

At a 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 21, 2010.

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-16

Ind. Nos. 2193/07
3611/07

Mario Gordon,

Defendant-Appellant.
-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about July 30, 2008,

Now, upon reading and filing the stipulation of the parties hereto, dated December 21, 2009, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:


DEPUTY CLERK

At a 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 21, 2010.

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-

Thomas Prince,

Defendant-Appellant.
-----X

M-17
Ind. Nos. 424/03
3017/06

Appeals having been taken to this Court from of the judgment of the Supreme Court, New York County, rendered on or about September 25, 2006,

Now, upon reading and filing the stipulation of the parties hereto, dated December 24, 2009, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:

David Spolony
DEPUTY CLERK

At a 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 21, 2010.

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-18
Ind. No. 2136/07

John Boynton,
Defendant-Appellant.

-----X
An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about June 30, 2008,

Now, upon reading and filing the stipulation of the parties hereto, dated December 31, 2009, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:


DEPUTY CLERK.

At a 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 21, 2010.

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-19
Ind. No. 5587/08

Lawrence Jefferson,

Defendant-Appellant.
-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about April 24, 2009,

Now, upon reading and filing the stipulation of the parties hereto, dated December 29, 2009, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:


DEPUTY CLERK.

At a 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 21, 2010.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzaelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
In the Matter of the Retention of
Damon G.,
Petitioner-Respondent,

A Patient Admitted To

M-106
Index No. 153/08

Bronx Lebanon Hospital Center,
Respondent-Appellant.
-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about December 24, 2009,

Now, upon reading and filing the stipulation of the parties hereto, filed January 7, 2010, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the January 2010 Term, is withdrawn in accordance with the aforesaid stipulation.

ENTER:


DEPUTY CLERK
Clerk.

At a 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 21, 2010.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Richard T. Andrias
David B. Saxe
Dianne T. Renwick
Sallie Manzanet-Daniels, Justices.

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

-against-

M-4992
Ind. No. 10/05

Feliberto Felipe,
Defendant-Appellant.

-----x

An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, rendered on or about January 6, 2006,

And an order of this Court having been entered on March 6, 2007 (M-746), inter alia, assigning Steven Banks, Esq., as counsel to prosecute the appeal,

And subsequently retained counsel for defendant-appellant, Andrew L. Friedman, Esq., having moved for leave to be substituted as attorney of record in connection with the aforesaid appeal, for leave to file a supplemental brief, and for other relief,

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

It is ordered that the motion is denied. (See Appeal No. 1441, decided simultaneously herewith.)

ENTER:


DEPUTY CLERK

At a 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 21, 2010.

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

-----x
In the Matter of a Proceeding for
Support under Article 4 of the Family
Court Act.

Christine W., M-1230A
Petitioner-Respondent, Docket No. F676/00

-against-

Adrian B.,
Respondent-Appellant.

-----x
Petitioner-respondent having moved for leave to respond, as a poor person, to the appeal from the order of the Family Court, New York County, entered on or about July 20, 2007, for the assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the correspondence from Nancy Botwinik, Esq., dated December 22, 2009, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18B of the County Law and § 1120 of the Family Court Act, Steven N. Feinman, Esq., 19 Court Plaza, Suite 201, White Plains, NY 10601, Telephone No. (914) 949-8214, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for the appellant and 10 copies thereof are filed with this Court. (The order of this Court entered on April 2, 2009 [M-1230] is hereby recalled and vacated.)

ENTER:


DEPUTY CLERK

At a 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 21, 2010.

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

-----X
Cadlerock, L.L.C.,
Plaintiff-Appellant,

-against-

M-5756
Index No. 105570/08

Jan Z. Renner,
Defendant-Respondent.

