

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 15, 2009.

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-

M-6119
Ind. No. 2000/01

Jason Munneilyn, also known as
Troy Harrison,

Defendant-Appellant.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about June 26, 2007,

Now, upon reading and filing the stipulation of the parties hereto, filed December 23, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 January 15, 2009.

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

-----X
Edgardo L. Rivera,
Plaintiff-Respondent,

-against-

M-5849
Index No. 24540/05

Super Star Leasing, Inc., et al.,
Defendants-Appellants.

-----X

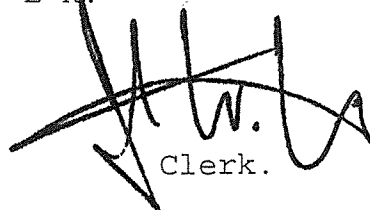
Defendants-appellants having moved for a stay of trial pending hearing and determination of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about February 20, 2008,

And appellants having moved to withdraw the aforesaid motion by correspondence dated December 12, 2008,

Now, upon reading and filing the papers with respect to the motion, including the correspondence dated December 12, 2008 from appellants' counsel, and due deliberation having been had thereon, it is

Ordered that the motion is deemed withdrawn in accordance with the aforesaid correspondence.

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 January 15, 2009.

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

-----X
Efidencia Perez,
Plaintiff-Respondent,

-against-

M-6086
Index No. 21308/05


Mobil on the Run, et al.,
Defendants-Appellants.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about April 1, 2008,

Now, upon reading and filing the stipulation of the parties hereto, dated December 10, 2008, and due deliberation having been had thereon, it is

Ordered that the appeal, previously perfected for the January 2009 Term, is withdrawn in accordance with the aforesaid stipulation.

ENTER:

Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 15, 2009.

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

-----X
Narciso Rodriguez,
Plaintiff-Appellant,

-against-

M-6097
Index No. 108961/06

300 West 23rd Street Owners Corp.,
et al.,
Defendants-Respondents.

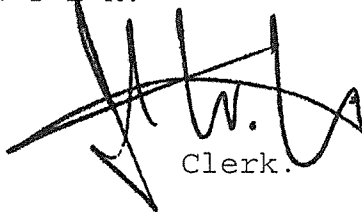
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about October 9, 2007 (mot. seq. no. 002),

Now, upon reading and filing the stipulation of the parties hereto, dated December 15, 2008, and due deliberation having been had thereon, it is

Ordered that the appeal, previously perfected for the January 2009 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 January 15, 2009.

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

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

George D. Taramona,

Petitioner,

For a Judgment Pursuant to Article
78 of the CPLR,

M-6126
Index No. 105950/08

-against-

Eric R. Dinallo, as Superintendent
of State of New York Insurance
Department, et al.,

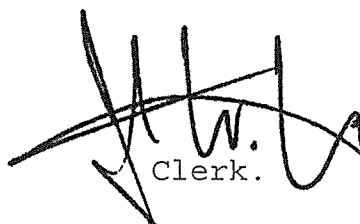
Respondents.
-----X

An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about September 22, 2008 (mot. seq. no. 001), to review a determination of respondents,

Now, upon reading and filing the stipulation of the parties hereto, filed December 12, 2008, and due deliberation having been had thereon,

It is ordered that the proceeding, previously perfected for the January 2009 Term, is withdrawn in accordance with the aforesaid stipulation.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 15, 2009.

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

-----X
IDX Capital LLC, et al.,
Plaintiffs-Respondents,

-against-

M-6085
Index No. 102806/07

Phoenix Partners Group LLC,
Defendant-Appellant,

-and-

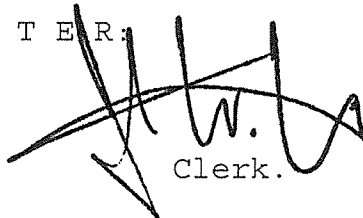
Wesley Wang,
Defendant.

-----X
An appeal having been taken from the order of the Supreme Court, New York County, entered on or about December 18, 2007 (mot. seq. no. 004),

Now, upon reading and filing the stipulation of the parties hereto, filed December 22, 2008, and due deliberation having been had thereon, it is

Ordered that the appeal, previously perfected for the February 2009 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 January 15, 2009.

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

-----X
Richard Dieguez,

Plaintiff-Respondent,
-against-

M-6112
Index No. 20141/07

Montefiore Medical Center,
Defendant-Appellant.

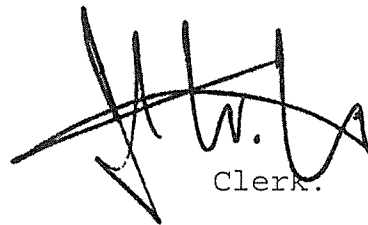
-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about July 11, 2008,

Now, upon reading and filing the stipulation of the parties hereto, filed December 24, 2008, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the February 2009 Term, is withdrawn in accordance with the aforesaid stipulation.

ENTER:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 15, 2009.

Present - Hon. Jonathan Lippman, Presiding Justice,
Angela M. Mazzarelli
John W. Sweeny, Jr.
Leland G. DeGrasse
Helen E. Freedman, Justices.

