

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 August 1, 2017.

Present:	Hon. Barbara R. Kapnick,	Justice Presiding,
	Marcy L. Kahn	
	Cynthia S. Kern	
	Peter H. Moulton,	Justices.

-----X

Christopher Brummer,
Plaintiff-Respondent,

M-3328

-against-

Index No. 153583/15

Benjamin Wey, FNL Media LLC, and
NYG Capital LLC, doing business
as New York Global Group,
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 6, 2017,

And defendants-appellants having moved, pursuant to CPLR 5519(c), to stay the aforesaid order which, without an evidentiary hearing, granted plaintiff's motion for a preliminary injunction and temporary restraining order: (1) enjoining defendants from posting any article about plaintiff to the website TheBlot.com for the duration of the action; and (2) ordering defendants to remove from TheBlot.com all articles they have posted which concern plaintiff,

And an interim order of a Justice of this Court, dated June 15, 2017, having stayed the entirety of the Supreme Court's 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 interim stay of this Court, dated June 15, 2017, should be lifted to the extent of directing defendants to remove all photographs or other images and

statements from websites under defendants' control which depict or encourage lynching; encourage the incitement of violence; or that feature statements regarding plaintiff that, in conjunction with the threatening language and imagery with which these statements are associated, continue to incite violence against plaintiff. The interim stay is also lifted so as to prohibit defendants from posting on any traditional or online media site any photographs or other images depicting or encouraging lynching in association with plaintiff. The issue of the amount of the undertaking is presently being addressed in the motion Court.

ENTERED:


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 August 1, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Dianne T. Renwick
Angela M. Mazzarelli
Judith J. Gische
Ellen Gesmer, Justices.

-----x
Lawrence Lomax,

Plaintiff-Appellant,

-against-

M-2133
Index No. 14495/01

New York City Health and Hospitals
Corporation, et al.,

Defendants-Respondents.
-----x

Defendants-respondents having moved for dismissal of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about July 17, 2015, for failure to timely prosecute and for costs incurred in defending this matter,

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 the appeal unless it is perfected for the December 2017 Term. The motion is otherwise denied.

ENTERED:


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 August 1, 2017.

Present - Hon. Rolando T. Acosta,	Presiding Justice,
Peter Tom	
David Friedman	
John W. Sweeny, Jr.	
Dianne T. Renwick,	Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-3455
Ind. No. 932/15

Steve Rich,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on March 8, 2017, which, inter alia, granted defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about February 28, 2017,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and which directed trial counsel to file a notice of appeal on defendant's behalf,

It is ordered that the appeal is permitted 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 transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Rosemary Herbert, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. 212-402-4112, 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.

ENTERED:


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 August 1, 2017.

Present - Hon. Rolando T. Acosta,	Presiding Justice,
Peter Tom	
David Friedman	
John W. Sweeny, Jr.	
Dianne T. Renwick,	Justices.

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

Respondent,

-against-

M-3451
Ind. No. 3433/14

William Askew Bryan,

Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on February 21, 2017, which, inter alia, granted defendant poor person relief with respect to the appeal from the judgment of the Supreme Court, New York County, rendered on or about February 21, 2017,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and which directed trial counsel to file a notice of appeal on defendant's behalf,

It is ordered that the appeal is permitted 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 transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Seymour W. James, Jr., 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.

ENTERED:


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 August 1, 2017.

Present - Hon. Rolando T. Acosta,	Presiding Justice,
Peter Tom	
David Friedman	
John W. Sweeny, Jr.	
Dianne T. Renwick,	Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-3127
Ind. No. 1220N/14

Brandon Batista,
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 September 26, 2016, 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 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 transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Seymour W. James, Jr., 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.

ENTERED:


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 August 1, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Peter Tom
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-3123

Ind. Nos. 3092/00
6271/00

Alberto Benvenutti,
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 (Obus, J.), entered on or about May 18, 2017, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Obus 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.

ENTERED:


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 August 1, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Peter Tom
David Friedman
John W. Sweeny, Jr., Justices.

-----X

The People of the State of New York,
Respondent,

CONFIDENTIAL

M-3241

-against-

Ind. No. 4481/08

Guillermo C.,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County (Raymond Bruce, J.), entered on or about May 8, 2017, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

ENTERED:


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 August 1, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Peter Tom
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-3329
Ind. No. 3794/15

Heriberto Lopez,
Defendant-Appellant.

-----X

An order of this Court having been entered on December 13, 2016 (M-5370), granting defendant leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about May 26, 2016, and assigning Seymour W. James, Jr., Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Seymour W. James, Jr., Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10006, Telephone No. 212-577-2523, 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.

ENTERED:


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 August 1, 2017.

Present: Hon. Rolando T. Acosta, Presiding Justice,
Peter Tom
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick, Justices.

-----X

The People of the State of New York,
Respondent,

M-3401

-against-

Ind. No. 3843/14

Kashawn Ruffin,
Defendant-Appellant.

-----X

An order of this Court having been entered on January 19, 2017 (M-5182), granting defendant leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about May 4, 2015, and assigning Seymour W. James, Jr., Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Seymour W. James, Jr., Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Rosemary Herbert, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. 212-402-4112, 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.

ENTERED:


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 August 1, 2017.

Present - Hon. Rolando T. Acosta,
Rosalyn H. Richter
Troy K. Webber
Marcy L. Kahn,

Presiding Justice,

Justices.

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

-against-

M-2774
Ind. No. 1219N/16

Reinaldo Herrera,
Defendant-Appellant.

-----X

Defendant, through retained counsel Edgar Fankenbonner, Esq., having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about September 22, 2016, 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 the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied, with leave to renew, upon submission of a detailed notarized affidavit, pursuant to CPLR 1101, setting forth his indigency, including the amount and sources of funds to retain counsel, Luis O Diaz, Esq., and retained appellate counsel Edgar Fankenbonner, Esq., of the firm Goldberger & Dubin, P.C., and an explanation as to why similar funds are not available to prosecute this appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

ENTERED:


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 August 1, 2017.

Present - Hon. Rolando T. Acosta,
Dianne T. Renwick
Rosalyn H. Richter
Troy K. Webber,

Presiding Justice,

Justices.

-----x
Suttongate Holdings Limited,
Plaintiff-Respondent,

-against-

M-2364
Index No. 652393/15

Laconm Management N.V., et al.,
Defendants-Appellants.

