

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 16, 2009.

PRESENT: Hon. Luis A. Gonzalez, 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-2583
Ind. No. 4610/06

Alfredo Barretto,
Defendant-Appellant.
-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about June 19, 2007,

Now, upon reading and filing the stipulation of the parties hereto, dated May 29, 2009, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 June 16, 2009.

PRESENT: Hon. Luis A. Gonzalez, 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-2584
Ind. No. 2000/01

Jason Munneilyn,
Defendant-Appellant.
-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about February 10, 2009,

Now, upon reading the stipulation of the parties hereto, filed June 1, 2009, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 June 16, 2009.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
Proficient Food Company, Inc.,
Plaintiff-Respondent,

-against-

M-2582
Index No. 605603/01

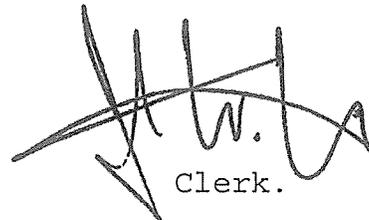
Phoenix Partners, L.P.,
Defendant-Appellant.
-----X

Appeals having been taken from an order and judgment of the Supreme Court, New York County, entered on or about March 21, 2005 and April 4, 2005, respectively,

Now, upon reading and filing the stipulation of the parties hereto, dated May 28, 2009, and due deliberation having been had thereon,

It is ordered that the appeals, previously perfected for the September 2009 Term, are withdrawn in accordance with the aforesaid stipulation.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 16, 2009.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Richard T. Andrias
John T. Buckley
Rolando T. Acosta, Justices.

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

-against-

Kenneth Cameron,
Defendant-Appellant.

M-2332
Ind. Nos. 6646/06
4194/04

-----X

An order of this Court having been entered on March 19, 2009 (M-829), dismissing defendant's appeal from the judgment of the Supreme Court, New York County, entered on or about July 9, 2007,

And defendant having moved for reargument of the aforesaid order of this Court, to reinstate the appeal, and to permit previously assigned counsel, Steven Banks, Esq., to refile an appellant's brief on defendant's behalf,

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 reinstating the aforesaid appeal and directing Steven Banks, Esq., to perfect said appeal for the October 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 June 16, 2009.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
David Friedman
John T. Buckley
Dianne T. Renwick, Justices.

-----X
319 West 48th Street Realty Corp.,
Petitioner-Landord-Respondent,

-against-

M-1961
Index No. 570329/07

Sandra Almeida,
Respondent-Tenant-Appellant,

-and-

Ray Noonan, "John Doe" and/or
"Jane Doe",
Respondents-Undertenants-Appellants.

-----X

An order of this Court having been entered on April 7, 2009 (M-6101) denying respondent tenant leave to appeal to this Court from the decision and order of the Appellate Term entered in the office of the Clerk of the Supreme Court, New York County, on or about October 7, 2008,

And respondent tenant having moved for reconsideration of the aforesaid motion,

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

It is ordered that the motion is denied.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 16, 2009.

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

-----X
Ernst Arrasti,
Plaintiff-Respondent,

-against-

M-2049
Index No. 101930/06

HRH Construction LLC, et al.,
Defendants-Appellants,

Marvin Weiner, Ltd.,
Defendant.

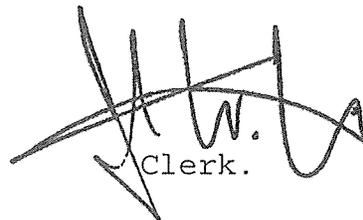
-----X

Defendants-appellants having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on March 31, 2009 (Appeal No. 206), and for related relief,

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

It is ordered that the motion is denied.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 16, 2009.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
Eugene Nardelli
John T. Buckley
Sheila Abdus-Salaam, Justices.

-----X
Al G. Hill, III,
Plaintiff-Appellant,

-against-

M-2326
Index No. 603162/06

Theodate Coates, Individually, and
as Purported Trustee of the Fisher
Trust,
Defendant-Respondent.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, entered on or about January 29, 2008,

And appellant having moved to withdraw 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 appeal is deemed withdrawn.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 16, 2009.