-----x
Lindsey Kupferman Nederlander,
Plaintiff-Respondent,

-against-

M-5817
M-5876X
Index No. 350510/07

Eric Nederlander,
Defendant-Appellant.
-----x

An appeal having been taken to this Court by defendant from the order of the Supreme Court, New York County, entered on or about February 29, 2008; and an appeal and cross appeal having been taken to this Court from the order of said Court entered on or about March 6, 2008, respectively,

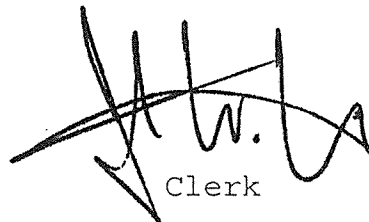
And defendant having moved for an enlargement of time in which to perfect the appeal from the order entered on or about February 26, 2008, and the cross appeal from the order entered on or about March 6, 2008 (M-5817),

Now, upon reading and filing the papers with respect to the motion (M-5817), and upon reading and filing the stipulation of the parties hereto, "so ordered" December 10, 2008 (M-5876X), and due deliberation having been had thereon,

It is ordered that the plaintiff's appeal from the order entered on or about March 6, 2008 is withdrawn in accordance with the aforesaid stipulation, and it is further,

Ordered that defendant's cross appeal from the order entered on or about March 6, 2008 is deemed a direct appeal and, sua sponte, defendant is permitted to prosecute the respective appeals, which are sua sponte consolidated, upon 10 copies of one record covering the appeals and enlarging the time in which to perfect said consolidated appeals on or before March 23, 2009 for the June 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 January 15, 2009.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,
Angela M. Mazzairelli
John W. Sweeny, Jr.
Leland G. DeGrasse
Helen E. Freedman, Justices.

-----X
In the Matter of the application of
Susan Bergholtz,
Petitioner-Appellant,

-against-

M-5591
Index No. 103728/05

For the dissolution of
Shepard & Bergholtz
Physical Therapists, P.C.,

Pursuant to Section 1104(a) of the
New York Business Corporation Law

Eileen Shepard,
Respondent-Respondent.

-----X

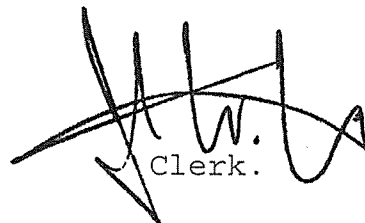
An appeal having been taken from the order of the Supreme Court, New York County, entered on or about July 9, 2008,

And respondent-respondent having moved for dismissal of the appeal, 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 without prejudice to renewal should petitioner's estate fail to obtain an order of substitution within 90 days of the date of entry hereof.

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 January 15, 2009.

Present - Hon. Jonathan Lippman, Presiding Justice,
Richard T. Andrias
David Friedman
John T. Buckley
Rolando T. Acosta, Justices.

-----x

In the Matter of the Custody and Guardianship of

Brandon H.,

A Child Under the Age of 18 Years
Pursuant to § 384-b of the Social Services Law of the State of New York and/or Article 6 of the Family Court Act.

M-5704
Docket No. B2123/06

Hale House Center, Inc., et al.,
Petitioners-Respondents,

Leila H.,
Respondent-Appellant.

Hal Silverman, Esq., Lawyers for Children,
Law Guardian for the Child.

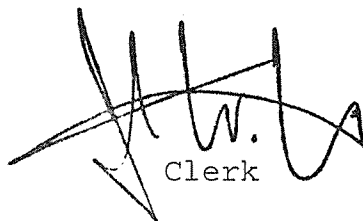
-----x

Petitioner-respondent Hale House Center, Inc. having moved for dismissal of the appeal from the order of the Family Court, New York County, entered on or about August 14, 2007, for failure to timely perfect,

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

It is ordered that the motion is denied. Sua sponte, the time to perfect the appeal is enlarged to the May 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 January 15, 2009.

Present - Hon. Jonathan Lippman, Presiding Justice,
Angela M. Mazzarelli
John W. Sweeny, Jr.
Leland G. DeGrasse
Helen E. Freedman, Justices.

-----x
Paul A. Firestone,

Plaintiff-Respondent,

-against-

M-5685
M-5777
Index No. 602533/06

Kevin McKeown,

Defendant-Appellant.

-----x

Defendant-appellant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, New York County, entered on or about July 2, 2007,

And plaintiff-respondent having cross-moved for dismissal of the aforesaid appeal, and for the imposition of sanctions against defendant-appellant,

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 is granted to the extent of enlarging the time in which to perfect the appeal to on or before February 23, 2009 the May 2009 Term. The cross motion is granted to the extent of dismissing the appeal unless the appeal is perfected for said May 2009 Term. Upon failure to so perfect, an order dismissing the appeal may be entered ex parte, provided respondent serves a copy of this order upon appellant within 10 days after the date of entry hereof.

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 January 15, 2009.

Present - Hon. Jonathan Lippman, Presiding Justice,
Angela M. Mazzarelli
John W. Sweeny, Jr.
Leland G. DeGrasse
Helen E. Freedman, Justices.

