

At a 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 19, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X

Maria Morales,

Plaintiff-Respondent,

-against-

M-3472X  
Index No. 24384/04

New York City Housing Authority,

Defendant-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about August 1, 2007,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 14, 2008, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

E N T E R:

  
Clerk.

At a 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 19, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
Saintsbury Management Corp., et al.,  
Plaintiffs-Respondents,

-against-

M-3474X  
Index No. 600693/07

Jack Kachkar and Inyx, Inc.,  
Defendants-Appellants,

Windsor Land Company Limited,  
Defendant.  
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about January 2, 2008 (mot. seq. no. 001),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 14, 2008, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 19, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
Francisco A. Gallegos,  
Plaintiff-Appellant,

-against-

M-3518X  
Index No. 107137/06

West 108<sup>th</sup> Associates LLC,  
c/o Nelson Management Group, Ltd.,  
Defendant-Respondent.  
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about May 2, 2008,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 15, 2008, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

E N T E R:

  
Clerk.

At a 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 19, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
Elisabeth H. Courtenay,  
Plaintiff-Respondent,

-against-

M-3594X  
Index No. 300098/96

Adrian H. Courtenay,  
Defendant-Appellant.  
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about August 6, 2007 (mot. seq. no. 004),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 21, 2008, and due deliberation having been had thereon,

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

E N T E R:

  
Clerk.

At a 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 19, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
Parkview Plumbing & Heating,  
Inc., etc.,

Plaintiff-Appellant,

-against-

M-3595X  
Index No. 22878/06

George A. Fuller Company, Inc.,  
Louis R. Cappelli and Arch  
Insurance Company,

Defendants-Respondents.  
-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about January 3, 2008,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 22, 2008, and due deliberation having been had thereon,

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

E N T E R:

  
Clerk.

At a 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 19, 2008.

PRESENT: Hon. Jonathan Lippman, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
Robert Linen and Kim Perham,  
Plaintiffs-Appellants,

-against-

M-3526  
Index No. 101144/07

The Hearst Corporation and  
Brendan Lyons,  
Defendants-Appellants.

-----X

An appeal having been taken from the orders of the Supreme Court, New York County, entered on or about December 21, 2007 and April 15, 2008, respectively,

Now, upon reading and filing the correspondence of counsel for defendants-appellants, dated July 18, 2008, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation, the appeal having been dismissed by the order of this Court entered July 15, 2008 (M-2793/M-3041).

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 19, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
Douglas Elliman LLC,  
Petitioner-Appellant-Respondent,

-against-

M-3473X  
Index No. 600681/07

Parker Madison Partners, Inc. and  
Re Com Partners, LLC,  
Respondents-Respondents-Appellants.

-----X

An appeal and cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about April 15, 2008 (mot. seq. no. 002),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 14, 2008, and due deliberation having been had thereon,

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

E N T E R:

  
Clerk.

At a 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 19, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X

Sandeep Puri,

Plaintiff-Respondent-Appellant,

-against-

M-3551X

Index No. 315167/03

Adrienne Quirolo-Puri,

Defendant-Appellant-Respondent.

-----X

An appeal and cross appeal having been taken from the judgment of the Supreme Court, New York County, entered on or about November 27, 2007,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 18, 2008, and due deliberation having been had thereon,

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

ENTER:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 19, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
Osmond Hall, an infant by his  
mother and natural guardian Jequana  
Hall, and Jequana Hall, individually,  
Plaintiffs-Respondents,

-against-

M-3556  
Index No. 16624/04

New York City Housing Authority,  
Defendant-Appellant,

-and-

Kraus Management and Kay Plumbing,  
Defendants.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about July 5, 2007,

Now, upon reading and filing the stipulation of the parties hereto, filed July 9, 2008, and due deliberation having been had thereon, it is

Ordered that the appeal, previously perfected for the September 2008 Term, is withdrawn in accordance with the aforesaid stipulation.

E N T E R:

  
Clerk.

At a 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 19, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
Ann M. Kanganis,  
Plaintiff-Respondent,

-against-

M-3609  
Index No. 6598/04

Simons Realty Corp.,  
Defendant-Respondent-Appellant,

The City of New York,  
Defendant-Respondent,

-and-

International House of Furniture, Inc.,  
Defendant-Appellant-Respondent.

-----X

An appeal and cross appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about December 21, 2007,

Now, upon reading and filing the stipulation of the parties hereto, filed July 23, 2008, and due deliberation having been had thereon, it is

Ordered that the appeal and cross appeal, previously perfected for the September 2008 Term, are withdrawn in accordance with the aforesaid stipulation, the underlying action having been settled.

E N T E R

  
Clerk.

At a 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 19, 2008.

PRESENT: Hon. Jonathan Lippman, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X

Casita, L.P.,  
Plaintiff-Appellant,

-against-

M-3468  
M-3696X

Robert V. Glaser,  
Defendant-Respondent,

Index No. 600782/07

-and-

Maplewood Equity Partners (Offshore)  
Ltd.,  
Nominal Defendant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 21, 2008 (mot. seq. no. 003),

And defendant and nominal defendant having jointly moved for a stay of proceedings pending hearing and determination of the aforementioned appeal (M-3468),

Now, upon reading and filing the correspondence dated July 17, 2008, from plaintiff's attorney, and

After pre-argument conference and upon reading and filing the stipulation of the parties hereto "so ordered" July 29, 2008 and due deliberation having been had thereon (M-3696X),

It is ordered that the motion and appeal are withdrawn in accordance with the aforesaid stipulation and correspondence.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 19, 2008.