- - - - -
[And other actions]

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about April 27, 2017,

And defendants-appellants having moved for a stay of their obligation to impose mortgages on properties located in St. Maarten,

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

It is ordered that the motion is granted to the extent of staying defendants' obligations to the mortgage the subject properties, on condition that defendants-appellants remain current in their obligations with respect to any existing mortgages and provide immediate notice to plaintiff of any default thereon, or any foreclosure proceeding involving the subject properties, and upon further condition that the appeal is perfected on or before October 2, 2017 for the December 2017 Term, with no further enlargements to be granted. The Clerk is directed to maintain the appeal on for said December 2017 Term, and the motion is otherwise denied.

ENTERED:


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 August 1, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Troy K. Webber, Justices.

-----X

Laszlo R. Horvath,
Plaintiff-Respondent,

-against-

Gumley Haft Kleier Inc.,
Defendant,

M-2005

Index No. 310013/10

Eltech Industries, Inc.,
Defendant-Appellant.

-----X

Plaintiff-respondent 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 March 7, 2017 (Appeal No. 2883N),

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.

ENTERED:


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 August 1, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Dianne T. Renwick
Sallie Manzanet-Daniels
Barbara R. Kapnick
Troy K. Webber, Justices.

-----X

Heartland Brewery, Inc.,

Plaintiff-Appellant-Respondent,

-against-

M-2595

Index No. 650144/14

Nova Casualty Company,

Defendant-Respondent-Appellant.

-----X

Plaintiff-appellant-respondent 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
April 13, 2017 (Appeal No. 3726),

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.

ENTERED:


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 August 1, 2017.

Present - Hon. Rolando T. Acosta,	Presiding Justice,
John W. Sweeny, Jr.	
Dianne T. Renwick	
Karla Moskowitz	
Marcy L. Kahn,	Justices.

-----X

In re John P. Licciardi, etc.,
Petitioner-Appellant,

-against-

Vicki Been, etc., et al.,
Respondents-Respondents,

M-2768

Index No. 101333/15

Esplanade Gardens, Inc.,
Respondent.

-----X

Petitioner-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 April 27,
2017 (Appeal No. 3857),

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.

ENTERED:


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 August 1, 2017.

Present - Hon. Rolando T. Acosta,	Presiding Justice,
Rosalyn H. Richter	
Richard T. Andrias	
Marcy L. Kahn	
Ellen Gesmer,	Justices.

-----X

In re Alfonso Amelio,

Petitioner,

-against-

M-2890
Index No. 96/17

Hon. Douglas E. Hoffman, et al.,

Respondents.

-----X

Petitioner having moved for vacatur, reargument or clarification of the decision and order of this Court, entered on April 20, 2017 (Appeal No. 3614),

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.

ENTERED:


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 August 1, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Dianne T. Renwick
Sallie Manzanet-Daniels
Barbara R. Kapnick
Troy K. Webber, Justices.

-----X

James McLaughlin,
Plaintiff-Appellant-Respondent,

-against-

BR Guest, Inc., et al.,
Defendants-Respondents-Appellants,

M-3035

Index No. 102005/12

SPH Restaurant Enterprises, Inc.,
et al.,
Defendants.

- - - - -
[And a third-party action]

-----X

Plaintiff-appellant-respondent 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 April 13, 2017 (Appeal No. 3722),

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.

ENTERED:


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 August 1, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Peter Tom
Richard T. Andrias
Karla Moskowitz
Marcy L. Kahn, Justices.

-----X

In re Estate of Oscar Stettiner,
Deceased.

International Art Center,
Petitioner-Appellant,

M-1427
M-2032
Index No. 1705/13A

-against-

The Estate of Oscar Stettiner,
et al.,
Respondents-Respondents.

-----X

Petitioner-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 February 14, 2017 (Appeal No. 2364) [M-1427],

And respondents-respondents having cross-moved for the imposition of sanctions for frivolous conduct as against petitioners [M-2032],

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.

ENTERED:


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 August 1, 2017.

Present - Hon. Rolando T. Acosta,
Rosalyn H. Richter
Troy K. Webber
Marcy L. Kahn,

Presiding Justice,

Justices.

-----x
John Koepfel,

Plaintiff-Appellant,

-against-

M-2413
Index No. 650889/13

Volkswagen Group of America, Inc.,
et al.,

Defendants-Respondents.
-----x

Defendants-respondents having moved for dismissal of the appeal from the order of the Supreme Court, New York County, entered on or about February 24, 2017, for failure to timely file a 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 unless the appeal is perfected for the December 2017 Term.

ENTERED:


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 August 1, 2017.

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

-----x
Dr. Richard Cordero, Esq. (Ricardo),

Plaintiff-Appellant,

-against-

M-2786
Index No. 25026/15E

Vivian Barriero-Cordero, etc., 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, Bronx County, entered on or about January 25, 2016, and for an exemption from paying a prior motion filing fee, and to cure omissions of lack of notice of this Court's prior order, entered on February 16, 2017 (M-6321),

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 on or before October 2, 2017 for the December 2017 Term, and the motion is otherwise denied.

ENTERED:


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 August 1, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Peter Tom
David Friedman
John W. Sweeny, Jr., Justices.

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

Respondent,

-against-

Pedro Bridgewater, also known as
Anthony Nunez,

M-136
Ind. Nos. 2562/93
2950/93

Defendant-Appellant.
-----X

A decision and order of this Court having been entered on September 25, 1997 (Appeal No. 61491), unanimously affirming a judgment of the Supreme Court, Bronx County (Gerald Sheindlin, J., on consolidation and severance motions; Steven Lloyd Barrett, J., at jury trial and sentence), rendered on November 23, 1994,

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.

ENTERED:


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 August 1, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Peter Tom
David Friedman
John W. Sweeny, Jr., Justices.

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

Respondent,

-against-

M-884
Ind. No. 3737/10

Jamel Williams,

Defendant-Appellant.
-----X

A decision and order of this Court having been entered on October 8, 2015 (Appeal No. 15816), unanimously affirming a judgment of the Supreme Court, New York County (Ruth Pickholz, J.), rendered on June 25, 2012,

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.

ENTERED:


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 August 1, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Peter Tom
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-1280
Ind. No. 4087/03

Nelson Cruz,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on October 14, 2008 (Appeal No. 4249), unanimously affirming a judgment of the Supreme Court, New York County (Jeffrey M. Atlas, J., at suppression hearing; Bruce Allen, J., at jury trial and sentence), rendered on June 17, 2005,

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 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 said application is denied.

ENTERED:


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 August 1, 2017.

Present - Hon. Rolando T. Acosta,	Presiding Justice,
Peter Tom	
David Friedman	
John W. Sweeny, Jr.,	Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-1825
Ind. No. 8700/96

Carl Brown,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered
on December 14, 2000 (Appeal No. 2629), unanimously affirming
a judgment of the Supreme Court, New York County (Edward
McLaughlin, J.), rendered on January 8, 1998,

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.