-----X

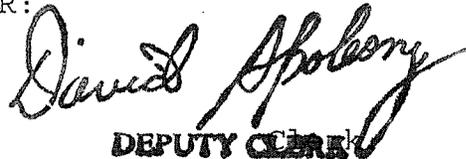
An appeal having been taken from the order of the Supreme Court, New York County, entered on or about September 3, 2009 (mot. seq. no. 001), and said appeal having been perfected,

And plaintiff-appellant having moved for an order staying all proceedings, including trial, pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is granted to the extent of staying trial.

ENTER:


DEPUTY CLERK

At a 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 21, 2010.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzairelli
David B. Saxe
John W. Sweeny, Jr.
Dianne T. Renwick, Justices.

-----X
Jeffrey Cooper, O.D.,

Plaintiff-Appellant,

M-5355

M-5747

-against-

Index No. 100708/09

Number 535 Park Avenue,

Defendant-Respondent.
-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about May 5, 2009 and on or about July 17, 2009, respectively,

And defendant-respondent having moved to dismiss plaintiff's appeal from the order entered on May 5, 2009, to strike plaintiff's record on Appeal and brief, and for related relief (M-5355),

And plaintiff-appellant having moved to supplement the Record on Appeal to include the order of the Supreme Court, New York County, entered on or about June 8, 2009 (M-5747),

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

Ordered that defendant's motion to dismiss plaintiff's appeal from the order entered on or about May 5, 2009 is denied, without prejudice to addressing the issue on the appeal (M-5355). Plaintiff's motion to supplement the record is granted and plaintiff is directed to file 10 copies of a Supplemental Record on Appeal on or before February 1, 2010, without prejudice to defendant raising objections on the appeal to this Court's consideration of the June 8, 2009 order. The Clerk is directed to maintain the appeals on the calendar for hearing in the April 2010 Term (M-5747).

ENTER:


DEPUTY CLERK

At a 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 21, 2010.

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

-----X
Anna Bialobroda,
Plaintiff-Appellant,

-against-

M-79
Index No. 117701/05

Joel Mirer, Advance Construction
Concepts, Inc., Barbara Mirer and
Barbandy Realty,
Defendants-Respondents.

-----X

Appeals having been taken from orders of the Supreme Court, New York County, rendered on or about October 30, 2008 (mot. seq. no. 006) and April 16, 2009 (mot. seq. no. 009),

And plaintiff-appellant having moved to enlarge the record on appeal to include certain general releases, 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:


DEPUTY CLERK

At a 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 21, 2010.

Present: Hon. Peter Tom, Justice Presiding,
James M. McGuire
Leland G. DeGrasse
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of

Joseph R.,

A Person Alleged to Be a Juvenile
Delinquent,

M-4786
Docket No. D3462/08

Respondent-Appellant.
-----X

Respondent-appellant having moved for leave to prosecute the appeal from the order of the Family Court, Bronx County, entered on or about September 22, 2009, as a poor person, for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Section 35 of the Judiciary Law and Section 1120 of the Family Court Act, Michael S. Bromberg, Esq., 44 Hampton St., Sag Harbor, NY 11963, Telephone No. (631) 725-0641, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the State of New York from funds available therefor;¹ within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk; (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. The Clerk of the Family Court shall transfer the record upon receipt of this order; and (4) directing appellant to perfect this appeal within 60 days of receipt of the transcripts. Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.

ENTER


DEPUTY CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 21, 2010.

Present: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
David B. Saxe
James M. McGuire
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of

Samuel V. S.,

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

M-5301

Docket No. NN11536-07

Administration for Children's Services,
Petitioner-Respondent,

Shamea L., also known as Shamea M. L.,
Respondent-Appellant.

Dawn O'Brien-Gans, Esq., Lawyers for
Children, Inc.,
Law Guardian for the Child.

-----X

Respondent-appellant mother having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about October 6, 2009, and for assignment of counsel, a free copy of the transcript, 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 granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, John J. Marafino, 9 West Prospect Ave., Suite 409, Mount Vernon, NY 10550, Telephone No. (914) 663-1500,

January 21, 2010

as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk; (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. The Clerk of the Family Court shall transfer the record upon receipt of this order and; (4) directing appellant to perfect this appeal within 60 days of receipt of the transcripts. Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.