PRESENT: Hon. Jonathan Lippman, Presiding Justice,  
Angela M. Mazzarelli  
John W. Sweeny, Jr.  
Karla Moskowitz  
Dianne T. Renwick, Justices.

-----X  
Marcin Kaminski,  
Plaintiff-Appellant,

-against-

Carlyle One, et al.,  
Defendants-Respondents.

M-3036  
Index Nos. 106087/05  
590825/05

-----  
[And a Third-Party Action]  
-----X

Defendants-respondents having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on May 8, 2008 (Appeal No. 3639),

Now, upon reading and filing the papers with respect to the motion, and the correspondence of appellant's counsel, dated August 13, 2008, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn, in accordance with the aforesaid correspondence, the underlying action having been settled.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 19, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

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

-against-

M-3409  
Ind. No. 2924/07

Yemalia Castillo,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about May 13, 2008, 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 10 reproduced copies of such brief, together with the original record, with this Court.

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

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Tel. 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.

E N T E R:

  
Clerk.

At a 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 19, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

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

-against-

M-3411  
Ind. No. 3261/07

Raymond Sprinkler, also known as  
Raymond Sprinkler,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about June 4, 2008, 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 10 reproduced copies of such brief, together with the original record, with this Court.

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

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Tel. 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.

E N T E R:

  
Clerk.

At a 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 19, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David B. Saxe, Justices.

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

-against-

Benjamin Stephens, Jr.,  
Defendant-Appellant.

M-3415  
Ind. No. 3431/07

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about June 11, 2008, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 10 reproduced copies of such brief, together with the original record, with this Court.

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

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

E N T E R:

  
Clerk.

At a 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 19, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

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

-against-

M-3417  
Ind. No. 2590/06

Jeffrey Goodson,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about March 13, 2007, 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 10 reproduced copies of such brief, together with the original record, with this Court.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

E N T E R:



Clerk

At a 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 19, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

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

-against-

M-3418  
Ind. No. 5090/04

Robert Thomas,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of resentence of the Supreme Court, New York County, rendered on or about June 11, 2008, 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 10 reproduced copies of such brief, together with the original record, with this Court.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

E N T E R:

  
Clerk

At a 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 19, 2008.

Present - Hon. Jonathan Lippman, Presiding Justice,  
Milton L. Williams  
Karla Moskowitz  
Rolando T. Acosta, Justices.

-----X  
3657 Realty Co. LLC,  
Petitioner-Respondent,

-against-

M-3109  
Index No. 570263/06

Ida Mae Jones,  
Respondent-Appellant.  
-----X

Respondent-appellant having moved for reargument and/or renewal of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on June 10, 2008 (Appeal No. 3893),

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.

E N T E R:

  
Clerk.

At a 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 19, 2008.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Luis A. Gonzalez  
John W. Sweeny, Jr.  
James M. Catterson  
Karla Moskowitz Justices.

-----X  
Jose Vasquez,  
Plaintiff-Appellant,

-against-

521 Properties Corp. and La Union  
Mini Market,  
Defendants-Respondents.

M-3521  
M-3592  
Index No. 103834/06

-----X

Defendants-respondents having separately moved for dismissal of the appeal taken from the order of the Supreme Court, New York County, entered on or about August 20, 2007 (mot. seq. no. 001),

Now, upon reading and filing the papers with respect to the motions, including the correspondence dated July 17, 2008 from appellant's counsel, and due deliberation having been had thereon,

It is ordered that the motions are granted to the extent of deeming the appeal withdrawn.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 19, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,  
Luis A. Gonzalez  
John W. Sweeny, Jr.  
James M. Catterson  
Karla Moskowitz, Justices.

-----X  
Mary G. Gentry,  
Plaintiff-Respondent,

-against-

M-3127  
Index No. 103127/05

Woofspa and Resort LLC,  
Defendant,

Keith Blake Acker and Loren C. Acker,  
Defendants-Appellants.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about September 10, 2007, denying vacatur of a default judgment entered on or about November 6, 2006,

And plaintiff-respondent having moved to dismiss 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 the appeal is dismissed.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 19, 2008.

Present - Hon. Peter Tom, Justice Presiding,  
Luis A. Gonzalez  
John W. Sweeny, Jr.  
James M. Catterson  
Karla Moskowitz, Justices.

-----x  
Rosa Solano, et al.,

Plaintiffs-Respondents,

-against-

M-3240  
Index No. 6724/06

Lavada M. Wilson, et al.,

Defendants-Appellants.  
-----x

Defendants-appellants having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about September 16, 2007,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the December 2008 Term.

ENTER:

  
Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 19, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,  
Luis A. Gonzalez  
John W. Sweeny, Jr.  
James M. Catterson  
Karla Moskowitz, Justices.