ENTERED:


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 August 1, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Peter Tom
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

Anthony Malloy, also known as Antony
Milloy,

Defendant.
-----x

M-1972
M-1973
Ind. Nos. 681/12
429/99

Defendant having moved for an order granting his application for coram nobis relief on the grounds he was allegedly denied effective assistance of trial counsel by reason of trial counsel's failure to file a timely notice of appeal on defendant's behalf, pursuant to CPL 460.30, from the judgment of the Supreme Court, New York County, rendered on or about January 14, 2014, under Ind. No. 681/12 (M-1972),

And defendant-appellant having moved, by separate motion, for said relief with respect to a judgment of **resentence** of the Supreme Court, New York County, rendered on or about August 20, 2008, under Ind. No. 429/99 (M-1973),

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.

ENTERED:


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 August 1, 2017.

Present - Hon. Rolando T. Acosta,	Presiding Justice,
Peter Tom	
David Friedman	
John W. Sweeny, Jr.,	Justices.

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

-against-

M-2449
Ind. No. 11499/93

Kenneth Garcia,

Defendant.

-----x

Defendant having moved for an order granting his application for coram nobis relief on the grounds he was allegedly denied effective assistance of trial counsel by reason of trial counsel's failure to file a timely notice of appeal on defendant's behalf, pursuant to CPL 460.30, from the judgment of the Supreme Court, New York County, rendered on or about May 16, 1994, or for alternative 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.

ENTERED:


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 August 1, 2017.

Present - Hon. Rolando T. Acosta,	Presiding Justice,
Peter Tom	
David Friedman	
John W. Sweeny, Jr.,	Justices.

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

-against-

M-2598
Ind. No. 1987/09

Natoine Marshall,

Defendant.

-----x

Defendant having moved for an order granting his application for coram nobis relief on the grounds he was allegedly denied effective assistance of trial counsel by reason of trial counsel's failure to file a timely notice of appeal on defendant's behalf, pursuant to CPL 460.30, from the judgment of the Supreme Court, New York County, rendered on or about January 28, 2010, or for alternative 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.

ENTERED:


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 August 1, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Peter Tom
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-2705
Ind. No. 2615/08

Jeffrey Wilson,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on April 28, 2016 (Appeal No. 975), unanimously affirming a judgment of the Supreme Court, Bronx County, rendered on July 23, 2013,

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.

ENTERED:


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 August 1, 2017.

Present - Hon. Rolando T. Acosta,	Presiding Justice,
Peter Tom	
David Friedman	
John W. Sweeny, Jr.,	Justices.

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

-against-

M-2966
Ind. No. 1945/11

Jenger Cordoba,

Defendant.

-----X

Defendant having moved for an order granting his application for coram nobis relief on the grounds he was allegedly denied effective assistance of trial counsel by reason of trial counsel's failure to file a timely notice of appeal on defendant's behalf, pursuant to CPL 460.30, from the judgment of the Supreme Court, New York County, rendered on or about May 15, 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 denied.

ENTERED:


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 August 1, 2017.

Present - Hon. Rolando T. Acosta,	Presiding Justice,
Peter Tom	
David Friedman	
John W. Sweeny, Jr.,	Justices.

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

-against-

M-2528
Ind. No. 2694/00

Gonzalo Aguilar,

Defendant.

-----x

Defendant having moved for an order granting his application for coram nobis relief on the grounds he was allegedly denied effective assistance of trial counsel by reason of trial counsel's failure to file a timely notice of appeal on defendant's behalf, pursuant to CPL 460.30, from the judgment of resentence of the Supreme Court, New York County, rendered on or about July 27, 2012, and the order, same Court and Justice, entered on or about November 28, 2016, 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 denied.

ENTERED:


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 August 1, 2017.

Present - Hon. Peter Tom,	Justice Presiding,
Rosalyn H. Richter	
Sallie Manzanet-Daniels	
Angela M. Mazzarelli	
Judith J. Gische,	Justices.

-----X

Jeanne E. Moore,

Plaintiff-Appellant,

-against-

M-2811

Index No. 570552/16

Stephan A. Schoop, et al.,

Defendants-Respondents.

-----X

Respondent having moved for leave to appeal to this Court from the decision and order of the Appellate Term, First Department, entered in the office of the Clerk of the Supreme Court, New York County, on or about March 16, 2017,

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.

ENTERED:


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 August 1, 2017.

Present - Hon. Peter Tom, Justice Presiding,
David Friedman
Angela M. Mazzarelli
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X

In re Bleecker Street Investors, LLC,
Petitioner-Respondent,

-against-

Doron Zabari,
Respondent-Tenant-Appellant,

M-2286
Index Nos. 570731/15
72392/12

John Doe, et al.,
Respondents-Undertenants.

-----X

Petitioner-respondent having moved for leave to appeal to the Court of Appeals from the decision and order of this Court, entered on March 23, 2017 (Appeal No. 3489),

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.

ENTERED:


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 August 1, 2017.

Present - Hon. David Friedman,
Sallie Manzanet-Daniels
Barbara R. Kapnick
Ellen Gesmer,

Justice Presiding,

Justices.

-----x

The People of the State of New York,

Respondent,

-against-

M-2591
Ind. No. 967/14

Daquan Lanier,

Defendant-Appellant.

-----x

Defendant-appellant having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about November 2, 2016,

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 November 2017 Term.

ENTERED:


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 August 1, 2017.

Present - Hon. David Friedman,
Angela M. Mazzarelli
Karla Moskowitz
Judith J. Gische
Ellen Gesmer,

Justice Presiding,

Justices.

-----x
In the Matter of

Andre A.,

CONFIDENTIAL

M-2475

A Person Alleged to be a Juvenile
Delinquent,

Docket No. D-48406/15

Respondent-Appellant.
-----x

Respondent-appellant having moved for an enlargement of time to perfect the appeal from the Order of Disposition of the Family Court, New York County, entered on or about August 4, 2016,

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 November 2017 Term.

ENTERED:


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 August 1, 2017.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Barbara R. Kapnick
Ellen Gesmer, Justices.

-----x

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

Consuelo M.,
Petitioner-Respondent,

-against-

CONFIDENTIAL

M-2590

Docket No.

F-05962-12/12A/12B

John Francis C.,
Respondent-Appellant.

-----x

Respondent-appellant having moved for an enlargement of time to perfect the appeal from the order of the Family Court, New York County, entered on or about July 11, 2016,

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 November 2017 Term.

ENTERED:


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 August 1, 2017.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Richard T. Andrias
Karla Moskowitz
Ellen Gesmer, Justices.