PRESENT - Hon. Peter Tom, Justice Presiding,
Eugene Nardelli
James M. Catterson
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
Kathryn Jordan,
Plaintiff-Appellant,

-against-

M-2242
Index No. 600246/07

Laurence Lebowitz and Klein Zellman,
Defendants-Respondents.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about June 6, 2008,

And plaintiff-appellant having moved for an order enlarging the record on appeal and for enlargement of time in which to perfect 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 to the extent of enlarging appellant's time in which to perfect the appeal to the September 2009 Term, with no further enlargements to be granted. The motion is otherwise denied.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in in the County of New York on June 16, 2009.

PRESENT: Hon. Peter Tom, Justice Presiding,
Eugene Nardelli
James M. Catterson
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
Robert M. Morgenthau, District
Attorney of New York County,
Individually,
Plaintiff-Respondent,

-against-

M-2257
Index No. 400295/05

Premier Medical Care, P.C.,
Gerardo A. Yanayaco, et al.,
Defendants,

Victor Basbus, M.D.,
Defendant-Appellant.

-----X

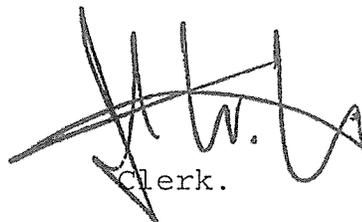
An appeal having been taken from the order of the Supreme Court, New York County, entered on or about April 13, 2009 (mot. seq. no. 007),

And defendant Gerardo A. Yanayaco having moved to stay a certain asset forfeiture proceeding, pending hearing and determination of the perfected appeal,

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

It is ordered that the motion is granted.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 16, 2009.

PRESENT: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Eugene Nardelli
James M. Catterson
Karla Moskowitz, Justices.

-----X
In re Riverside Equities, LLC,
Petitioner-Respondent,

-against-

M-1976
Index No. 106001/07

New York State Division of Housing
and Community Renewal,
Respondent,

William Brown,
Respondent-Appellant.

-----X

Petitioner-respondent having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on January 22, 2009 (Appeal No. 5084),

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

It is ordered that the motion is denied.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 16, 2009.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
James M. Catterson
Karla Moskowitz
Rosalyn H. Richter, Justices.

-----X
La Cara Mia Bar Lounge, Inc.,
Plaintiff-Appellant,

-against-

M-2416
Index No. 309142/08

Great Locations, Inc.,
Defendant-Respondent.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about January 28, 2009

And plaintiff-appellant having moved in the nature of a preliminary appellate injunction pursuant to CPLR 5518 with respect to a certain non-payment proceeding venued in Nassau County, *Great Locations, Inc. v La Casa Mia Bar Lounge, Inc.*, Index No. 3143/08,

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

Ordered that the motion is denied.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 16, 2009.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
Eugene Nardelli
John T. Buckley
Sheila Abdus-Salaam, Justices.

-----X
In the Matter of

Christopher R.; Crieg B.
and Curtis B., Jr.,

M-2302
Docket Nos. NN12698/06
NN12699/06
NN12700/06

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

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

Lecrieg B.-B.,
Respondent-Appellant.

- - - - -
Stephanie Rancer, Esq., Lawyers for
Children,
Law Guardian for the Children.

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

Docket Nos. V13766/06
V13767/06
V13768/06

- - - - -
Curtis B., Sr.,
Petitioner-Respondent,

-against-

Lecrieg B.-B.,
Respondent-Appellant,

Administration for Children's
Services,
Respondent.

-----X
An order of this Court having been entered on April 16, 2009 (M-334), granting respondent-appellant mother leave to prosecute, as a poor person, the appeal from orders of the Family Court, New York County, both entered on or about January 15, 2009, and assigning Louise Belulovich, Esq., as counsel to prosecute the appeal,

And respondent-appellant mother, by assigned counsel, having moved for an order relieving assigned counsel and for permission to proceed pro se on the appeal, or for alternative relief; and assigned counsel having advised appellant of the consequences of proceeding pro se,

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 Louise Belulovich, Esq., as counsel to prosecute the appeal, and continuing the poor person relief previously granted by this Court's order entered on April 16, 2009 (M-334).