-----X  
In the Matter of

Mabelin F.,

A Person Alleged to be a Juvenile  
Delinquent,

M-3288  
Docket No. E6110/05

Appellant.  
-----X

Appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Family Court, Bronx County, entered on or about April 12, 2007,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the December 2008 Term.

E N T E R:

  
Clerk.

At a 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 19, 2008.

Present - Hon. Peter Tom, Justice Presiding,  
Luis A. Gonzalez  
John W. Sweeny, Jr.  
James M. Catterson  
Karla Moskowitz, Justices.

-----x  
American Transit Insurance Company,

Plaintiff-Appellant,

-against-

M-3290  
Index No. 103491/07

Ramon A. Familia, et al.,

Defendants-Respondents.  
-----x

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about March 14, 2008 (mot. seq. no. 002),

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the December 2008 Term.

ENTER:

  
Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 19, 2008.

Present: Hon. Peter Tom, Justice Presiding,  
Luis A. Gonzalez  
John W. Sweeny, Jr.  
James M. Catterson  
Karla Moskowitz, Justices.

-----X  
In the Matter of

Omar W.,

A Person Alleged to Be a Juvenile  
Delinquent,

M-3303  
Docket No. D3160/07

Respondent-Appellant.  
-----X

Respondent-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Family Court, New York County, entered on or about April 26, 2007,

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

Ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the December 2008 Term.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 19, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,  
Luis A. Gonzalez  
John W. Sweeny, Jr.  
James M. Catterson  
Karla Moskowitz, Justices.

-----X  
Pedro Flores,  
Plaintiff-Respondent,

-against-

M-3328  
Index No. 405191/06

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

Defendants-appellants having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about May 21, 2007 (mot. seq. no. 001),

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 appellants' time in which to perfect the appeal to the December 2008 Term.

E N T E R:

  
Clerk.

At a 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 19, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,  
Luis A. Gonzalez  
John W. Sweeny, Jr.  
James M. Catterson  
Karla Moskowitz, Justices.

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

Victoria Hicks,  
Petitioner-Respondent,

For a Judgment Pursuant to Article 78  
of the CPLR,

-against-

M-3329  
Index No. 112371/06

New York State Division of Housing  
and Community Renewal,  
Respondent-Appellant.

-----X  
Respondent-appellant having moved for an enlargement of time in which to perfect the appeal from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about April 5, 2007,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to on or before September 29, 2008 for the December 2008 Term.

E N T E R:

  
Clerk.

At a 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 19, 2008.

Present - Hon. Peter Tom, Justice Presiding,  
Luis A. Gonzalez  
John W. Sweeny, Jr.  
James M. Catterson  
Karla Moskowitz, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-3451  
Ind. No. 1495/05

Ai Jiang,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, New York County, rendered on or about July 31, 2006,

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

Ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the December 2008 Term.

E N T E R:

  
Clerk:

At a 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 19, 2008.

Present - Hon. Peter Tom, Justice Presiding,  
Luis A. Gonzalez  
John W. Sweeny, Jr.  
James M. Catterson, Justices.

-----x  
Allstate Insurance Company, et al.,  
Plaintiffs-Appellants,

-against-

Belt Parkway Imaging, P.C., et al.,  
Defendants-Respondents,

M-3325  
Index No. 600509/03

United States of America,  
Defendant-Intervenor.  
-----x

Plaintiffs-appellants having moved for an enlargement of time in which to perfect the appeal from a counter-order of the Supreme Court, New York County, entered on or about January 18, 2007 (mot. seq. nos. 007 and 009),

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the December 2008 Term.

ENTER:

  
Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 19, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,  
Luis A. Gonzalez  
John W. Sweeny, Jr.  
James M. Catterson, Justices.

-----X  
Adventure Trails, Inc.,  
Plaintiff-Appellant,

-against-

M-3354  
Index No. 602139/04

Leading the Way Tours, Inc. and  
Christine Emrick,  
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about April 20, 2007 (mot. seq. no. 005),

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 appellant's time in which to perfect the appeal to the December 2008 Term.

E N T E R:

  
Clerk.

At a 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 19, 2008.

Present: Hon. Peter Tom, Justice Presiding,  
Luis A. Gonzalez  
John W. Sweeny, Jr.  
James M. Catterson  
Karla Moskowitz, Justices.

-----X  
Eugene Miniero, et al.,  
Plaintiffs-Respondents,

-against-

The City of New York,  
Defendant-Appellant,

M-3326  
M-3355  
Index No. 25285/92

-and-

Mine Safety Appliance Company,  
Defendant-Appellant.

-----  
[And other actions]  
-----X

An order of this Court having been entered on January 17, 2008 (M-6358/M-6403), inter alia, consolidating the appeals taken by the respective appellants from the order of the Supreme Court, Bronx County, entered on or about February 13, 2007,

And defendant-appellant The City of New York having moved for an enlargement of time in which to perfect the aforesaid consolidated appeals (M-3326),

And defendant-appellant Mine Safety Appliance Company having cross-moved for the same relief (M-3355),

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 granted to the extent of enlarging the time in which to perfect the consolidated appeals to the December 2008 Term.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 19, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,  
Luis A. Gonzalez  
John W. Sweeny, Jr.  
James M. Catterson  
Karla Moskowitz, Justices.