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

Respondent,

-against-

M-2951
Ind. No. 98/97

Roy Brock,

Defendant-Appellant.

-----X

Defendant-appellant having moved for reargument of the decision and order of this Court, entered on April 9, 2002 (Appeal No. 682),

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.

ENTERED:


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 August 1, 2017.

Present - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X

Valley National Bank, as successor
to the Park Avenue Bank,

Plaintiff-Respondent,

-against-

M-2320

Index No. 102457/10

Stephen L. Gurba, et al.,

Defendants-Appellants.

-----X

Defendant-appellant Evelyn R. Gurba having moved for reargument of the decision and order of this Court, entered on April 4, 2017 (Appeal No. 3624),

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.

ENTERED:


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 August 1, 2017.

Present - Hon. David Friedman,	Justice Presiding,
John W. Sweeny, Jr.	
Dianne T. Renwick	
Sallie Manzanet-Daniels	
Richard T. Andrias,	Justices.

-----X

Timothy Reif, et al.,
Plaintiffs-Respondents,

-against-

Richard Nagy, et al.,
Defendants-Appellants,

Artworks by the Artist Egon Schiele
Known as Woman in the Black Pinafore,
and Woman Hiding Her Face,
Defendants.

- - - - -
ARIS Title Insurance Corporation,
Amicus Curiae.
- - - - -

M-2680
Index No. 161799/15

Timothy Reif, et al.,
Plaintiffs-Respondents,

-against-

Richard Nagy, et al.,
Defendants,

ARIS Title Insurance Corporation,
Proposed Intervenor-Appellant.

-----X

Defendants-appellants 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 April 18, 2017 (Appeal Nos. 3533-3534),

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.

ENTERED:


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 August 1, 2017.

Present - Hon. David Friedman,	Justice Presiding,
Richard T. Andrias	
Karla Moskowitz	
Barbara R. Kapnick	
Marcy L. Kahn,	Justices.

-----x

David Turret,

Plaintiff-Appellant,

-against-

M-2556

Index No. 312678/14

Nancy Turret,

Defendant-Respondent.

-----x

A decision and order of this Court having been entered on February 7, 2017 (Appeal No. 3046N), unanimously affirming a judgment of the Supreme Court, New York County, rendered on February 16, 2016,

And an order of this Court having been entered on May 4, 2017 (M-1092), inter alia, denying plaintiff-appellant's motion with respect to a proposed correction regarding the issue of monthly maintenance,

And plaintiff-appellant having moved for reargument of the order of this Court entered on May 4, 2017 (M-1092),

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.

ENTERED:


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 August 1, 2017.

Present - Hon. David Friedman,	Justice Presiding,
Rosalyn H. Richter	
Karla Moskowitz	
Barbara R. Kapnick,	Justices.

-----X
In re KJ,

Petitioner,

-against-

SEALED

M-2941

Index No. 401622/13

New York City Housing Authority,

Respondent.

-----X

Petitioner having moved for renewal/reargument of the decision and order of this Court, entered on January 26, 2017 (Appeal No. 2890), and for other relief,

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

It is ordered that the motion is denied.

ENTERED:


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 August 1, 2017.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Rosalyn H. Richter
Richard T. Andrias
Troy K. Webber
Ellen Gesmer, Justices.

-----X

In re Malik Turner,

Petitioner-Appellant,

-against-

M-2842

Index No. 101455/14

New York City Department of Housing
Preservation & Development, et al.,

Respondents-Respondents.

-----X

Petitioner-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court, entered on April 18, 2017 (Appeal No. 3752),

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.

ENTERED:


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 August 1, 2017.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Marcy L. Kahn
Ellen Gesmer, Justices.

-----X

In re The People of the State of
New York, etc.,
Petitioner-Respondent,

-against-

PriceWaterhouseCoopers, LLP,
Respondent,

Exxon Mobile Corporation,
Respondent-Appellant.

-----X

CONFIDENTIAL

M-2875

M-2876

Index No. 451962/16

Respondent-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 23, 2017 (Appeal No. 3685N) [M-2875],

And respondent-appellant having moved, by separate motion, for a stay of all proceedings pending hearing and determination of the aforesaid motion for reargument or leave to appeal to the Court of Appeals [M-2876],

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.

ENTERED:


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 August 1, 2017.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
 Rosalyn H. Richter
 Karla Moskowitz
 Ellen Gesmer, Justices.

-----X
Luxor Capital Group, L.P., etc.,
Plaintiffs-Appellants,

-against-

The Seaport Group LLC, et al.,
Defendants-Respondents.

M-2429
Index Nos. 654406/13
590102/14

- - - - -
[And a third-party action]
-----X

Plaintiffs-appellants 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 March 23, 2017 (Appeal Nos. 3511-3512),

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.

ENTERED:


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 August 1, 2017.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Marcy L. Kahn
Ellen Gesmer, Justices.

-----X

B and H Florida Notes LLC,
Plaintiff-Respondent,

-against-

M-2381

M-2934

Alexander Ashkenazi, et al.,
Defendants,

Index No. 850263/13

Amit Louzon,
Defendant-Appellant.

-----X

Defendant-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 April 4, 2017 (Appeal Nos. 2847 and 2848) [M-2381],

And, plaintiff-respondent having cross-moved for reargument of the aforesaid decision and order of this Court, or, in the alternative, for leave to appeal to the Court of Appeals [M-2934],

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 in their entirety.

ENTERED:


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 August 1, 2017.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Rosalyn H. Richter
Richard T. Andrias
Troy K. Webber
Ellen Gesmer, Justices.

-----X
Alberto DiCembrino, et al.,
Plaintiffs-Appellants,

-against-

Verizon New York Inc., et al.,
Defendants-Respondents.

- - - - -

Verizon New York Inc., et al.,
Third-Party Plaintiffs-Respondents,

M-2738
Index No. 161670/14

-against-

James F. Volpe Electric Co.,
Third-Party Defendant-Respondent.

-----X

Plaintiffs-appellants 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 April 18, 2017 (Appeal No. 3741),

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.

ENTERED:


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 August 1, 2017.

Present - Hon. Dianne T. Renwick,	Justice Presiding,
Sallie Manzanet-Daniels	
Angela M. Mazzarelli	
Karla Moskowitz	
Troy K. Webber,	Justices.

-----X
Keilyn G. D. R., etc., et al.,
Plaintiffs-Respondents,

-against-

M-3144
Index No. 350606/10

New York City Department of Education
New York City Board of Education,
et al.,
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect their appeal taken from an order of the Supreme Court, Bronx County, entered on or about July 26, 2016,

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 November 2017 Term.