The Clerk is directed to forward to appellant a transcript of the minutes relating to appellant's appeal, the transcript to be made available to appellant, without charge, and returned by her to this Court when submitting her pro se appellate brief.

The time in which appellant shall perfect this appeal is enlarged until 120 days from the date of filing the record or the date of this order, whichever is later. Appellant is advised that the appeal will not be heard unless and until all material furnished to her has been returned to this Court.

ENTER:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 16, 2009.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David Friedman
Dianne T. Renwick
Helen E. Freedman, Justices.

-----X
Barber Bros. Jewelry Mfg, Inc.,
Plaintiff-Appellant,

-against-

M-1982
Index No. 600190/08

Sotheby's, Inc.,
Defendant-Respondent.

-----X

Defendant-respondent having moved for dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about March 5, 2009 (mot. seq. no. 001),

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

It is ordered that the motion is denied.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 16, 2009.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Eugene Nardelli
Leland G. DeGrasse
Sheila Abdus-Salaam, Justices.

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

-against-

M-2467
Ind. No. 2237/08

James O. Boothe,
Defendant-Respondent.

-----X

The People having moved for an enlargement of time in which to perfect the appeal taken from the order of the Supreme Court, New York County, rendered on or about December 19, 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 on or before July 13, 2009 for the September 2009 Term.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 16, 2009.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
John T. Buckley
James M. Catterson, Justices.

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

-against-

M-2284
Ind. No. 724/07

Edward Greeman,
Defendant-Appellant.

-----x

Defendant having renewed his motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about February 7, 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 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, of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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

ENTER:


Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 16, 2009.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Leland G. DeGrasse
Helen E. Freedman
Sheila Abdus-Salaam, Justices.

-----X
Southbridge Towers, Inc.,

Petitioner-Landlord-Respondent,

-against-

M-2087
Index No. 570217/08

Stephen Yagman - Shareholder
Karen Mattox - Sub-Tenant
John Doe/Jane Doe - Sub-Tenant(s)
333 Pearl Street, Apt. 17K
New York, NY 10038

Respondent-Tenant-Appellant.
-----X

Respondent-tenant-appellant Stephen Yagman having moved for leave to appeal to this Court from the order of the Appellate Term entered in the office of the Clerk of the Supreme Court, New York County, on or about March 23, 2009, a stay of eviction, and related relief,

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

It is ordered that the motion, to the extent it seeks leave to appeal from the Appellate Term, is denied. So much of the motion which seeks a stay of eviction is denied as moot, and the relief previously afforded movant by order of a Justice of this Court, dated May 1, 2009, is deemed by its terms to have expired on May 11, 2009.

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 June 16, 2009.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Leland G. DeGrasse
Helen E. Freedman, Justices.

-----X
RLI Ins. Co., et al.,
Plaintiffs-Respondents,

-against-

Turner/Santa Fe, a Joint Venture, et al., Index Nos. M-1595 109484/04
Defendants-Appellants, 109856/05

ABC Partnership, et al.,
Defendants.

-----X

Defendants-appellants having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on January 6, 2009 (Appeal No. 4987N),

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

It is ordered that the motion is denied.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 16, 2009.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-662
Ind. No. 3011/03

Anderson Stuckey,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on April 15, 2008 (Appeal No. 3372), unanimously affirming a judgment of the Supreme Court, Bronx County (David Stadtmauer, J.), rendered on January 6, 2006,

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

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

It is ordered that said application is denied.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 16, 2009.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
John T. Buckley
James M. Catterson, Justices.

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

-against-

M-1661
Ind. No. 7454/01

Maurice McCollough,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on March 10, 2005 (Appeal No. 5580), unanimously affirming a judgment of the Supreme Court, New York County (Bernard J. Fried, J.), rendered on August 27, 2002,

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

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

It is ordered that said application is denied.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 16, 2009.

Present: Hon. Richard T. Andrias, Justice Presiding,
John T. Buckley
Karla Moskowitz
Leland G. DeGrasse
Rosalyn H. Richter, Justices.