-----X  
Dalia Beeber,  
Plaintiff-Respondent,

-against-

M-3274  
Index No. 300309/95

Allen J. Beeber,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about November 14, 2007 (mot. seq. no. 011),

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 granged to the extent of enlarging appellant's time in which to perfect the appeal to the January 2009 Term.

E N T E R:

  
Clerk.

At a 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 19, 2008.

Present - Hon. Peter Tom, Justice Presiding,  
Luis A. Gonzalez  
John W. Sweeny, Jr.  
James M. Catterson, Justices.

-----x

Lori Light,

Plaintiff-Respondent,

-against-

M-3301  
Index No. 650126/07

Cache, Inc., et al.,

Defendants-Appellants.

-----x

Defendants-appellants having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about October 3, 2007 (mot. seq. no. 001),

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the January 2009 Term.

ENTER:

  
Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 19, 2008.

Present - Hon. Peter Tom, Justice Presiding,  
Luis A. Gonzalez  
John W. Sweeny, Jr.  
James M. Catterson  
Karla Moskowitz, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-3213  
Ind. No. 6041/06

Alan Risi,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, New York County, rendered on or about March 3, 2008,

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

Ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the February 2009 Term.

E N T E R:

  
Clerk.

At a 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 19, 2008.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Luis A. Gonzalez  
John W. Sweeny, Jr.  
James M. Catterson  
Karla Moskowitz, Justices.

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

-against-

M-3363  
Ind. No. 6779/01

Juan Castillo, also known as  
Juan Castillas,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, entered on or about May 21, 2008, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard upon the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 10 reproduced copies of such brief, together with the original record, with this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings before Judge McLaughlin, if any. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 19, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,  
Luis A. Gonzalez  
John W. Sweeny, Jr.  
James M. Catterson  
Karla Moskowitz, Justices.

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

-against-

M-3550  
Ind. No. 701/99

Raymond Denson,  
Defendant-Appellant.  
-----X

Defendant having renewed his motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about September 18, 2002, 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 10 reproduced copies of such brief, together with the original record, with this Court.

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

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Tel. 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.

E N T E R:

  
Clerk.

At a 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 19, 2008.

Present: Hon. Peter Tom, Justice Presiding,  
Luis A. Gonzalez  
John W. Sweeny, Jr.  
James M. Catterson  
Karla Moskowitz, Justices.

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

-against-

M-2979  
Ind. No. 3801/99

Sean Huger,

Defendant.

-----X

Defendant having moved for an extension 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 6, 2000, and for related relief,

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

It is ordered that the motion is denied. (CPL 460.30 subd. 1).

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 19, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,  
Luis A. Gonzalez  
John W. Sweeny, Jr.  
James M. Catterson  
Karla Moskowitz, Justices.

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

-against-

M-3166  
Ind. No. 4337/07

Carlos Matys,  
Defendant-Appellant.

-----X

Defendant having moved for an extension of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about February 13, 2008, for leave to prosecute the appeal as a poor person, 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 only to the extent of deeming the moving papers a timely filed notice of appeal.

The motion, to the extent that it seeks poor person relief, is denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, in compliance with CPLR 1101(a), setting forth the terms of defendant's retainer agreement with trial counsel, Jorge Guttlein, Esq., the sources of funds used to pay the trial counsel's fee 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.)

E N T E R:

  
Clerk.

At a 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 19, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,  
Luis A. Gonzalez  
John W. Sweeny, Jr.  
James M. Catterson  
Karla Moskowitz, Justices.

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

-against-

M-3169  
Ind. No. 524/08

Martin Lawrence, also known as  
Lawrence Martin,  
Defendant-Appellant.

-----X

Defendant having moved for an extension of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about March 5, 2008, and for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for assignment of counsel,

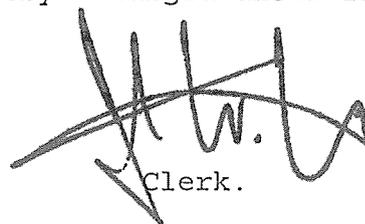
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of deeming the notice of appeal timely filed, and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 10 reproduced copies of such brief, together with the original record, with this Court.

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

Steven Banks, Esq., 199 Water Street, 5th Fl., 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.

E N T E R:

  
Clerk.

At a 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 19, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,  
Luis A. Gonzalez  
John W. Sweeny, Jr.  
James M. Catterson  
Karla Moskowitz, Justices.

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

-against-

M-3172  
Ind. No. 1909/07

Manuel Vega,  
Defendant-Appellant.

-----X

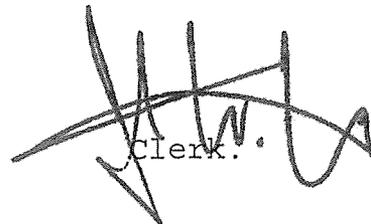
Defendant having moved for an extension of time in which to file a notice of appeal from the judgment of the Supreme Court, Bronx County, rendered on or about May 13, 2008, for leave to prosecute the appeal as a poor person, upon the original record and a reproduced appellant's brief, and for related 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 only to the extent of deeming the notice of appeal timely filed.