ENTER:


DEPUTY CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 21, 2010.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
James M. Catterson
Helen E. Freedman
Nelson S. Román, Justices.

-----X
In the Matter of

Christy C.,

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

M-4927
Docket No. NN17714/08

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

Roberto C.,
Respondent-Appellant.

- - - - -
Steven Banks, Esq.,
Law Guardian for the Child.

-----X

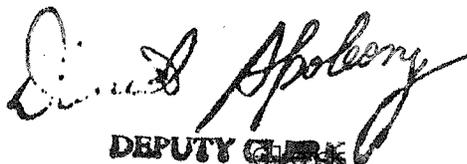
Respondent-appellant father having moved for leave to prosecute, as a poor person, the appeal from the order of the Family Court, Bronx County, entered on or about August 13, 2009, and for assignment of counsel, a free copy of the transcript, and related relief,

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 granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Neal D. Futerfas, 50 Main Street, Suite 1000, White Plains, NY 10606, Telephone No. (914) 682-2171, as counsel for purposes of prosecuting the appeal; (2) directing

the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk; (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. The Clerk of the Family Court shall transfer the record upon receipt of this order and; (4) directing appellant to perfect this appeal within 60 days of receipt of the transcripts. Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.

ENTER:


DEPUTY CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 21, 2010.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
James M. Catterson
Helen E. Freedman
Nelson S. Román, Justices.

-----X
In the Matter of

Jordan N.,

M-4904

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

Docket No. B3217/09

- - - - -
The Children's Aid Society, et al.,
Petitioners-Respondents,

Yolanda R.,
Respondent-Appellant.

- - - - -
Steven Banks, Esq.,
Law Guardian for the Child.

-----X
Respondent-appellant mother having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about September 14, 2009, and for assignment of counsel, a free copy of the transcript, 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 granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Geoffrey P. Berman, Esq., 2005 Palmer Avenue, #176, Larchmont, NY 10538, Telephone No. (914) 834-3053, as counsel for purposes of prosecuting the appeal;

(2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk; (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. The Clerk of the Family Court shall transfer the record upon receipt of this order and; (4) directing appellant to perfect this appeal within 60 days of receipt of the transcripts. Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court. (See M-4900, decided simultaneously herewith.)

ENTER:


DEPUTY CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 21, 2010.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
James M. Catterson
Helen E. Freedman
Nelson S. Román, Justices.

-----X
In the Matter of

Aniya Evelyn R.,

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

M-4900
Docket No. B3216/09

- - - - -
The Children's Aid Society, et al.,
Petitioners-Respondents,

Yolanda R.,
Respondent-Appellant.

- - - - -
Steven Banks, Esq.,
Law Guardian for the Child.

-----X

Respondent-appellant mother having moved for leave to prosecute, as a poor person, the appeal from the order of the Family Court, Bronx County, entered on or about September 14, 2009, and for assignment of counsel, a free copy of the transcript, 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 granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Geoffrey P. Berman, Esq., 2005 Palmer Avenue, #176, Larchmont, NY 10538, Telephone No. (914) 834-3053,

as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk; (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. The Clerk of the Family Court shall transfer the record upon receipt of this order and; (4) directing appellant to perfect this appeal within 60 days of receipt of the transcripts. Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court. (See M-4904, decided simultaneously herewith.)

ENTER:


Clerk
DEPUTY CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 21, 2010.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
James M. Catterson
Helen E. Freedman
Nelson S. Román, Justices.

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

Lamont K. W.,
Petitioner-Respondent,

M-4989
Docket Nos. V27982-04/09D
V27982-04/09E

-against-

La Toya R.,
Respondent-Appellant.