-----x
Paul A. Firestone,

Plaintiff-Respondent,

-against-

M-5685
M-5777
Index No. 602533/06

Kevin McKeown,

Defendant-Appellant.
-----x

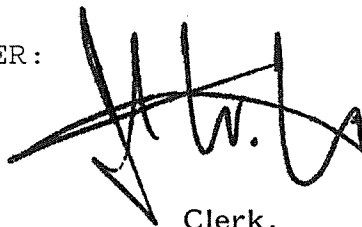
Defendant-appellant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, New York County, entered on or about July 2, 2007 (mot. seq. no. 004),

And plaintiff-respondent having cross-moved for dismissal of the aforesaid appeal, and for the imposition of sanctions against defendant-appellant,

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 is granted to the extent of enlarging the time in which to perfect the appeal to on or before February 23, 2009 the May 2009 Term. The cross motion is granted to the extent of dismissing the appeal unless the appeal is perfected for said May 2009 Term. Upon failure to so perfect, an order dismissing the appeal may be entered ex parte, provided respondent serves a copy of this order upon appellant within 10 days after the date of entry hereof.

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 January 15, 2009.

Present - Hon. Jonathan Lippman, Presiding Justice,
Angela M. Mazzairelli
John W. Sweeny, Jr.
Leland G. DeGrasse
Helen E. Freedman, Justices.

-----x
Security Pacific National Bank,
Plaintiff-Respondent,

-against-

Tracie Evans,
Defendant-Appellant,

M-5836
M-5840
Index No. 22899/92

-and-

Arnold Lepelstat, et al.,
Defendants.

-----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 January 28, 2008 (mot. seq. no. 011),

And plaintiff-respondent having cross-moved for, inter alia, dismissal of the appeal for failure to timely perfect,

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 is granted to the extent of enlarging the time in which to perfect the appeal to on or before February 23, 2009 for the May 2009 Term. The cross motion to dismiss the appeal is granted unless the appeal is perfected for said Term. Upon failure to so perfect, an order dismissing the appeal may be entered ex parte, provided respondent serves a copy of this order upon appellant within 10 days after the date of entry hereof.

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 January 15, 2009.

Present - Hon. Jonathan Lippman, Presiding Justice,
Angela M. Mazzaelli
John T. Buckley
James M. McGuire
Leland G. DeGrasse, Justices.

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

-against- M-5124
DC #26
Ind. No. 8682/99

Carmen Diaz,
Defendant-Appellant.

-----x

An appeal having been taken by defendant from the judgment of the Supreme Court, New York County, rendered on or about June 26, 2007,

And said appeal having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on October 30, 2008, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation indicating that a motion for resentencing is presently sub judice, and seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that appellant's time to perfect the appeal is enlarged to the June 2009 Term and counsel is directed to so perfect.

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 January 15, 2009.

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-5897
Ind. No. 1760/08

Jalil Abdul,
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 November 3, 2008, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

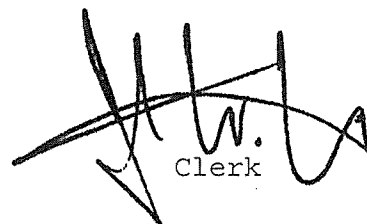
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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 January 15, 2009.

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-5898
Ind. No. 5131/07

Antonio Badia,
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 November 13, 2008, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

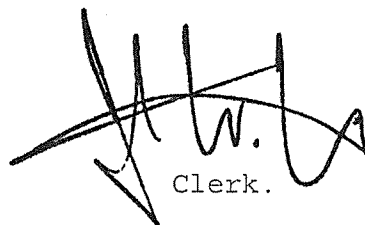
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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 January 15, 2009.

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-5899
Ind. No. 1425/02

William Hassell,
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 December 3, 2008, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

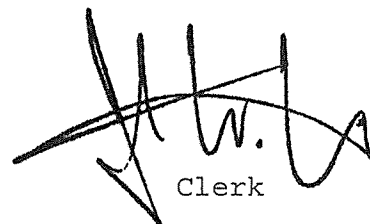
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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 **resentence**. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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

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 January 15, 2009.

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-5900
Ind. No. 1011/05

Darby McCrae,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of **resentence** the Supreme Court, New York County, rendered on or about November 7, 2008, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

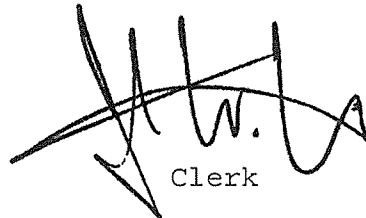
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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 **resentence**. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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

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 January 15, 2009.

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-5901
Ind. No. 1791/04

Robert Mitchell,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about November 19, 2007, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

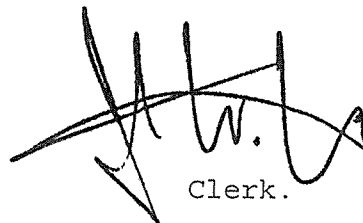
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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 January 15, 2009.

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-5902
Ind. No. 6074/07

Arnold Moye,
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 October 14, 2008, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

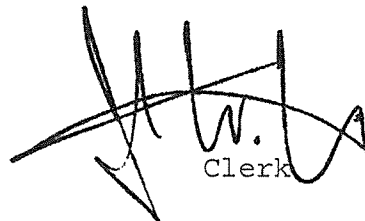
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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 January 15, 2009.