ENTERED:


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 August 1, 2017.

Present - Hon. Dianne T. Renwick,	Justice Presiding,
Sallie Manzanet-Daniels	
Angela M. Mazzarelli	
Karla Moskowitz	
Troy K. Webber,	Justices.

-----X
Sun Jackie Huh,
Plaintiff-Respondent,

-against-

M-3010
Index No. 100648/12

Daniel Yi,
Defendant-Appellant,

Dong Bang Acupuncture, Inc.,
Defendant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect his appeal from a judgment of the Supreme Court, New York County, entered on or about September 2, 2016,

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 December 2017 Term.

ENTERED:


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 August 1, 2017.

Present - Hon. Dianne T. Renwick,	Justice Presiding,
Sallie Manzanet-Daniels	
Angela M. Mazzarelli	
Karla Moskowitz	
Troy K. Webber,	Justices.

-----x
Lourdes Guilbe,

Plaintiff-Respondent,

-against-

M-2963
Index No. 301980/13

Port Authority of New York
and New Jersey,

Defendant-Appellant.
-----x

An appeal having been taken to this Court from the order of the Supreme Court, Bronx County, entered on or about March 29, 2017, and said appeal having been perfected,

And defendant-appellant having moved for a stay of trial 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.

ENTERED:


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 August 1, 2017.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Troy K. Webber, Justices.

-----X
Art Capital Group, LLC, et al.,
Plaintiffs-Appellants,

-against-

Andrew C. Rose, et al., M-2467
Defendants-Respondents. Index No. 601389/05

- - - - -
[And another action]
-----X

Plaintiffs-appellants having moved for reargument and/or clarification of the decision and order of this Court, entered on April 6, 2017 (Appeal No. 3651),

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.

ENTERED:


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 August 1, 2017.

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

-----x
Abel Santiago,
Plaintiff-Respondent,

-against-

M-3085
Index No. 20823/14E

K Mart Corporation, et al.,
Defendants,

U.S. Security Associates Aviation
Services, Inc., doing business as
U.S. Security Associates, Inc.,
Defendant-Appellant.

-----x
Defendant-appellant having moved for a stay of discovery and trial pending hearing and determination of the appeal from the order of the Supreme Court, Bronx County, entered on or about April 5, 2017,

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.

ENTERED:


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 August 1, 2017.

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

-----x
Baldev Singh,
Petitioner,

For a Judgment Pursuant to Article 78
of the Civil Practice Law and Rules, M-3163
Index No. 102037/16
-against-

NYC Taxi & Limousine Commission,
Respondent.
-----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 April 4, 2017, to review a determination of respondent,

And petitioner having moved for a stay of respondent's decision revoking his taxi license, pending hearing and determination of the transferred proceeding,

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.

ENTERED:


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 August 1, 2017.

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

-----X
Marisol Vasquez,
Plaintiff-Appellant,

-against-

M-2969
Index No. 150909/12

Nealco Towers LLC,
Defendant-Respondent.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect her appeal from an order of the Supreme Court, New York County, entered on or about August 10, 2016,

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 November 2017 Term.

ENTERED:


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 August 1, 2017.

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

-----X
Concetta Reale,
Plaintiff-Respondent,

-against-

M-2987
Index No. 150532/13

JPMorgan Chase & Company,
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 July 12, 2016,

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 November 2017 Term.

ENTERED:


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 August 1, 2017.

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

-----X
James River Multi-Strategy Fund, L.P.,
et al.,
Plaintiffs-Appellants,

-against-	M-3234
	Index No. 601987/09
Motherrock, L.P., et al.,	
Defendants-Respondents.	

-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about July 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 enlarging the time to perfect the appeal to the December 2017 Term.

ENTERED:


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 August 1, 2017.

Present - Hon. Rosalyn H. Richter,
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Karla Moskowitz
Troy K. Webber,

Justice Presiding,

Justices.

-----X
Lotes Co., Ltd.,
Plaintiff-Appellant,

-against-

M-3052
Index No. 651560/14

Hon Hai Precision Industry Co., Ltd.,
Defendant-Respondent.
-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about September 13, 2016,

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 December 2017 Term.

ENTERED:


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 August 1, 2017.

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

-----x
MBF Clearing Corp. and MBF Asset
Management, LLC,

Plaintiffs-Appellants,

-against-

JPMorgan Chase Bank, N.A., et al.,

Defendants-Respondents.
-----x

M-3226
Index No. 652820/14

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about January 28, 2016,

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 December 2017 Term.

ENTERED:


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 August 1, 2017.

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

-----x

Ryan Frank Huang, et al.,
Plaintiffs-Respondents,

-against-

M-3102
Index No. 158542/13

AMG Amana Contracting LLC,
Defendant-Respondent,

Pride Property Management Corp.,
et al.,
Defendants,

-and-

Watts Water Technologies, Inc.,
Defendant-Appellant.

-----x

Defendant-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 August 10, 2016,

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 November 2017
Term.

ENTERED:


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 August 1, 2017.

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

-----x

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

CONFIDENTIAL

M-3024

Princetta S.,
Petitioner-Appellant,

Docket No. V-560/14/15C

-against-

Felix Zamar J.,
Respondent-Respondent.

-----x

Petitioner-appellant having moved for an enlargement of time to perfect the appeal from the order of the Family Court, New York County, entered on or about October 26, 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 to the extent of enlarging the time to perfect the appeal to the December 2017 Term.

ENTERED:


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 August 1, 2017.

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

-----X
In re Geraldine Rosa,
Petitioner-Respondent,

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

-against-

M-3141
Index No. 101297/15

New York City Housing Authority,
Straus Houses,
Respondent-Appellant.

-----X

Respondent-appellant having moved for an enlargement of time to perfect her appeal from an order of the Supreme Court, New York County, entered on or about July 22, 2016,

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 November 2017 Term.

ENTERED:


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 August 1, 2017.

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

-----x
John Predd, as Administrator of the
Estate of Marilyn Predd, deceased and
Marilyn Predd, Individually,

Plaintiffs-Appellants,

-against-

Montefiore Medical Center, et al.,

M-3244
Index No. 20385/12E

Defendants-Respondents.
-----x

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, Bronx County, entered on or about August 19, 2016,

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 2018 Term.

ENTERED:


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 August 1, 2017.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Barbara R. Kapnick, Justices.

-----X

Greg Waltman,
Plaintiff-Appellant,

The GI Quantum Fund, LLC,
Plaintiff,

M-2426

Index No. 156844/14

-against-

Berkshire Hathaway Inc., et al.,
Defendants-Respondents.