The motion, to the extent that it seeks poor person relief, is denied, with leave to renew upon defendant's submission of a notarized affidavit, pursuant to CPLR 1101(a), setting forth facts sufficient to establish that defendant has no funds or assets with which to prosecute the appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

E N T E R:

  
Clerk.

At a 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 19, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,  
Luis A. Gonzalez  
John W. Sweeny, Jr.  
James M. Catterson  
Karla Moskowitz, Justices.

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

-against-

M-3174  
Ind. No. 2755/07

Wilfredo Escarfuller,  
Defendant-Appellant.

-----X

Defendant having moved for an extension of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about February 22, 2008, for leave to prosecute the appeal as a poor person, 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 only to the extent of deeming the notice of appeal timely filed.

The motion, to the extent that it seeks poor person relief, is denied, with leave to renew upon defendant's submission of a notarized affidavit, pursuant to CPLR 1101(a), setting forth facts sufficient to establish that defendant has no funds or assets with which to prosecute the appeal.

E N T E R:

  
Clerk:

At a 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 19, 2008.

Present - Hon. Peter Tom, Justice Presiding,  
Luis A. Gonzalez  
John W. Sweeny, Jr.  
James M. Catterson  
Karla Moskowitz, Justices.

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

-against-

M-3186  
Ind. No. 559/08

Eugene Mendez,  
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, Bronx County, rendered on or about April 18, 2008, for leave to prosecute the appeal as a poor person, on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted only to the extent of deeming the notice of appeal as timely filed.

The motion, to the extent that it seeks poor person relief, is denied, with leave to renew upon defendant's submission of a notarized affidavit, pursuant to CPLR 1101, setting forth facts sufficient to establish that defendant has no funds or assets with which to prosecute the appeal.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in in the County of New York on August 19, 2008.

Present: Hon. Peter Tom, Justice Presiding,  
Luis A. Gonzalez  
John W. Sweeny, Jr.  
James M. Catterson  
Karla Moskowitz, Justices.

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

-----  
Michael H. K.,

M-3296

Petitioner-Respondent,

Docket No. V1982/08

-against-

Pamela D. W.,  
Respondent-Appellant.

-----X

An appeal having been taken from the order of the Family Court, New York County, entered on or about June 4, 2008,

And respondent-appellant mother, Pamela D. W., having moved to stay that portion of the aforesaid order which placed certain restrictions upon respondent-appellant with respect to traveling beyond the tri-state area with the subject child, and for related relief, 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.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 19, 2008.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Milton W. Williams  
James M. Catterson  
Rolando T. Acosta, Justices.

-----X  
In re Bernard Kufeld, etc.,

- - - - -  
Michael Peskowitz,  
Petitioner-Appellant,

-against-

Bernard Kufeld,  
Respondent-Respondent.

M-2860  
Index No. 92211/06

- - - - -  
Michael Peskowitz,  
Petitioner-Respondent,

-against-

Bernard Kufeld,  
Respondent-Appellant.

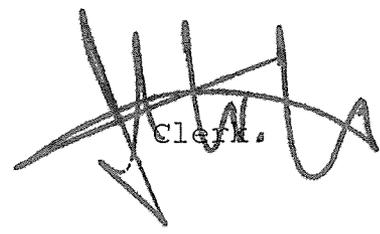
-----X

Respondent-appellant Bernard Kufeld having moved for reargument of the decision and order of this Court entered on May 8, 2008 (Appeal Nos. 3627-3628), and for a stay of proceedings pending hearing and determination of the instant motion, and for related relief,

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

It is ordered that the motion is denied and the application for a stay is denied as moot.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 19, 2008.

Present - Hon. Peter Tom, Justice Presiding,  
John T. Buckley  
John W. Sweeny, Jr. Justices.  
Karla Moskowitz,

-----X  
The City of New York,  
Plaintiff-Respondent,

-against-

M-2800  
Index No. 1403/03

Ivio Mazzella, et al.,  
Defendants-Appellants.  
-----X

Municipal 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 29, 2008 (Appeal No. 3026),

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.

E N T E R:

  
Clerk.

At a 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 19, 2008.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Eugene Nardelli  
Milton L. Williams  
James M. Catterson, Justices.

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

Respondent,

-against-

M-2765  
Ind. No. 8175/90

Guiseppe D'Alessandro,

Defendant-Appellant.  
-----X

A decision and order of this Court having been entered on August 22, 1996 (Appeal No. 57185), unanimously affirming the judgment of the Supreme Court, New York County (Jerome Hornblass, J.), rendered on April 20, 1993,

And an order of this Court having been entered on May 11, 2000 (M-5905), denying defendant's application for a writ of error coram nobis,

And defendant-appellant having moved for reargument of the aforesaid order of this Court entered on May 11, 2000 (M-5905), and for related relief,

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

It is ordered that the motion is denied.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 19, 2008.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,  
John T. Buckley  
Rolando T. Acosta  
Dianne T. Renwick  
Leland G. DeGrasse, Justices.