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-5903
Case No. 63736C/07

Steve Nyarko,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about October 22, 2008, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

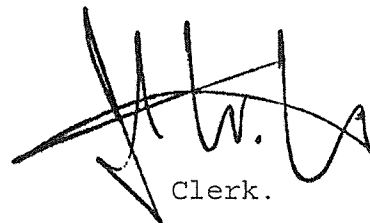
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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 January 15, 2009.

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-5904
Ind. No. 1805/07

Melville Powell,
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 October 22, 2008, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

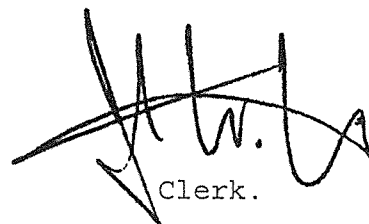
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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 **resentence**. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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 January 15, 2009.

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-5905
Ind. No. 6252/01

Cloves Roche,
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 July 31, 2008, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

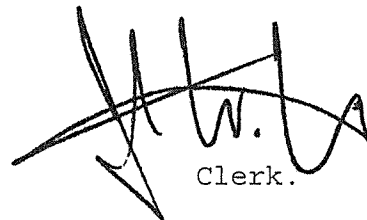
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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 **resentence**. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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 January 15, 2009.

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-5906
Ind. No. 7991/02

Marcus Smith,
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 November 21, 2008, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

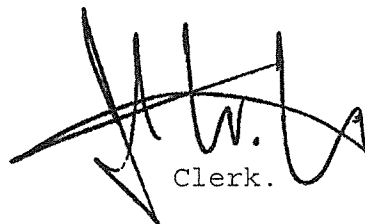
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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 **resentence**. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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 January 15, 2009.

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-5907
Ind. No. 519/07

Wayne Strachn,
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 November 2, 2007, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

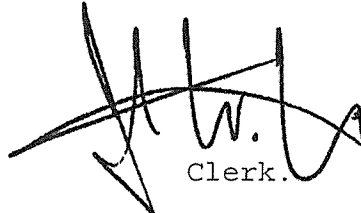
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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.

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 January 15, 2009.

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-

M-5908
Ind. No. 3349/07

Pedro Vaillant, also known as
Pedro Vaillant,
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 October 10, 2008, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

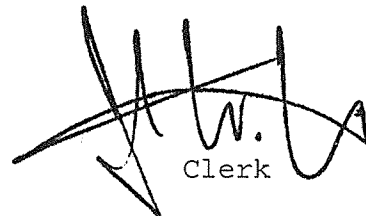
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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 January 15, 2009.

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

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

-against-

M-5909
Ind. No. 45/08

Victor White,
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 December 3, 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 January 15, 2009.

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-5913
Ind. No. 1666/07

Arnaldo Rosa,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about June 30, 2008, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

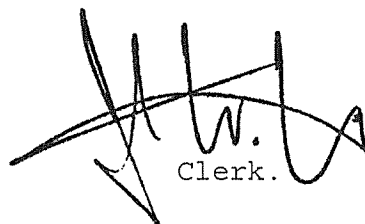
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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 January 15, 2009.

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-5914
Ind. No. 592N/08

Tyriek Mornix,
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 October 8, 2008, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

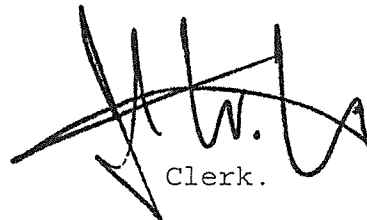
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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 January 15, 2009.

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-5920
Ind. No. 3942/07

Denzel Crawford,
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 October 19, 2008, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

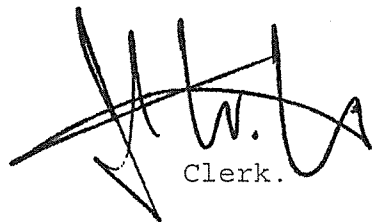
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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 January 15, 2009.

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

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

Respondent,

-against-

M-5666
Ind. No. 4152/05

Earl Nash,

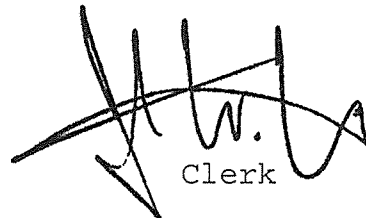
Defendant-Appellant.
-----x

Defendant-appellant, pro se and through assigned counsel, having moved for leave to withdraw the appeal from the judgment of the Supreme Court, New York County, rendered on or about April 19, 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 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 January 15, 2009.

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

-----X
Douglas Abrams,
Plaintiff-Appellant,

-against-

M-5750
Index No. 105139/07

New York State Department of Taxation
and Finance,
Defendant-Respondent.

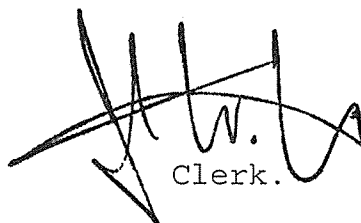
-----X

Defendant-respondent having moved for dismissal of the appeal taken from the order of the Supreme Court, New York County, entered on or about December 13, 2007 (mot. seq. no. 001),

Now, upon reading and filing the papers with respect to the motion, including the stipulation between the parties filed on November 3, 2008, and due deliberation having been had thereon, it is

Ordered that the motion is deemed 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 January 15, 2009.