-----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 4, 2017
(Appeal No. 3918),

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.

ENTERED:


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 August 1, 2017.

Present - Hon. Rosalyn H. Richter,
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Karla Moskowitz
Troy K. Webber,

Justice Presiding,

Justices.

-----x
In the Matter of the Application of
Felix Beriguete,
Petitioner-Respondent,

For an Order Vacating a Decision of
a Hearing Officer Pursuant to
§ 3020-a(5) of the Education Law and
Article 75 of the CPLR,

M-3208
Index No. 654272/15

-against-

The New York City Department of
Education,
Respondent-Appellant.

-----x

Respondent-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 August 15, 2016,

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 November 2017 Term.

ENTERED:


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 August 1, 2017.

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

-----X
Ed Chen,
Plaintiff-Appellant,

-against-

M-3134
Index No. 150789/16

Trustees of Columbia University,
Defendant-Respondent.
-----X

Plaintiff-appellant having moved for an enlargement of time to perfect his appeal from an order of the Supreme Court, New York County, entered on or about September 14, 2016,

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 November 2017 Term.

ENTERED:


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 August 1, 2017.

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

-----x

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

- - - - -

Julie Beth H.,
Petitioner-Appellant,

-against-

CONFIDENTIAL

M-3128
Docket Nos.
F-29283-12/12A
F-29283-12/13B

Jerry Michael W.,
Respondent-Respondent.

-----x

Petitioner-appellant having moved for an enlargement of time to perfect the appeal from the order of the Family Court, New York County, entered on or about August 24, 2016,

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 November 2017 Term.

ENTERED:


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 August 1, 2017.

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

-----X
Kerry Mangum,
Plaintiff-Appellant,

-against-

M-3090
Index No. 310472/08

500 Brush, LLC,
Defendant-Respondent.
-----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 March 14, 2016,

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 December 2017 Term.

ENTERED:


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 August 1, 2017.

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

-----x

Empire State Beer Distributors
Association, Inc., et al.,
Petitioners-Respondents,

-against-

M-3348
Index No. 102016/15

New York State Liquor Authority,
Respondent-Appellant,

-and-

Costco Wholesale Corporation, et al.,
Respondents-Intervenors-Appellants.

-----x

Appellants 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 October 3, 2016,

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 November 2017 Term.

ENTERED:


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 August 1, 2017.

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

-----X
Bernard Almanzar,
Plaintiff-Appellant,

-against-

M-3117
Index No. 22436/13E

Carmen Rijos, D.D.S., 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 September 16, 2016,

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 December 2017 Term.

ENTERED:


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 August 1, 2017.

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

-----x

Hazel Moodie,
Plaintiff-Respondent,

-against-

Bank of America,
Defendant-Appellant,

M-3111
Index No. 306684/12

-and-

U. Rameshwar, etc., et al.,
Defendants.

-----x

Defendant-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about July 25, 2016,

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 December 2017 Term.

ENTERED:


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 August 1, 2017.

Present: Hon. Richard T. Andrias,
Barbara R. Kapnick
Troy K. Webber
Marcy L. Kahn,

Justice Presiding,

Justices.

-----X
IGS Realty Co., L.P.,

Plaintiff-Respondent,

-against-

M-2751

Index No. 603561/09

James H. Brady,

Defendant-Appellant.
-----X

Defendant-appellant, pro se, 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 April 13, 2017 (Appeal No. 3729),

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.

ENTERED:


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 August 1, 2017.

Present - Hon. Barbara R. Kapnick,	Justice Presiding,
Marcy L. Kahn	
Ellen Gesmer	
Cynthia S. Kern	
Peter H. Moulton,	Justices.

-----X
Nesconset ZJ 1 LLC, et al.,
Plaintiffs-Respondents,

-against-

M-3393
Index No. 652719/15

Nesconset Acquisition, LLC, et al.,
Defendants/Counterclaim
Plaintiffs-Appellants,

-against-

Nesconset ZJ 1 LLC, et al.,
Counterclaim Defendants.

-----X

Defendants/counterclaim 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 March 10, 2016,

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 December 2017 Term.

ENTERED:


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 August 1, 2017.

Present - Hon. Barbara R. Kapnick,	Justice Presiding,
Marcy L. Kahn	
Ellen Gesmer	
Cynthia S. Kern	
Peter H. Moulton,	Justices.

-----x

In the Matter of the Application of
The Real Estate Board of New York, Inc.,
 Petitioner-Appellant,

For a Judgment Pursuant to Article 78	M-3608
of the CPLR,	Index No. 101798/15

-against-

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

- - - - -
The Real Estate Board of New York, Inc.,
 Plaintiff-Appellant,

-against-

Index No. 160081/15

City of New York,
 Defendant-Respondent.

-----x

Appeals having been taken to this Court by petitioner/
plaintiff-appellant from orders of the Supreme Court, New York
County, both entered on or about September 26, 2016,

And petitioner/plaintiff 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 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 with respect to a joint record and costs thereof.

ENTERED:


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 August 1, 2017.

Present - Hon. Barbara R. Kapnick, Justice Presiding,
Marcy L. Kahn
Ellen Gesmer
Cynthia S. Kern
Peter H. Moulton, Justices.

-----x
Eura Warren, as Proposed Guardian of
James G. Warren,

Plaintiff-Appellant,

-against-

M-3232
Index No. 21784/13E

New York City Health and Hospital
Corporation,

Defendant-Respondent.
-----x

An appeal having been taken to this Court from the order of the Supreme Court, Bronx County, entered on or about December 30, 2014,

And counsel for plaintiff-appellant, Jay L.T. Breakstone, Esq., of Parker Waichman, LLP, having moved for leave to withdraw as counsel for plaintiff-appellant 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 Jay L.T. Breakstone, Esq., of Parker Waichman, LLP, is granted leave to withdraw as counsel.

ENTERED:


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 August 1, 2017.

Present - Hon. Barbara R. Kapnick,	Justice Presiding,
Marcy L. Kahn	
Ellen Gesmer	
Cynthia S. Kern	
Peter H. Moulton,	Justices.

-----X

Amgad M. Abdou,
Plaintiff-Appellant,

-against-

M-3135
Index No. 156570/14

A.T. Cab Corp., et al.,
Defendants-Respondents.

-----X

Appeals having been taken to this Court by plaintiff from orders of the Supreme Court New York County, entered on or about September 8, 2016 and January 5, 2017, respectively,

And plaintiff-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 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 on or before October 5, 2017 for the December 2017 Term.

ENTERED:


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 August 1, 2017.