Steven Banks, Esq.,
Law Guardian for the Child.
-----X

Respondent-appellant mother having moved for leave to prosecute, as a poor person, the appeal from the order of the Family Court, Bronx County, entered on or about September 23, 2009, and for assignment of counsel, a free copy of the transcript, 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 granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Douglas Reiniger, Esq., 801 Second Avenue, 10th floor, New York, NY 10017, Telephone No. (212) 972-5430, as counsel for purposes of prosecuting the appeal; (2) directing the

Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk; (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. The Clerk of the Family Court shall transfer the record upon receipt of this order and; (4) directing appellant to perfect this appeal within 60 days of receipt of the transcripts. Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.

ENTER:


DEPUTY CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 21, 2010.

Present: Hon. Richard T. Andrias, Justice Presiding,
James M. McGuire
Karla Moskowitz
Helen E. Freedman
Nelson S. Román, Justices.

-----X
EH Distributors, Inc.,
Plaintiff-Respondent,

-against-

M-5695
Index No. 114846/09

Bulldog Beverages, LLC, et al.,
Defendants-Appellants,

Nervous Tattoo, Inc.,
Defendant.

-----X

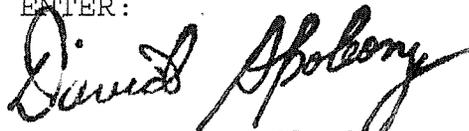
An appeal having been taken from the order of the Supreme Court, New York County, entered on or about November 30, 2009,

And defendant-appellants having moved for an order staying enforcement of or vacating the aforesaid order, pending hearing and determination of 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 denied.

ENTER:


DEPUTY CLERK

At a 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 21, 2010.

Present - Hon. Richard T. Andrias, Justice Presiding,
Eugene Nardelli
Rolando T. Acosta
Leland G. DeGrasse, Justices.

-----x
Gregory Healy,
Plaintiff-Appellant,

-against-

M-5717
Index No. 314802/04

Desiree Healy,
Defendant-Respondent.
-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about November 26, 2008 (mot. seq. no. 010),

And an order of this Court having been entered on July 2, 2009 (M-1876), inter alia, granting plaintiff-appellant a stay of the assessment and collection of arrears by the New York State Child Support Processing Center on condition the appeal be perfected for the November 2009 Term, and make payments of spousal maintenance and basic child support, as indicated,

And plaintiff-appellant having perfected the appeal and having moved for a modification of the aforesaid order of this Court entered on July 2, 2009 (M-1876),

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

Ordered that plaintiff is granted leave to renew, in Supreme Court, the previously withdrawn motion for modification of his child support obligation.

ENTER:


DEPUTY CLERK

At a 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 21, 2010.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,
James M. Catterson
Dianne T. Renwick
Helen E. Freedman
Sheila Abdus-Salaam, Justices.

-----X
In the Matter of a Family Offense
Proceeding Under Article 7 of the
Family Court Act.

- - - - -
Lisa S., M-5332
Petitioner-Respondent, Docket No. 022597/09

-against-

Raymond S.,
Respondent-Appellant.

-----X

Respondent-appellant father having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about October 28, 2009, and for assignment of counsel, a free copy of the transcript, 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 granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Dora M. Lassinger, Esq., 6 Howland Road, East Rockaway, NY 11518, Telephone No. (516) 887-8987, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from

January 21, 2010

funds available therefor¹ within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk; (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. The Clerk of the Family Court shall transfer the record upon receipt of this order and; (4) directing appellant to perfect this appeal within 60 days of receipt of the transcripts. Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.

ENTER:



DEPUTY CLERK

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

STATE OF NEW YORK
APPELLATE DIVISION : FIRST DEPARTMENT

BEFORE: Hon. David B. Saxe
Justice of the Appellate Division

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

M-5494
Bronx Co.
Docket No.
2001BX013537

-against-

CERTIFICATE
DENYING LEAVE

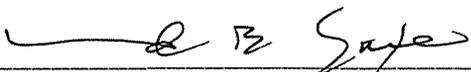
Woodrow Flemming,

Defendant.