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

-----X
Randi Weingarten, as President of
the United Federation of Teachers,
Local 2, American Federation of
Teachers, AFL-CIO,
Petitioner-Respondent,

-against-

M-5886
Index No. 116221/08

Board of Education of the City School
District of the City of New York,
et al.,
Respondents-Appellants.

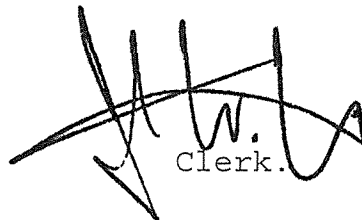
-----X

Respondents-appellants having moved for a stay of enforcement of the order of the Supreme Court, New York County, entered on or about December 10, 2008 (mot. seq. no. 001) pending hearing and determination of the appeal taken therefrom,

Now, upon reading and filing the papers with respect to the motion, including the correspondence dated December 22, 2008 from appellants' counsel, and due deliberation having been had thereon, it is

Ordered that the motion is deemed withdrawn in accordance with the aforesaid correspondence.

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 January 15, 2009.

Present: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzairelli
Luis A. Gonzalez
Eugene Nardelli
Dianne T. Renwick, Justices.

-----X
Interoil LNG Holdings, Inc.,
and PNG LNG, Inc.,
Plaintiffs-Appellants,

-against-

M-6103
Index No. 603006/08

Merrill Lynch PNG LNG Corp.,
Defendant-Respondent.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about November 12, 2008, and said appeal having been perfected for the February 2009 Term of this Court,

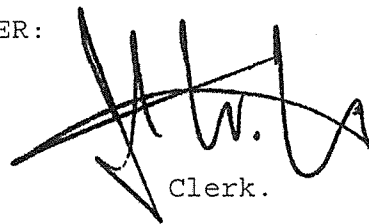
And the respective parties having jointly moved for an order granting leave to file under seal a copy of a second affidavit of Richard Jeffries, sworn to November 5, 2008,

And said second affidavit of Richard Jeffries having been filed with this Court under seal on December 23, 2008 as part of a confidential supplemental record on appeal volume II,

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 aforesaid second affidavit of Richard Jeffries as filed under seal.

ENTER:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 15, 2009.

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

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

-against-

M-5807
Ind. No. 4587/00

De Quan Williams,
Defendant-Appellant.

-----X

Defendant having moved for an extension of time in which to file a notice of appeal from the judgment of **resentence** of the Supreme Court, New York County, rendered on or about October 7, 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,

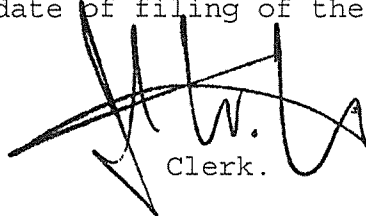
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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 **resentence**. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Tel. 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 January 15, 2009.

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

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

-against-

M-5684
Ind. No. 1840/07

Florence Walker,
Defendant-Appellant.

-----X

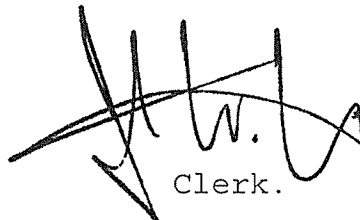
Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about August 14, 2008, for leave to prosecute the appeal as a poor person, on the original record and upon a reproduced appellant's brief, and 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, including the amount and sources of his income and listing his property with its value.

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 January 15, 2009.

Present: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzairelli
Luis A. Gonzalez
Eugene Nardelli
Dianne T. Renwick, Justices.

-----X
Amy Fabrikant,
Plaintiff-Respondent,

-against-

M-5638 & M-5888
Index No. 350394/04

Jay Fabrikant,
Defendant-Appellant.
-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, entered on or about December 12, 2007, and said appeal having been perfected for the March 2009 Term of this Court,

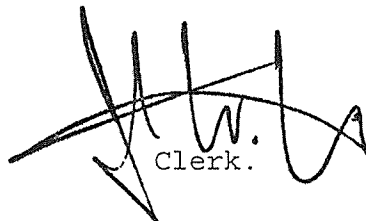
And plaintiff-respondent having moved for an order striking the record on appeal, striking references to matters de hors the record from defendant's brief, and for other relief, (M-5638),

And defendant-appellant having cross-moved for an order enlarging the time in which to correct appellant's filings (M-5888),

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 striking the record and brief with leave to re-perfect upon a proper record or appendix, which shall include therein necessary trial exhibits and all transcripts and which shall not include matters de hors the record, on or before February 2, 2009 for the April 2009 Term. Upon failure to so perfect respondent may move on motion to dismiss the appeal. The Clerk is directed to accept the filing without further fee.

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 January 15, 2009.

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

-----X

Boris Kagan, et al.,
Plaintiffs-Appellants,

-against-

M-5701

Index No. 106905/03

BFP One Liberty Plaza, et al.,
Defendants-Respondents.