Present - Hon. Barbara R. Kapnick,	Justice Presiding,
Marcy L. Kahn	
Ellen Gesmer	
Cynthia S. Kern	
Peter H. Moulton,	Justices.

-----x

Tatiana Nedeltcheva, et al.,
Plaintiffs-Appellants,

-against-

M-3444
Index No. 160991/15

MTE Transportation Corp., et al.,
Defendants-Respondents.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about August 10, 2016,

And defendants-respondents having moved for an order directing plaintiffs to amend the 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 and any documents relating to plaintiffs' motion to reargue are deemed struck from the record on appeal, as well as any reference thereto in the briefs.

ENTERED:


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 August 1, 2017.

Present - Hon. Barbara R. Kapnick,	Justice Presiding,
Marcy L. Kahn	
Ellen Gesmer	
Cynthia S. Kern	
Peter H. Moulton,	Justices.

-----x

Sydney Hyman,

Plaintiff-Respondent,

-against-

M-3363
Index No. 651791/15

State Farm Fire and Casualty Company,

Defendant-Appellant.

-----x

Defendant-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 September 28, 2016,

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 December 2017 Term.

ENTERED:


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 August 1, 2017.

Present - Hon. Barbara R. Kapnick,	Justice Presiding,
Marcy L. Kahn	
Ellen Gesmer	
Cynthia S. Kern	
Peter H. Moulton,	Justices.

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

-against-

M-3305
Ind. No. 3819/16

Woodrow Flemming,
 Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about January 4, 2017,

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.

ENTERED:


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 August 1, 2017.

Present - Hon. Barbara R. Kapnick,	Justice Presiding,
Marcy L. Kahn	
Ellen Gesmer	
Cynthia S. Kern	
Peter H. Moulton,	Justices.

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

Respondent,

-against-

M-3018
Ind. No. 2946/16

Terrence Thompson,

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 July 22, 2016, 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 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 transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Seymour W. James, Jr., 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.

ENTERED:


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 August 1, 2017.

Present - Hon. Barbara R. Kapnick, Justice Presiding,
Marcy L. Kahn
Ellen Gesmer
Cynthia S. Kern
Peter H. Moulton, Justices.

-----X
Alfonso A.,

Plaintiff-Appellant,

-against-

Jeanne O.,

Defendant-Respondent.
-----X

CONFIDENTIAL

M-2742

Index No. 314378/15

Plaintiff-appellant having moved for a stay of inquest pending hearing and determination of an appeal from the orders of the Supreme Court, New York County, entered between October 3, 2016, June 15, 2017, in this action, and a consolidated action between the same parties (Index No. 300049/17) and for other relief,

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

It is ordered that the motion is denied, as academic.

ENTERED:


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 August 1, 2017.

Present - Hon. Barbara R. Kapnick,	Justice Presiding,
Marcy L. Kahn	
Ellen Gesmer	
Cynthia S. Kern	
Peter H. Moulton,	Justices.

-----x

Michael I. Knopf, et al.,
Plaintiffs-Appellants,

-against-

M-3436
Index No. 113227/09

Michael Hayden Sanford, et al.,
Defendants-Respondents.

-----x

A decision and order of this Court having been entered on May 25, 2017 (Appeal Nos. 4123-4124N), unanimously reversing an order of the Supreme Court, New York County (Richard F. Braun, J.), entered on November 3, 2016,

And defendants-respondents having moved for an extension of time to file a motion for reargument, renewal or reconsideration of the decision and order of this Court entered on May 25, 2017, and for an extension of time to file opposition to a pending motion by plaintiffs for vacatur of an order of this Court, entered June 16, 2016 (M-949A/M-1300A),

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

The motion, to the extent it seeks leave to file a late motion for reargument of this Court's May 25, 2017 order (Appeal Nos. 4123-4124N) is granted to the extent of directing movant to file such motion within 15 days after the date of entry hereof. The motion, to the extent it seeks an extension of time to file opposition to a pending motion by plaintiffs for vacatur of an order of this Court entered June 16, 2016 (M-949A/M-1300A), is granted to the extent of adjourning plaintiff's motion (M-3437) to August 14, 2017.

Defendants are directed to file opposition on or before August 9, 2017 and plaintiffs' reply is to be served and filed, if so advised, no later than 10:00 a.m. on August 14, 2017.

ENTERED:


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 August 1, 2017.

Present - Hon. Barbara R. Kapnick, Justice Presiding,
Marcy L. Kahn
Ellen Gesmer
Cynthia S. Kern
Peter H. Moulton, Justices.

-----x
Keith W.,

Plaintiff-Appellant,

-against-

Randy W.,

Defendant-Respondent.
-----x

CONFIDENTIAL

M-3594

Index No. 350453/04

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about June 29, 2017,

And plaintiff-appellant having moved for a stay of arbitration or a stay of enforcement of the aforesaid order pending hearing and determination of the 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 in its entirety.

ENTERED:


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 August 1, 2017.

Present - Hon. Barbara R. Kapnick, Justice Presiding,
Marcy L. Kahn
Ellen Gesmer
Cynthia S. Kern
Peter H. Moulton, Justices.

-----x
Patrick Young, et al.,

Plaintiff-Appellants,

-against-

M-3458
Index No. 160241/15

New York Life Insurance Company,

Defendant-Respondent.
-----x

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about February 21, 2017,

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 December 2017 Term.

ENTERED:


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 August 1, 2017.

Present - Hon. Barbara R. Kapnick, Justice Presiding,
Marcy L. Kahn
Ellen Gesmer
Cynthia S. Kern
Peter H. Moulton, Justices.

-----x
DAE Associates, LLC, doing business as
Danese Gallery,

Plaintiff-Appellant,

-against-

M-3544
Index No. 652409/15

AXA Art Insurance Corporation, 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 September 14, 2016,

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 November 2017 Term.

ENTERED:


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 August 1, 2017.

Present - Hon. Barbara R. Kapnick, Justice Presiding,
Marcy L. Kahn
Ellen Gesmer
Cynthia S. Kern
Peter H. Moulton, Justices.

-----x
Russel J. Lester,
Plaintiff-Appellant,

-against-

M-3092
Index No. 152112/12

JD Carlisle Development Corp., et al.,
Defendants-Respondents.

[And other actions]

-----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 August 9, 2016,

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 November 2017
Term.

ENTERED:


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 August 1, 2017.

Present - Hon. Barbara R. Kapnick, Justice Presiding,
Marcy L. Kahn
Ellen Gesmer
Cynthia S. Kern
Peter H. Moulton, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-3420
Ind. No. 1362/05

Ernest Adams,
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 (Patricia Nunez, J.), entered on or about June 9, 2017, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

ENTERED:


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 August 1, 2017.

