appeals having been taken from the orders of the Supreme Court, New York County, entered on or about October 8, 2014 and December 15, 2014, respectively, and said appeals having been perfected for the December 2015 Term,

And plaintiffs-appellants having moved this Court to take judicial notice of certain public records published by the Department of Justice and complaints filed in civil actions in the Supreme Court, New York County,

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. Sua sponte, Point C(1) of plaintiffs' reply brief (pp. 19-21) is deemed stricken.

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 November 24, 2015.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick
Richard T. Andrias, Justices.

-----x
Edward Pepiptone,
Plaintiff-Appellant,

-against-

Consolidated Edison Company of New
York, Verizon New York, Inc.,
Defendants,

M-4816
Index No. 109977/10

Time Warner Entertainment,
Defendant-Respondent.
-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about July 8, 2014, and said appeal having been perfected,

And an order of this Court having been entered on September 1, 2015 (M-2263/M-2786), inter alia, granting plaintiff-appellant an enlargement of time to perfect the appeal, and denying the cross motion taken by defendant-respondent for dismissal of the aforesaid appeal,

And defendant-respondent having moved for reargument of the cross motion denying "dismissal of the aforesaid appeal" (M-2786),

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 for reargument is granted and, upon reargument, the cross motion to dismiss the appeal for failure to file a timely notice of appeal is denied (CPLR 5513).

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 November 24, 2015.

PRESENT - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Richard T. Andrias
Karla Moskowitz, Justices.

-----X
In the Matter of the Guardianship
of the Person and Custody of

Selvin Adolph F., Jr.,

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

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

M-5126
Docket No. B-15494/10

Thelma Lynn W.,
Respondent-Appellant.

Seymour W. James, Jr., Esq., The Legal
Aid Society, Juvenile Rights Division,
Attorney for the Child.

-----X
An order of this Court having been entered on July 28, 2015 (M-2148) assigning Neal D. Futerfas, Esq., as counsel to prosecute the appeal from the order of the Family Court, Bronx County, entered on or about December 22, 2014; and a motion having been made to relieve such counsel, and for other relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Neal D. Futerfas, Esq., as counsel to prosecute appellant's appeal, and substituting, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Randall Carmel, Esq., 53 Jackson Avenue, Syosset, NY 11791, Telephone No. (516)921-8800 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 November 24, 2015.

Present - Hon. David Friedman, Justice Presiding,
Richard T. Andrias
David B. Saxe
Judith J. Gische
Barbara R. Kapnick, Justices.

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

Respondent,

-against-

M-4524
Ind. No. 3444N/02

Miguel Dellos Santos,

Defendant-Appellant.
-----x

Defendant-appellant, through retained counsel, 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 December 10, 2014,

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

It is ordered that the motion is granted to the extent of deeming the appeal perfected for the February 2016 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 November 24, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
David B. Saxe
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
In the Matter of the Application
for Ancillary Letters Testamentary
on the Last Will and Testament of

Paula X. Assimakopoulos,
Deceased.

- - - - -
Eva Lana,
Petitioner-Appellant,

SURROGATE'S COURT
M-3297A
Index No. 1154/12

-against-

Nicolle Assimakopoulos-Panuthos,
Cross-Petitioner-Respondent.

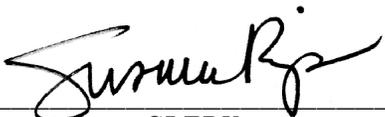
-----X

Petitioner-appellant having moved for an enlargement of time to perfect the appeal from a decree of the Surrogate's Court, New York County, entered on or about September 25, 2013, and to enlarge the record to include certain specified documents,

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. Petitioner is granted both the enlargement of the record and an enlargement of time to perfect the appeal to the March 2016 Term. The order of this Court entered on September 1, 2015 (M-3297) is hereby recalled and 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 November 24, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Richard T. Andrias
Karla Moskowitz, Justices.

-----X
Clara Appel-Hole and Alan Hole,
Plaintiffs-Respondents,

-against-

Wyeth-Ayerst Laboratories, et al.,
Defendants.

M-5081
Index No. 105122/09

-----X
Ella Abramova, et al.,
Intervenor-Plaintiffs-Respondents,

-against-

Paul J. Napoli, Gerald Kaiser,
Marc J. Bern, Napoli, Kaiser &
Associates LLP, Napoli Kaiser, Bern
LLP, Napoli Kaiser, Bern & Associates
LLP, Law Offices of Marc Jay Bern,
P.C., Napolia, Kaiser, Bern &
Associates, P.C., and Napoli,
Kaiser & Bern, P.C.,
Intervenor Defendants-Appellants.