-----X

(And a third-party action)

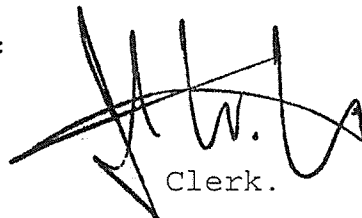
An appeal having been taken from the judgment of the Supreme Court, New York County, entered on or about April 14, 2008, and said appeal having been perfected,

And defendants-respondents having moved for an order striking portions of plaintiffs-appellants' record on appeal and 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 striking plaintiffs-appellants' brief with leave to resubmit a proper brief for the April 2009 Term, to which Term the appeal is adjourned, which omits the material as set forth in paragraph 24 of the affidavit of Robert J. Brown, Esq., dated November 26, 2008, and directing appellant to physically delete from the record heretofore filed material as set forth in paragraph 20 of the aforesaid affidavit and to correct the table of contents thereof. The Clerk is directed to accept the re-filed brief without further fee.

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 January 15, 2009.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
David Friedman
Rolando T. Acosta
Leland G. DeGrasse, Justices.

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

-against-

M-5618
Ind. No. 8007/98

David Snipes,
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 November 24, 2008, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

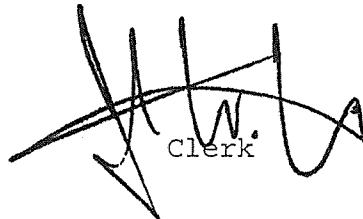
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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 **resentence**. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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

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 January 15, 2009.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David B. Saxe
David Friedman
Rolando T. Acosta, Justices.

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

-against-

Mario Escobar,
Defendant-Appellant.

M-5686
Ind. Nos. 3304/04
3232/06
Case No. 27525C/05

-----X

Defendant having renewed his motion for leave to prosecute, as a poor person, the appeal(s) from the judgment of the Supreme Court, Bronx County, rendered on or about May 18, 2007 and from the judgment of **resentence** of said Court, rendered on or about October 26, 2007, for leave to have the appeal(s) heard upon the original record and a reproduced appellant's brief, and for related relief,

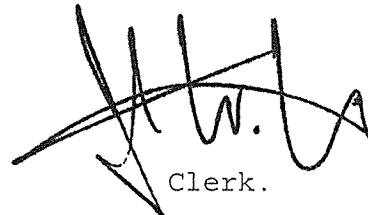
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of permitting the appeal(s) 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 and **resentence**. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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(s). The time within which appellant shall perfect the appeal(s) 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 January 15, 2009.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Luis A. Gonzalez
James M. Catterson
James M. McGuire
Rolando T. Acosta, Justices.

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

-against-

M-5516
Ind. No. 2002/06

Cleonard Hansford,
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 (Bonnie Wittner, J.) entered on or about October 7, 2008, 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,

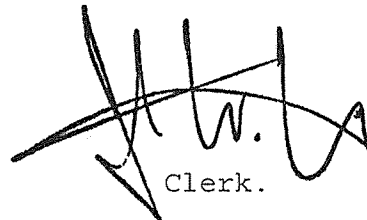
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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 10 reproduced copies of such brief, together with the original record, with this Court.

The Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL 460.70) two transcripts of the stenographic minutes of the SORA hearing and any other proceedings before Justice Wittner as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Steven Banks, Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed.

The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 15, 2009.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
David Friedman
Rolando T. Acosta
Leland G. DeGrasse, Justices.

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

Respondent,

-against-

M-5726
Case No. 44560C/05

Lawrence Perez,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about July 1, 2008, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

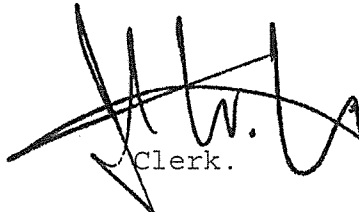
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is 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 serve one copy of such brief upon the District Attorney of said county and file ten 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.

Defendant-appellant's time in which to perfect the appeal is 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 January 15, 2009.

Present - Hon. Angela M. Mazzairelli, Justice Presiding,
David Friedman
John T. Buckley
Rolando T. Acosta
Helen E. Freedman, Justices.

-----x
Gennadiy Ronver,

Plaintiff-Appellant,

-against-

M-6018
Index No. 600673/07

TRG-Desert Inn Venture, Ltd., et al.,

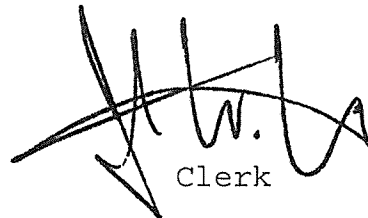
Defendants-Respondents.
-----x

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 February 7, 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 April 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 January 15, 2009.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
Rolando T. Acosta
Leland G. DeGrasse, Justices.

-----X
Nella Manko,
Plaintiff-Appellant,

-against-

M-5724
Index No. 109296/07

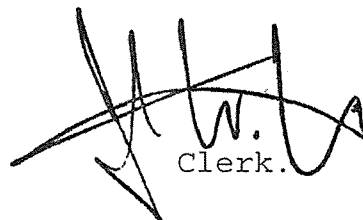
Lenox Hill Hospital, et al.,
Defendants-Respondents.
-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeals taken from the orders of the Supreme Court, New York County, both entered on or about February 15, 2008 (mot. seq. nos. 001 and 003),

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

It is ordered that the motion is granted to the extent of permitting appellant to prosecute the appeals, which are *sua sponte* consolidated, upon 10 copies of one record and of one set of appellant's points covering the consolidated appeals and enlarging the time in which to perfect same to on or before February 23, 2009 for the May 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 in the County of New York on January 15, 2009.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
John T. Buckley
Rolando T. Acosta
Helen E. Freedman, Justices.