-----X  
Lee Rosenbloom and Lee Adams,  
individually and as shareholders  
of The Luba Organization, Inc.,  
suing on behalf of themselves  
and the right of The Luba  
Organization, Inc.,  
Plaintiffs-Appellants,

M-3622  
Index No. 600535/01

-against-

Nathan Gurary, et al.,  
Defendants-Respondents.

-----X  
Plaintiffs-appellants having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, New York County, entered on or about December 14, 2006,

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 appellants' time in which to perfect the appeal to the December 2008 Term.

E N T E R:

  
Clerk.

At a 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 19, 2008.

PRESENT - Hon. Angela M. Mazzairelli, Justice Presiding,  
John T. Buckley  
Rolando T. Acosta  
Dianne T. Renwick  
Leland G. DeGrasse, Justices.

-----X  
R&R Capital LLC and FTP Capital LLC,  
Plaintiffs-Appellants,

-against-

M-3685  
Index No. 604080/05

Linda Merritt, also known as  
Lyn Merritt,  
Defendant-Respondent.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about May 13, 2008,

And plaintiffs-appellants having moved for an order enlarging the record on appeal to include the transcript of proceedings held before Justice Ramos on June 30, 2008 (Exh. 3 to the moving papers),

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 appellants are directed to immediately file 10 copies of a supplemental record containing the aforesaid transcript.

E N T E R:

  
Clerk.

At a 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 19, 2008.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,  
John T. Buckley  
Rolando T. Acosta  
Dianne T. Renwick  
Leland G. DeGrasse, Justices.

-----X  
Euroway Contracting Corp.,  
Plaintiff-Respondent,

-against-

M-3821  
Index No. 25646/02

Mastermind Estate Development Corp.,  
et al.,  
Defendants-Appellants.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about June 16, 2008,

And defendants-appellants having moved for an order enlarging the record on appeal to include a certain affirmation of Barbara Matarazzo, dated July 21, 2008 (Exhibit C to the moving papers),

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.

E N T E R:

  
Clerk

At a 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 19, 2008.

PRESENT - Hon. Angela M. Mazzairelli, Justice Presiding,  
John T. Buckley  
Rolando T. Acosta  
Dianne T. Renwick  
Leland G. DeGrasse, Justices.

-----X  
Ira J. Schacter,  
Plaintiff-Appellant,

-against-

M-3776  
Index No. 311503/07

Janice L. Schacter,  
Defendant-Respondent.

-----X

Plaintiff-appellant having moved pursuant to CPLR 5704(a) for certain relief denied by a Justice of the Supreme Court, New York County, on or about July 30, 2008 (mot. seq. no. 013),

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.

E N T E R:

  
Clerk.

At a 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 19, 2008.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
John T. Buckley  
Rolando T. Acosta  
Dianne T. Renwick  
Leland G. DeGrasse, Justices.

-----X  
Juan Perez,  
Plaintiff-Respondent,

-against-

M-3669  
Index No. 103878/04

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

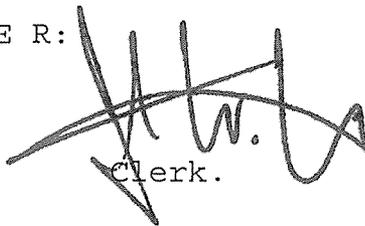
-----X

Defendants-appellants having moved for a stay of trial pending hearing and determination of the perfected appeal taken from the order of the Supreme Court, New York County, entered on or about June 19, 2008 (mot. seq. no. 003),

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

It is ordered that the motion is granted.

E N T E R:



Clerk.

At a 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 19, 2008.

Present: Hon. Richard T. Andrias, Justice Presiding,  
David B. Saxe  
John W. Sweeny, Jr.  
Karla Moskowitz  
Leland G. DeGrasse, Justices.

-----X

Tracee Davis, Esq.,

Plaintiff-Respondent,

-against-

M-3222

Index No. 601494/07

Alan Mickens,

Defendant-Appellant.

-----X

An order of this Court having been entered on May 29, 2008 (M-2055), denying defendant's motion for poor person relief and an enlargement of time in which to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about May 22, 2007,

And defendant having moved for reargument of the aforesaid order of this Court entered on May 29, 2008 (M-2055),

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

It is ordered that the motion is denied.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 19, 2008.

Present - Hon. David Friedman, Justice Presiding,  
Milton L. Williams  
James M. Catterson  
Rolando T. Acosta, Justices.

-----x

In the Matter of

Jazmin A.,

M-2089  
Docket No. D4540/08

A Person Alleged to be a Juvenile  
Delinquent,

Appellant.

-----x

Appellant having moved for leave to appeal to this Court from the order of the Family Court, Bronx County, entered on or about April 16, 2008,

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

It is ordered that the motion is granted. (See M-2089A, decided simultaneously herewith.)

ENTER:

  
Clerk

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

BEFORE: Milton L. Williams  
Justice of the Appellate Division

-----X

In the Matter of

Jazmin A.,

A Person Alleged to be a Juvenile  
Delinquent,

M-2089A  
Docket No. D4540/08

Appellant.