-----X
(And another action)
-----X

Defendants-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 December 8, 2014,

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 March 2016 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 November 24, 2015.

PRESENT - Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
Dianne T. Renwick
Richard T. Andrias
Karla Moskowitz, Justices.

-----X

Mark Greenberg,
Plaintiff-Appellant,

-against-

M-4568
Index No. 650960/14

Herzfeld & Rubin, P.C., et al.,
Defendants-Respondents.

-----X

Defendants-respondents having moved to dismiss the appeal from the order of the Supreme Court, New York County, entered on or about February 25, 2015,

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 November 24, 2015.

PRESENT - Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
Dianne T. Renwick
Richard T. Andrias
Karla Moskowitz, Justices.

-----X
Masaryk Towers Corp.,
Petitioner-Landlord-Respondent,

-against-

M-5131
Index No. 570874/14

Brenda Spencer,
Respondent-Tenant-Appellant,

-and-

"John Doe" and "Jane Doe,"
Respondents.

-----X

Respondent-tenant-appellant having moved for leave to appeal to this Court from the decision and order of the Appellate Term, entered in the office of the Clerk of the Supreme Court, New York County on or about June 25, 2015,

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 November 24, 2015.

PRESENT - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Karla Moskowitz
Barbara R. Kapnick, Justices.

-----X
In re Deirdre Randles,
Petitioner-Appellant,

-against-

M-2837
Index No. 101066/13

State of New York Unified Court
System,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on May 12, 2015 (Appeal No. 15069),

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 November 24, 2015.

PRESENT - Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
Rosalyn H. Richter
Judith J. Gische, Justices.

-----X
Alexander J. Gerschel, et al.,
Plaintiffs-Appellants,

-against-

M-2686
Index No. 651561/10

Craig G. Christensen, et al.,
Defendants-Respondents,

Land Base LLC, et al.,
Defendants.

-----X

Defendants-respondents having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on May 7, 2015 (Appeal No. 15053),

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 November 24, 2015.

PRESENT - Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
Dianne T. Renwick
Richard T. Andrias
Karla Moskowitz, Justices.

-----X
Amtrust-NP SFR Venture, LLC,
Plaintiff-Respondent,

-against-

M-4360
Index No. 810148/12

James Vazquez, also known as
James Vasquez,
Defendant-Appellant,

City of New York Environmental Control
Board, et al.,
Defendants.

-----X

Plaintiff-respondent having moved to dismiss the appeal from the order of the Supreme Court, New York County, entered on or about May 15, 2015 (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 dismissing defendant's appeal insofar as the trial Court's order entered May 15, 2015, denies reargument, and the motion is otherwise denied without prejudice to hearing arguments on appeal.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 24, 2015.

Present: Hon. David Friedman, Justice Presiding,
Richard T. Andrias
David B. Saxe
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
New York Master Cabbie Corporation,
Petitioner-Appellant,

-against-

M-4794

Index Nos. 100522/14

The New York City Taxi and Limousine
Commission, et al.,
Respondents-Respondents.

-----X

Appeals having been taken from a judgment of the Supreme Court, New York County, entered on or about November 3, 2014, and from an order of said Court entered on or about April 8, 2015,

And petitioner having moved for an enlargement of time to perfect 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 denied as academic. (See the orders of this Court [M-4062, M-4063], decided simultaneously herewith, dismissing all appeals under Index No. 100522/14 and Index No. 100507/14. See M-3539, 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 November 24, 2015.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

-----X
New York Master Cabbie Corporation,
Petitioner-Appellant/
Appellant-Respondent,

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

M-3539
Index No. 100507/13

-against-

The New York City Taxi and Limousine
Commission ("TLC"), et al.,
Respondents-Respondents/
Respondent-Appellant.
-----X

Appeals having been taken to this Court by petitioner from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about October 9, 2013, and from the judgment of said Court entered on or about October 8, 2014, respectively, and a cross appeal having been taken from the aforesaid judgment entered on or about October 8, 2014,

And an order of this Court having been entered on or about April 7, 2015 (M-6301) having consolidated the aforesaid appeals, and enlarging the time to perfect same to the October 2015 Term,

And petitioner-appellant having moved for an enlargement of time to perfect the aforesaid consolidated appeals,

And this Court having dismissed such appeals (See M-4062/M-4063, decided simultaneously herewith).

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 academic.
(See M-4062/M-4063 and M-4794, 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 November 24, 2015.