-----X
American International Group, Inc.,
Plaintiff-Respondent,

-against-

M-6054
Index No. 600885/08

Maurice R. Greenberg, Howard I.
Smith, Edward E. Matthews,
Ernest E. Stempel, L. Michael
Murphy, John J. Roberts and
Houghton Freeman,
Defendants-Appellants.

-----X

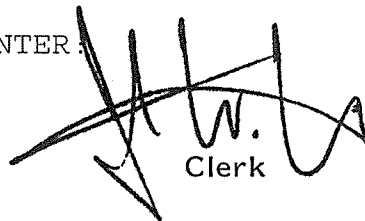
A joint appeal having been taken by the above-named defendants from the orders of the Supreme Court, New York County, each entered on or about November 14, 2008, which denied their respective motions to stay further proceedings herein pending resolution of another action presently pending in the United States District Court, Southern District, New York, under the caption *Starr International Co. v American International Group, Inc., No. 5 Civ. 6283(BSJ) (MHD)*,

And defendants-appellants having moved to stay all state court proceedings, pending hearing and determination of the aforesaid appeal, 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 staying all state court proceedings herein pending hearing and determination of the aforesaid appeal.

ENTER:


Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 15, 2009.

Present - Hon. Richard T. Andrias, Justice Presiding,
Eugene Nardelli
Karla Moskowitz
Dianne T. Renwick
Helen E. Freedman, Justices.

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

Respondent,

-against-

Harold T. Wendorff,

Defendant-Appellant.
-----X

M-5839
Ind. No. 3390/07

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 5, 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 deeming the moving papers a timely filed notice of appeal.

ENTER:


Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 15, 2009.

Present - Hon. Richard T. Andrias, Justice Presiding,
Eugene Nardelli
Karla Moskowitz
Dianne T. Renwick
Helen E. Freedman, Justices.

-----x
Pamela Equities Corp.,
Plaintiff-Respondent,

-against-

M-5733
Index No. 114225/08

270 Park Avenue Café Corp.,
Defendant-Appellant.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about November 21, 2008,

And defendant-appellant having moved for a stay of enforcement of the aforesaid order which allows plaintiff-respondent/landlord access to defendant-appellant/tenant's premises, 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 on condition the appeal is perfected on or before February 23, 2009 for the May 2009 Term. Upon failure to so perfect, an order vacating the stay may be entered ex parte, provided respondent serves a copy of this order upon appellant within 10 days after the date of entry hereof.

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 January 15, 2009.

Present - Hon. David B. Saxe, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----x
Thomas Dekenipp,

Plaintiff-Respondent,

-against-

M-6096
Index No. 102802/02

Rockefeller Center, Inc., et al.,

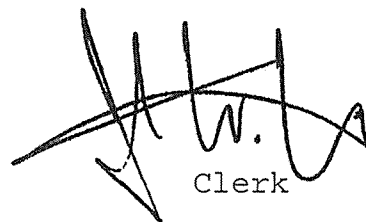
Defendants-Appellants.
-----x

Defendants-appellants having moved for a stay of trial pending hearing and determination of the appeal from the order of the Supreme Court, New York County, entered on or about October 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.

ENTER:


Clerk

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,

M-4452
Ind. No. 198/04
18/05

-against-

CERTIFICATE
DENYING LEAVE

Juan Delgado,

Defendant.

-----X

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 August 12, 2008 is hereby denied.



Hon. Peter Tom
Associate Justice

Dated: January 6, 2009
New York, New York

ENTERED

JAN 15 2009

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,

M-5300
Ind. No. 6331/06

-against-

CERTIFICATE
DENYING LEAVE

Cornell Curry,

Defendant.
-----X

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 October 14, 2008 is hereby denied.



Hon. Peter Tom
Associate Justice

Dated: January 6, 2009
New York, New York

ENTERED JAN 15 2009

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

BEFORE: **Hon. Angela M. Mazzarelli,**
Justice of the Appellate Division

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

M-4598
Ind. No. 5258/03

-against-

CERTIFICATE
DENYING LEAVE

Anthony Cunningham,

Defendant.

-----X

I, Angela M. Mazzarelli, 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 (Arlene R. Silverman, J.), entered on or about July 17, 2008, is hereby denied.



Justice

Dated: New York, New York

JAN 09 2009

ENTERED JAN 15 2009

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

BEFORE: **Hon. Angela M. Mazzarelli,**
Justice of the Appellate Division

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

M-4714
Ind. No. 5065/97

-against-

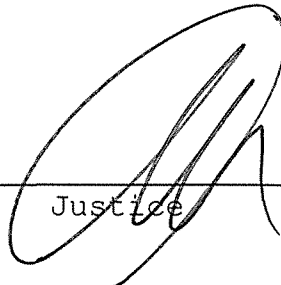
CERTIFICATE
DENYING LEAVE

Alton C. Brown,

Defendant.