-----X
In the Matter of the Application of Miguel Acosta,

Petitioner-Appellant, M-2086 & M-2346

For a Judgment Pursuant to Article 78 Index No. 402896/07
of the Civil Practice Law and Rules,

-against-

New York City Police Department,

Respondent-Respondent.
-----X

An order and judgment (one paper) of the Supreme Court, New York County, having been entered on or about February 1, 2008 (mot. seq. no. 001),

And petitioner having moved for an enlargement of time in which to file a notice of appeal from the aforesaid order and judgment (one paper), for leave to prosecute said appeal as a poor person, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief (M-2086),

And respondent having cross-moved to dismiss the appeal (M-2346),

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 respondent's cross motion is granted and the appeal is dismissed (M-2346). Petitioner's motion is denied as academic (M-2086).

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 June 16, 2009.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
James M. Catterson
Dianne T. Renwick
Leland G. DeGrasse
Helen E. Freedman, Justices.

-----x
Diplomat Properties, Limited
Partnership,
Plaintiff-Respondent,

-against-

M-2417
Index No. 603603/07

Komar Five Associates LLC and First
American Title Insurance Company,
as stakeholder,
Defendants-Appellants.
-----x

Appeals having been taken to this Court by defendant-appellant Komar Five Associates LLC from the orders of the Supreme Court, New York County, entered on or about August 6, 2008 (mot. seq. no. 003), December 12, 2008 (mot. seq. no. 004) and February 27, 2009 (mot. seq. no. 005), respectively,

And defendant-appellant Komar Five Associates LLC having moved for consolidation of the aforesaid appeals,

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

It is ordered that the motion is granted to the extent of permitting appellants to prosecute the appeals upon 10 copies of one record and one set of appellants' points covering the appeals and enlarging the time in which to perfect the consolidated appeals to the October 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 June 16, 2009.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
James M. Catterson
Dianne T. Renwick
Leland G. DeGrasse
Helen E. Freedman, Justices.

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

Terence Boddie, also known as
Terrence Boddie,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78
of the CPLR,
-against-

M-2349
Index No. 401320/08

New York City Housing Authority,
Application and Tenancy Administration
Department,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for an enlargement of time in which to perfect the appeal from an order of the Supreme Court, New York County, entered on or about October 15, 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 October 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 June 16, 2009.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
James M. Catterson
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
Waxfield Limited,
Plaintiff,

-against-

M-2331
Index No. 601893/06

Menachem Ivcher, Sydney Plastics Corp., also known as Sydney Plastics Inc., Eclectic Holdings Inc., Jeda Corporation and Sagiv Shiv,
Defendants.

-----X

Menachem Ivcher, Sydney Plastics Corp., also known as Sydney Plastics Inc., Eclectic Holdings Inc., Jeda Corporation,
Third-Party Plaintiffs-Appellants.

Index No. 8590182/08

-against-

Bank Julius Baer & Co., Ltd.,
Third-Party Defendant-Respondent.

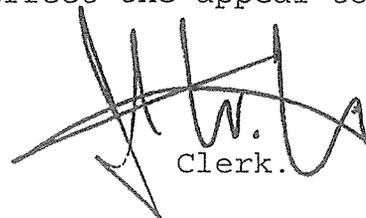
-----X

Third-party plaintiffs-appellants having moved for an enlargement of time in which to perfect their appeal from an order and judgment of the Supreme Court, New York County, entered on or about June 20, 2008 (mot. seq. no. 002) and July 22, 2008, respectively,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the October 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 June 16, 2009.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
John T. Buckley
Karla Moskowitz
Leland G. DeGrasse
Rosalyn H. Richter, Justices.

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

-against-

Kenroy Hinds,
Defendant-Appellant.

M-2073
Ind. Nos. 5510/01
2790/02

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about October 9, 2003,

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

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

ENTER:


Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 16, 2009.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Rolando T. Acosta
Dianne T. Renwick, Justices.

-----X
Estate of James Brown, et al.,
Plaintiffs-Respondents,

-against-

M-1637
Index No. 602593/06

The Pullman Group,
Defendant-Appellant.