Present: Hon. David Friedman, Justice Presiding,
Richard T. Andrias
David B. Saxe
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X

New York Master Cabbie Corporation,
Petitioner-Appellant/Respondent,

-against-

The New York City Taxi and Limousine
Commission, et al.,
Respondents-Respondents/Appellants.

-----X

M-4062

M-4063

Index Nos. 100507/13
100522/14

Appeals having been taken by petitioner from an order and judgment (one paper) of the Supreme Court, New York County, (under Index No. 100507/13) entered on or about October 9, 2013; and from a judgment of said Court (under Index No. 100522/14) entered on October 8, 2014; from a judgment (under Index No. 100522/14) entered on November 3, 2014; from a judgment (under Index No. 100507/13) entered on or about March 17, 2015; and from an order (under Index No. 100522/14) entered on or about April 8, 2015; and respondents having taken a cross appeal from the judgment (under Index No. 100522/14) of said Court entered on or about October 8, 2014,

And collective respondents having moved for an order dismissing the aforesaid appeals (M-4062 and M-4063),

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 granted and all appeals and the cross appeal Under both index numbers are dismissed. (See M-4794/M-3539, 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 November 24, 2015.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
David B. Saxe
Judith J. Gische, Justices.

-----X
Darya Braverman,
Plaintiff-Respondent,

-against-

M-4530
Index No. 306221/11

Eric Braverman,
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 6, 2014,

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 March 2016 Term.

ENTER:



CLERK

ORDER CORRECTED - NOVEMBER 25, 2015

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 November 24, 2015.

PRESENT - Hon. John W. Sweeny, Jr., Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
Karla Moskowitz, Justices.

-----X
Proskauer Rose LLP and Alan P. Barnes,
Plaintiff-Appellant,

-against-

M-5522
Index No. 650596/14

James Edelson and Myles Itlein,
Defendants-Respondents.

-----X

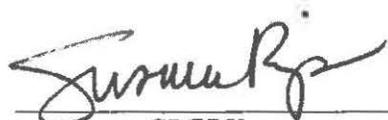
An appeal having been taken from the order of the Supreme Court, New York County, entered on or about January 20, 2015 (mot. seq. no. 006),

And defendant-respondent Myles Itlein having moved for leave to file a supplemental record on appeal with Proskauer Rose LLP's answer and affirmative defenses ("Answers") cited in a related action,

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 is directed to promptly file a **supplemental record** containing the document set forth as "Exhibit A" to the motion papers. Sua sponte, the appeal is adjourned to the January 2016 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 November 24, 2015.

PRESENT - Hon. Rolando T. Acosta, Justice Presiding,
David B. Saxe
Rosalyn H. Richter
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
In the Matter of a Family Offense
Proceeding Under Article 8 of the
Family Court Act.

- - - - -
Nekadam Y.,
Petitioner,

-against-

David B.,
Respondent.

M-5154
Docket Nos. O-43873/14
B-1595/13

-----X

Respondent having moved pursuant to CPLR 5704(a) for certain relief denied by a Justice of the Family Court, New York County, entered on or about November 24, 2014,

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 November 24, 2015.

Present: Hon. Karla Moskowitz, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

-----X
In the Matter of

Leidi N.,
Christian T.,
Erika T.,
and Chris T.,

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

M-4115
Docket Nos.
NA-13141/13
NA-13142/13
NA-13143/13
NA-13144/13

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

Beato T.,
Respondent-Respondent.

- - - - -
Randall Carmel, Esq.,
Attorney for the Children
Christian T., Erika T.,
and Chris T.,

Seymour W. James, Jr., Esq.,
The Legal Aid Society,
Juvenile Rights Division,
Attorney for the Child
Leidi N.

-----X

An appeal having been taken from an order of the Family Court, Bronx County, entered on or about January 12, 2015,

And Randall Carmel, Esq., attorney for the subject children, Christian T., Erika T., and Chris T., having moved to be relieved as counsel on the appeal,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties dated September 3, 2015, and due deliberation having been had thereon, it is

Ordered that the motion to be relieved as counsel on the appeal is granted and the appeal is deemed withdrawn in accordance with the aforesaid stipulation of the parties. Sua sponte, the stay granted by order of this Court on May 7, 2015 (M-264) 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 November 24, 2015.

Present: Hon. Karla Moskowitz, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

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

-against-

Jose Victorino,
Defendant-Appellant.