Present - Hon. Barbara R. Kapnick, Justice Presiding,
Marcy L. Kahn
Ellen Gesmer
Cynthia S. Kern
Peter H. Moulton, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-3322
Ind. No. 1257/16

Raymond Downer,

Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which
to file a notice of appeal from the judgment of the Supreme
Court, New York County, rendered on or about November 10, 2016,

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

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

ENTERED:


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 August 1, 2017.

Present - Hon. Barbara R. Kapnick, Justice Presiding,
Marcy L. Kahn
Ellen Gesmer
Cynthia S. Kern
Peter H. Moulton, Justices.

-----x
In the Matter of

Gabrielle N. N., and
Naomi N. T.,

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

Administration for Children's Services,
et al.,
Petitioners-Respondents,

Jacqueline T.,
Respondent-Appellant,

Delroy N.,
Respondent.

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

-----x

CONFIDENTIAL

M-3684
Docket Nos.
NN-3075/12
NN-21860/12

Appeals having been taken to this Court by respondent-appellant from the Decision and Order of Disposition of the Family Court, Bronx County, entered on or about July 1, 2014, and from the Permanency Hearing Order of said Court and Justice, entered on or about February 24, 2016,

And an order of this Court having been entered on June 6, 2017 (M-2006), inter alia, granting an enlargement of time to perfect the appeal from the order entered on or about February 24, 2016,

And respondent-appellant having moved for (1) an order directing the Family Court, Bronx County, to make available to her the transcripts from all proceedings under Docket Nos. NN-3075/12 and NN-21860/12 from May 12, 2016 through February 3, 2017, upon the grounds that such transcripts are a necessary part of the record on appeal with respect to the appeal taken from the Order of Disposition entered on or about July 1, 2014, and (2) an enlargement of time to perfect the appeal from the order entered on or about February 24, 2016,

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 the Clerk of the Family Court, Bronx County, to have transcribed all outstanding minutes of the aforesaid proceedings, as enumerated above, for inclusion in the record on appeal, with a copy to be furnished to appellant's counsel, without charge, within 30 days from the date of service upon the Clerk of a copy of this order, which counsel is directed to serve upon the Clerk and the individual court reporter(s) within 10 days from the date of entry hereof. If the minutes are unavailable or do not exist, the Clerk of said Court is directed to provide a statement to that effect.

It is further ordered that the time to perfect the appeal from the order entered on or about February 24, 2016 is enlarged to the January 2018 Term, with leave to seek further enlargements if necessary.

ENTERED:


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 August 1, 2017.

Present - Hon. Barbara R. Kapnick, Justice Presiding,
Marcy L. Kahn
Ellen Gesmer
Cynthia S. Kern
Peter H. Moulton, Justices.

-----x

Siras Partners LLC, et al.,
Plaintiffs-Appellants,

-against-

M-2928

Activity Kaufu Hudson Yards LLC,
et al.,
Defendants-Respondents,

Index No. 650868/15

-and-

Reedrock Kuafu Development Company,
LLC, et al.,
Nominal Defendants.

- - - - -
462-470 11th Avenue, LLC,
Plaintiff,

-against-

Index No. 850216/15

Activity Kuafu Hudson Yards LLC,
et al.,
Defendants.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about March 31, 2017 (Index No. 650868/15),

And plaintiff-appellant Siras Partners LLC having moved for a stay of a foreclosure action entitled *462-470 11th Avenue, LLC v Activity Kuafu Hudson Yards LLC, et al.* (Index No. 850216/15) pending the 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 denied.

ENTERED:


CLERK

4

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

BEFORE: Hon. Troy K. Webber
Justice of the Appellate Division

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

M-2389
Ind. No. 3277/13

-against-

CERTIFICATE
GRANTING LEAVE

Angelo Burgos,
Defendant-Appellant.

-----X

I, Troy K. Webber, 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 (Ruth Pickholz, J), entered on or about March 21, 2017.¹

Dated: July 5, 2017
New York, New York

ENTERED

AUG 01 2017

Hon. Troy K. Webber
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.

¹In 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. Troy K. Webber
Justice of the Appellate Division

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

M-2909
Ind. No. 5973/09

-against-

CERTIFICATE
DENYING LEAVE

Jeremy Fulton,
Defendant.

-----X
I, Troy K. Webber, 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,
New York County (Charles H. Solomon, J.), entered on or about
April 4, 2017 is hereby denied.

Dated: July 11, 2017
New York, New York



Hon. Troy K. Webber
Associate Justice

ENTERED: **AUG 01 2017**

✓

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

BEFORE: Hon. Ellen Gesmer
Justice of the Appellate Division

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

M-2461
Ind. No. 1998/94

-against-

CERTIFICATE
DENYING LEAVE

Theodore Simpson

Defendant.
-----X

I, Ellen Gesmer, a Justice of the Appellate Division, First Judicial Department, certify that the application of the above-named defendant for a certificate pursuant to Criminal Procedure Law sections 450.15 and 460.15 fails to properly present any question of law or fact 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, dated March 6, 2017 is denied.



Hon. Ellen Gesmer
Associate Justice

Dated: July 7, 2017
New York, New York

ENTERED: **AUG 01 2017**

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

BEFORE: Hon. Troy K. Webber
Justice of the Appellate Division

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

M-3242
Ind. No. 4589/07

-against-

CERTIFICATE
DENYING LEAVE

Nouchie Vellon,
Defendant.

-----X

I, Troy K. Webber, 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,
New York County (Gregory Carro, J.) entered on or about May 24,
2017 is hereby denied (*see also People v Vellon*, 77 AD3d 409 [1st
Dept 2010], *lv denied* 15 NY3d 956 [2010]).

Dated: July 6, 2017
New York, New York

Hon. Troy K. Webber
Associate Justice

ENTERED: **AUG 01 2017**

CORRECTED ORDER — October 31, 2017

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 August 1, 2017.

Present — Hon. David Friedman,	Justice Presiding,
Angela M. Mazzairelli	
Karla Moskowitz	
Judith J. Gische	
Ellen Gesmer,	Justices.

-----X
Paul **Condzal**,

Petitioner-Appellant,

-against-

M-2691
Index No. 150451/15

New York City Human Resources
Administration Department of Social
Services Office of Child Support
Enforcement, et al.,

Respondents-Respondents.

-----X

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about July 29, 2016,

And petitioner-appellant having moved for an enlargement of time to perfect the appeal, to seal this case and/or amend the caption to omit petitioner's last name, 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 enlarging the time to perfect the appeal to the December 2017 Term, and the motion is otherwise denied.

ENTERED:


CLERK