-----X

Defendant-appellant having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on March 12, 2009 (Appeal Nos. 41 and 41A), and related relief,

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

It is ordered that the motion is denied.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 16, 2009.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,
Eugene Nardelli
John T. Buckley
Sheila Abdus-Salaam, Justices.

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

-against-

M-5986
Ind. No. 7261/94

Michael Bryant,
Defendant-Appellant.

-----X

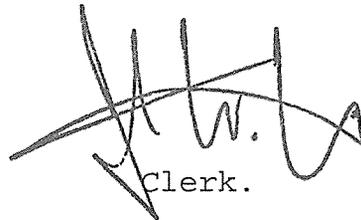
A decision and order of this Court having been entered on February 9, 1999 (Appeal No. 11), unanimously affirming a judgment of the Supreme Court, Bronx County (Edward Davidowitz, J.), rendered on September 18, 1996,

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

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

It is ordered that said application is denied.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 16, 2009.

PRESENT - Hon. David B. Saxe, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Helen E. Freedman, Justices.

-----X
Asa Nathanson, et al.,
Plaintiffs-Appellants,

-against-

M-1987
Index No. 602071/06

Tri-State Construction LLC, et al.,
Defendants-Respondents.
-----X

Plaintiff-appellant Asa Nathanson having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on March 24, 2009 (Appeal No. 151),

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

It is ordered that the motion is denied.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 16, 2009.

PRESENT: Hon. David B. Saxe, Justice Presiding,
John T. Buckley
James M. McGuire
Leland G. DeGrasse
Helen E. Freedman, Justices.

-----X
Sara Kinberg,
Plaintiff-Appellant,

-against-

M-2082
Index No. 20612/06

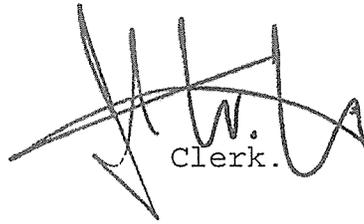
Ira E. Garr,
Defendant-Respondent.
-----X

Plaintiff-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on March 31, 2009 (Appeal No. 183),

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

It is ordered that the motion is denied.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 16, 2009.

PRESENT - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
James M. McGuire
Dianne T. Renwick
Helen E. Freedman, Justices.

-----X
Mary Glover,
Plaintiff-Respondent,

-against-

M-2013
Index No. 14080/02

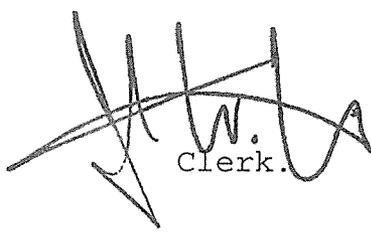
New York City Transit Authority,
Defendant-Appellant.
-----X

Plaintiff-respondent having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on March 31, 2009 (Appeal No. 4887),

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

It is ordered that the motion is denied.

ENTER:


Clerk.

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

BEFORE: Hon. Eugene L. Nardelli
Justice of the Appellate Division

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

M-2144
Ind. Nos. 5752/04
And 6485/04

-against-

CERTIFICATE
DENYING LEAVE

Larry Wearing,

Defendant.

-----X

I, Eugene L. Nardelli, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, section 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about March 31, 2009, is hereby denied.



Justice of the Appellate Division

Dated: New York, New York

ENTERED JUN 16 2009

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

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

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

M-2269
Ind. No. 7704/98

-against-

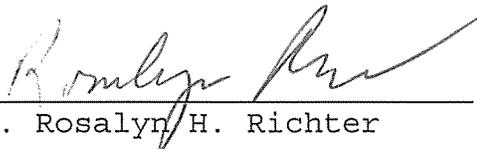
CERTIFICATE
DENYING LEAVE

William Powell,

Defendant.

-----X

I, Rosalyn H. Richter, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County, entered on or about September 30, 2008 is hereby denied.



Hon. Rosalyn H. Richter

Dated: June 9, 2009
New York, New York

ENTERED: JUN 16 2009

PM ORDERS