-----X

I, David B. Saxe, 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, Bronx County, entered on or about August 19, 2009, is hereby denied.

Dated: New York, New York


Justice of the Appellate Division

ENTERED

JAN 21 2010

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

BEFORE: Hon. Dianne T. Renwick
Justice of the Appellate Division

-----X

The People of the State of New York,

M - 5660
Ind. No. 8175/92

-against-

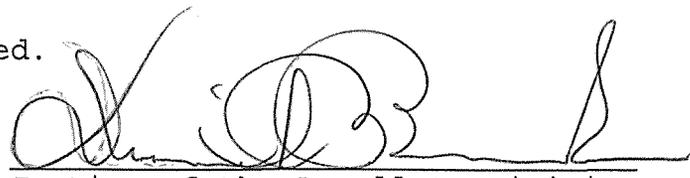
Edward Mackenzie

ORDER DENYING LEAVE
UPON REARGUMENT

Defendant.

-----X

I, Dianne T. Renwick, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application made by the above-named defendant for reargument of the order of a Justice of this Court (M-3243), entered on August 18, 2009, which denied his motion for a certificate pursuant to Criminal Procedure Law, section 460.15, and no question of law or fact having been misapprehended or overlooked, permission to reargue the denial of leave to appeal from the order of the Supreme Court, New York County, entered on or about June 29, 2009, is hereby denied.



Justice of the Appellate Division
Hon. Dianne T. Renwick

Dated: *January 14*, 2010
New York, New York

ENTERED: **JAN 21 2010**

PM ORDERS

ENTERED

JANUARY 19, 2010

At a 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 19, 2010.

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

-----X
Janulyn McKanic,

Plaintiff-Appellant,

M-5647

M-57

-against-

Index No. 602360/05

Amigos Del Museo Del Barrio,
Defendant-Respondent.

-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about October 7, 2008, November 24, 2008 and December 4, 2008, respectively, and said appeals having been consolidated by the order of this Court, entered on November 5, 2009 (M-4571), and said consolidated appeals having been perfected,

And defendant-respondent having moved to dismiss plaintiff's appeals or, in the alternative, to strike the appeals with leave to plaintiff to re-perfect upon a proper appendix, and to extend defendant's time in which to file a respondent's brief (M-5647),

And plaintiff-appellant having cross-moved to strike defendant's motion and to impose sanctions (M-57),

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 striking plaintiff's appeal from the March 2010 Term without prejudice to plaintiff re-perfecting the appeal upon the appendix

previously filed in this Court along with a supplemental appendix which shall include all missing motion papers and supporting exhibits for the May 2010 Term, and without prejudice to defendant raising the argument on direct appeal that no appeal lies from the order of the Supreme Court entered on or about November 24, 2008. The cross motion is denied.

ENTER:

A handwritten signature in black ink that reads "David Apolony". The signature is written in a cursive, flowing style.

DEPUTY CLERK

At a 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 19, 2010.

Present - Hon. Richard T. Andrias, Justice Presiding,
James M. McGuire
Karla Moskowitz
Helen E. Freedman
Nelson S. Román, Justices.

-----X
Tremayne Saunders and Marcus Garvin,
Plaintiffs-Respondents,

-against-

M-5798
Index No. 23205/05

Apartment Investment and Management Co.
"Aimco", Gladys Hampton Houses
Associates,
Defendants-Appellants,

-and-

Guardman Elevator Co., Inc.,
Defendant-Respondent.

-----X

An appeal having been taken to this Court from the order of the Supreme Court, Bronx County, entered on or about March 5, 2009, and said appeal having been perfected,

And defendants-appellants having moved for a stay of trial pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is granted.

ENTER:


DEPUTY CLERK
Clerk