M-4129
Ind. Nos. 982/12
12358C/12

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, Bronx County, rendered on or about October 23, 2014, and for leave to prosecute the appeal as a poor person on the original record and upon a reproduced appellant's brief, and for assignment of counsel,

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

It is ordered that the motion is granted to the extent of deeming the notice of appeal timely filed, and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, NY 10007, Telephone No. (212) 402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the first Judicial Department in the County of New York on November 24, 2015.

Present: Hon. Karla Moskowitz, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

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

-against-

M-4145

Ind. No. 6998/01

James Moore,
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, entered on or about September 16, 2014, **denying resentence**, 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 8 copies of such brief, together with the original record, with this Court pursuant to Rule 600.11 of the Rules of this Court.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th 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 November 24, 2015.

Present: Hon. Karla Moskowitz, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

-----X
Barbara Morris,
Petitioner-Respondent,

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

-against-

M-4167
Index No. 100845/13

New York City Department of Health
and Mental Hygiene,
Respondent-Appellant.
-----X

An appeal having been taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about October 15, 2013,

And petitioner-respondent having moved to dismiss the aforesaid appeal, vacate the automatic stay, and for other relief,

Now, upon reading and filing the papers with respect to the motion, and the letter of Corporation Counsel, dated September 3, 2015, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of deeming the appeal withdrawn in accordance with the aforesaid letter of Corporation Counsel, and vacating the automatic stay, and otherwise denied, without prejudice to proceedings in the Supreme Court.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 24, 2015.

Present: Hon. Karla Moskowitz, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

-----X
In the Matter of the Application of
Elaine Ward,
Petitioner-Appellant,

M-4169

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

Index No. 100341/12

-against-

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

-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about October 24, 2014, December 12, 2014 and April 20, 2015, respectively,

And petitioner having moved for leave to prosecute the aforesaid appeals as a poor person, upon the original record and upon a reproduced appellant's brief, for an enlargement of time to perfect said appeals, and for related relief,

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

It is ordered that the motion, to the extent it seeks poor person relief, is denied. So much of the motion which seeks an enlargement of time to perfect the appeals, is granted to the extent of, sua sponte, consolidating the aforesaid appeals and enlarging the time to perfect same to the April 2016 Term. Petitioner-appellant is permitted to prosecute said consolidated appeals upon 9 copies of one record and of one set of appellant's points covering the 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 November 24, 2015.

Present: Hon. Karla Moskowitz, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

-----X

The People of the State of New York,
Respondent,

SEALED

-against-

M-4151

Ind. No. 1744/13

Anonymous,
Defendant-Appellant.

-----X

Defendant-appellant having moved for an order granting movant anonymity in connection with an appeal from a judgment of the Supreme Court, New York County, rendered on or about November 6, 2014, designating the case as *People v Anonymous*, and **sealing** the record on appeal, including the minutes of the proceedings and the appellate briefs and motions, 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 that the record on appeal and brief are to be filed under "**Sealed**". The Clerk is directed to calendar the appeal under *People v Anonymous*.

ENTER:


CLERK

P.M. ORDERS
FOR
NOVEMBER 24,
2015

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 November 24, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
In the Matter of the Commitment,
Guardianship and Custody of

Nina M.,

A Child Under 18 Years of Age
Alleged to be Neglected Pursuant to
§ 384-b of the Social Services Law
of the State of New York.

M-5087
Docket Nos. B-28222/11
A-8687/12

- - - - -
New York City Administration for
Children's Services,
Respondent-Respondent,

Naquwan T.,
Movant-Appellant.

- - - - -
George E. Reed Jr., Esq.,
Attorney for the Child.

-----X

An appeal having been taken to this Court from the order of the Family Court, Bronx County, entered on or about January 13, 2014,

Now, upon the Court's own motion,

It is ordered that, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, George E. Reed Jr., Esq., 222 Mamaroneck Ave., White Plains, NY 10605, Telephone No. 914-946-5000, is assigned as counsel for the subject child for purposes of responding to the appeal; (2) permitting the child to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for movant-appellant and 8 copies thereof are filed with this Court. The perfected appeal in this matter (Cal. No. 2145) is adjourned to the April 2016 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 November 24, 2015.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
In the Matter of

Matthew P.,

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

Commissioner of Social Services of the
City of New York,
Petitioner-Respondent,

M-1992
Docket No.
NN-25310/09

Ellen C.,
Respondent-Appellant.

Seymour W. James, Jr., Esq.,
The Legal Aid Society, Juvenile
Rights Division,
Attorney for the Child.

-----X
An appeal having been taken from the order of the Family Court, New York County, entered on or about January 14, 2011,

Now, upon reading and filing the stipulation of the parties hereto, dated April 2, 2015, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:


CLERK