-----X

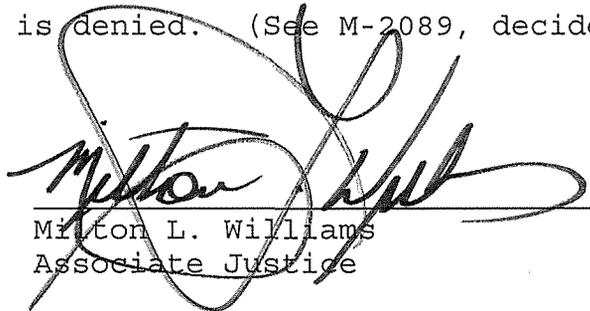
An appeal having been taken to this Court from the order of the Family Court, Bronx County, entered on or about April 16, 2008,

And appellant having moved for a stay of the order pending hearing and determination of the aforesaid appeal,

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

Ordered that the motion is denied. (See M-2089, decided simultaneously herewith.)

Dated: **AUG 11 2008**  
New York, New York



Milton L. Williams  
Associate Justice

Entered: **AUG 19 2008**

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

BEFORE: Hon. Peter Tom  
Justice of the Appellate Division

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

Respondent,

-against-

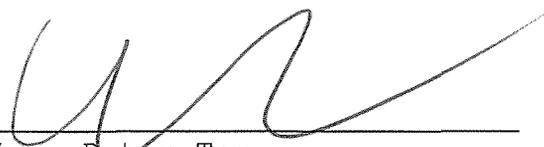
Tyrone Jackson,

Defendant.  
-----X

M-2339  
Ind. No. 474/03

CERTIFICATE  
DENYING LEAVE

I, Peter Tom, 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, entered on or about April 9, 2008 is hereby denied.

  
\_\_\_\_\_  
Hon. Peter Tom  
Associate Justice

Dated: August 4, 2008  
New York, New York

**ENTERED** AUG 19 2008

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

BEFORE: Hon. Peter Tom  
Justice of the Appellate Division

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

Respondent,

-against-

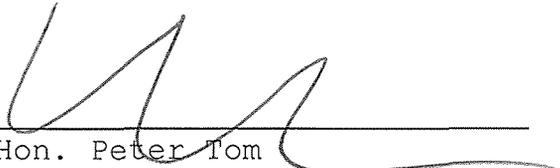
Jose Luis Taveras,

Defendant.  
-----X

M-2707  
Ind. No. 5372/93

CERTIFICATE  
DENYING LEAVE

I, Peter Tom, 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, entered on or about April 10, 2008 is hereby denied.

  
\_\_\_\_\_  
Hon. Peter Tom  
Associate Justice

Dated: August 4, 2008  
New York, New York

**ENTERED**

AUG 19 2008

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

BEFORE: Hon. DAVID FRIEDMAN  
Justice of the Appellate Division

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

M-132  
Ind. No. 1014/94

-against-

CERTIFICATE  
DENYING LEAVE

Anselmo Santana a/k/a Ricardo Quinones,  
Defendant-Appellant.  
-----X

I, DAVID FRIEDMAN, a Justice of the Appellate Division,  
First Judicial Department, do hereby certify that, upon  
application timely made by the above-named defendant for a  
certificate pursuant to Criminal Procedure Law, section 460.15,  
and upon the record and proceedings herein, there is no question  
of law or fact presented which ought to be reviewed by the  
Appellate Division, First Judicial Department, and permission to  
appeal from the Order of the Supreme Court, New York County,  
entered on or about November 30, 2007, is hereby denied.

Dated: New York, New York  
August 4, 2008

  
\_\_\_\_\_  
DAVID FRIEDMAN  
Justice of the Appellate Division

**ENTERED** AUG 19 2008

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

BEFORE: Hon. DAVID FRIEDMAN  
Justice of the Appellate Division

-----X SEALED

The People of the State of New York,  
Respondent,

M-444  
Ind. No. 777/05

-against-

CERTIFICATE  
DENYING LEAVE

Anonymous,  
Defendant-Appellant.

-----X

I, DAVID FRIEDMAN, a Justice of the Appellate Division,  
First Judicial Department, do hereby certify that, upon  
application timely made by the above-named defendant for a  
certificate pursuant to Criminal Procedure Law, section 460.15,  
and upon the record and proceedings herein, there is no question  
of law or fact presented which ought to be reviewed by the  
Appellate Division, First Judicial Department, and permission to  
appeal from the Order of the Supreme Court, New York County,  
entered on or about January 4, 2008, is hereby denied.

Dated: New York, New York  
August 4, 2008

  
\_\_\_\_\_  
DAVID FRIEDMAN  
Justice of the Appellate Division

**ENTERED** AUG 19 2008

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

BEFORE: Hon. John W. Sweeny, Jr.  
Justice of the Appellate Division

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

M-2882  
Ind. No. 419/02

-against-

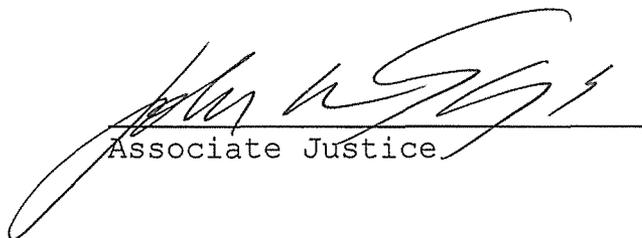
CERTIFICATE  
DENYING LEAVE

Sulayman Batchilly,

Defendant.