-----X

I, Angela M. Mazzarelli, 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 (William Mogulescu, J.), entered on or about August 28, 2008, is hereby denied.



Justice

Dated: New York, New York

JAN 09 2009

ENTERED JAN 15 2009

STATE OF NEW YORK
APPELLATE DIVISION: FIRST DEPARTMENT

BEFORE: Hon. John T. Buckley
Justice of the Appellate Division

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

-against-

Haynes Jacob,
Defendant.

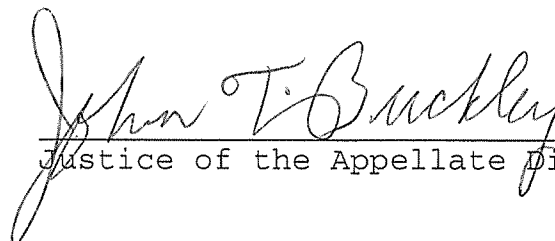
M-4820

Case No. 34572C/05

CERTIFICATE
DENYING LEAVE

-----X
I, John T. Buckley, 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 Section 460.15 of the Criminal Procedure Law, 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, rendered August 6, 2008, is
hereby denied.

Dated: New York, New York
January 8, 2009


Justice of the Appellate Division

ENTERED

JAN 15 2009

STATE OF NEW YORK
APPELLATE DIVISION: FIRST DEPARTMENT

BEFORE: Hon. John T. Buckley
Justice of the Appellate Division

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

M-5514
Ind. No. 906/05

-against-

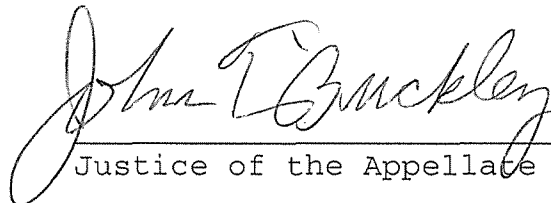
CERTIFICATE
DENYING LEAVE

Elio Cruz,
Defendant.

-----X

I, John T. Buckley, 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 Section 460.15 of the Criminal Procedure Law, 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, rendered October 17, 2008, is hereby denied.

Dated: New York, New York
January 8, 2009


Justice of the Appellate Division

ENTERED

JAN 15 2009

STATE OF NEW YORK
APPELLATE DIVISION: FIRST DEPARTMENT

BEFORE: Hon. John T. Buckley
Justice of the Appellate Division

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

M-5743
Ind. No. 7910/00

-against-

CERTIFICATE
DENYING LEAVE

Felix Machado,
Defendant.

-----X

I, John T. Buckley, 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 Section 460.15 of the Criminal Procedure Law, 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, rendered November 7, 2008, is hereby denied.

Dated: New York, New York
January 8, 2009


Justice of the Appellate Division

ENTERED JAN 15 2009

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-5824

Ind. No. 54710/96

-against-

CERTIFICATE
DENYING LEAVE

Devon Brown,

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 two orders of the Supreme Court, Bronx County, both dated on or about October 17, 2008 (Gilbert C. Hong, J.) is hereby denied.


Associate Justice

Dated: January 5, 2009
New York, New York

ENTERED: JAN 15 2009

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

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

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

M-6090

Ind. No. 2209/04


-against-

Lamaar Pleasant,

Defendant.

-----X

Motion to reargue this Court's November 7, 2008 denial of an application for a certificate granting leave to appeal from an order of the Supreme Court, New York County, dated August 29, 2008, is denied.



Hon. Helen E. Freedman
Associate Justice

Dated: January 7, 2009
New York, New York

ENTERED: JAN 15 2009

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 15, 2009.

Present - Hon. Jonathan Lippman, Presiding Justice,
Luis A. Gonzalez
Eugene Nardelli
Rolando T. Acosta
Leland G. DeGrasse, Justices.

-----X
In re Prince T. Alarape,
Petitioner,

-against-

New York City Department of Housing
Preservation and Development (HPD),
et al.,
Respondents.

M-5310
Index No. 105387/07

-----X

Petitioner having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on October 2, 2008 (Appeal No. 4173),

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:

A handwritten signature in black ink, appearing to be 'J.W.L.', written over a horizontal line.

Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 15, 2009.

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

-----X
In the Matter of

Fernando S. and Jesus S.,

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

Administration For Children's Services,
Petitioner-Respondent,

M-5910
Docket Nos. N18126-27/06

Fernando S.,
Respondent-Appellant.

Wendy Abels, Esq.,
Law Guardian for the Children.

-----X

An appeal having been taken from the order of the Family Court, Bronx County, entered on or about January 27, 2005, and said appeal having been perfected for the February 2009 Term of this Court,

And David Shapiro, Esq., having moved to be relieved as law guardian and to substitute other counsel as law guardian to respond to 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 granted to the extent of striking the designation of David Shapiro, Esq., as Law Guardian and substituting, pursuant to Section 722 of the County Law, Wendy Abels, Esq., 215 West 88th Street, Apt. 6-G, New York, NY 10024, Telephone No. 917-539-6490, as law guardian for purposes of responding to the appeal. The appeal is adjourned to the April 2009 Term.

ENTER:


Clerk.