-----X

I, John W. Sweeny, Jr., a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County, entered on or about May 14, 2008 (Megan Tallmer, J.) is hereby denied.

  
Associate Justice

Dated: August 8, 2008  
New York, New York

ENTERED: **AUG 19 2008**

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

BEFORE: Hon. John W. Sweeny, Jr.  
Justice of the Appellate Division

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

-against-

Elvin Lebron,

Defendant.

-----X

M-2885  
Ind. Nos. 1688/93,  
9963/93, 10472/93,  
10610/93  
CERTIFICATE  
DENYING LEAVE

I, John W. Sweeny, Jr., a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the orders of the Supreme Court, New York County, both entered on or about April 21, 2008 (Edward J. McLaughlin, J.) is hereby denied.

  
\_\_\_\_\_  
Associate Justice

Dated: August 6, 2008  
New York, New York

ENTERED: **AUG 19 2008**

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

BEFORE: Hon. John W. Sweeny, Jr.  
Justice of the Appellate Division

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

M-3053  
Ind. No. 8175/92

-against-

CERTIFICATE  
DENYING LEAVE

Edward MacKenzie,

Defendant.

-----X

I, John W. Sweeny, Jr., a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about June 3, 2008 (Carol Berkman, J.) is hereby denied.

  
Associate Justice

Dated: August 6, 2008  
New York, New York

ENTERED: **AUG 19 2008**

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

BEFORE: Hon. John W. Sweeny, Jr.  
Justice of the Appellate Division

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

M-3123  
Ind. No. 7157/03

-against-

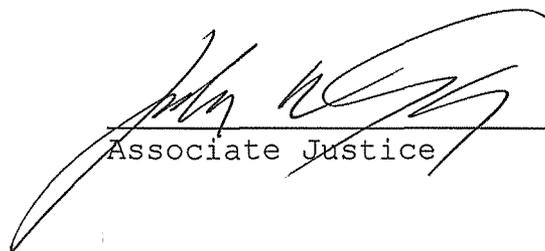
CERTIFICATE  
DENYING LEAVE

Reginald Harris,

Defendant.

-----X

I, John W. Sweeny, Jr., a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about May 13, 2008 (Marcy L. Kahn, J.) is hereby denied.

  
\_\_\_\_\_  
Associate Justice

Dated: August 8, 2008  
New York, New York

ENTERED: **AUG 19 2008**

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

BEFORE: Hon. John W. Sweeny, Jr.  
Justice of the Appellate Division

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

M-3162  
Ind. No. 10392/94

-against-

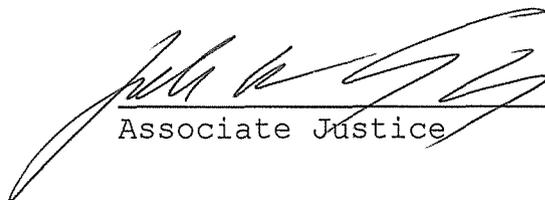
CERTIFICATE  
DENYING LEAVE

Ronald Jackson,

Defendant.

-----X

I, John W. Sweeny, Jr., a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about April 16, 2008 (William A. Wetzal, J.) is hereby denied.

  
Associate Justice

Dated: August 6, 2008  
New York, New York

ENTERED: **AUG 19 2008**

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

BEFORE: Hon. John W. Sweeny, Jr.  
Justice of the Appellate Division

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

M-3163  
Ind. No. 7375/02

-against-

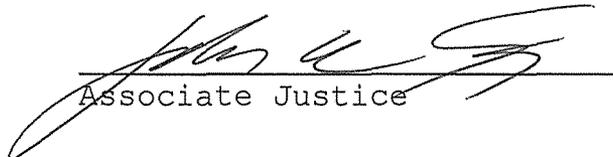
CERTIFICATE  
DENYING LEAVE

Gilberto Sosa,

Defendant.

-----X

I, John W. Sweeny, Jr., a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about April 10, 2008 (William A. Wetzel, J.) is hereby denied.

  
Associate Justice

Dated: August 6, 2008  
New York, New York

ENTERED: AUG 19 2008

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

BEFORE: Hon. John W. Sweeny, Jr.  
Justice of the Appellate Division

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

M-3208  
Ind. No. 1944/06

-against-

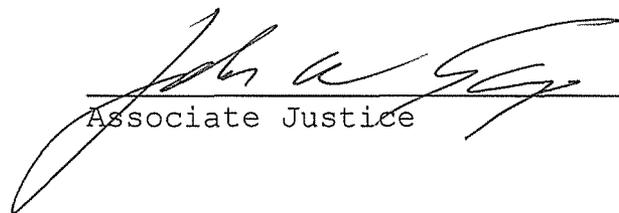
CERTIFICATE  
DENYING LEAVE

Bernard Fuller,

Defendant.

-----X

I, John W. Sweeny, Jr., a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about May 15, 2008 (A. Kirke Bartley, J.) is hereby denied.

  
Associate Justice

Dated: August 6, 2008  
New York, New York

ENTERED: AUG 19 2008