

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

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

-----X
Rubie Green LLC,
Plaintiff-Appellant,

-against-

M-2341X
Index No. 650088/10

Fox-Rich Textiles Incorporated,
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about July 23, 2010,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" May 12, 2011, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

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

-----X
William Thompson,
Plaintiff-Respondent,

-against-

M-2345X
Index No. 18530/04

The City of New York,
Defendant,

-and-

Metropolitan Transit Authority,
New York City Transit Authority
and Manhattan and Bronx Surface
Transit Operating Authority,
Defendants-Appellants.

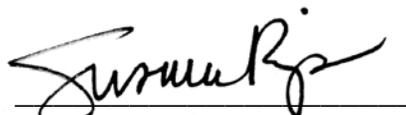
-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, entered on or about February 4, 2011,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" May 12, 2011, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

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

-----X
Elie Hirschfeld,
Plaintiff-Respondent,

-against-

M-2524X
Index No. 303872/09

Susan Hirschfeld,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 30, 2010,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" May 25, 2011, and due deliberation having been had thereon,

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

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

-----X
Reuters America LLC,
Plaintiff-Respondent,

-against-

M-2645X
Index No. 602812/09

Dorchester Capital Management Company,
Defendant-Appellant.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about December 17, 2010,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 2, 2011, and due deliberation having been had thereon,

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

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

-----X
Richard Colon by his Mother and Natural
Guardian, Christie Otero and Christie
Otero Individually,
Plaintiff-Respondent,

-against-

M-2670X
Index No. 13082/07

New York City Transit Authority,
Defendant-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about February 22, 2011,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 7, 2011, and due deliberation having been had thereon,

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

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

-----X
Ferran Enterprises, Inc.,
Plaintiff-Respondent,

-against-

M-2811X
Index No. 600886/97

Cauldwell-Wingate Company, Inc.,
Defendant-Appellant,

Stanley Stahl, et al.,
Defendants.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about April 4, 2011 (mot. seq. no. 003),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 15, 2011, and due deliberation having been had thereon,

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

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

-----X
Michele Feuerstadt and Sheldon Feuerstadt,
Plaintiffs-Respondents,

-against-

M-2812X
Index No. 112898/05

Surjit Singh,
Defendant-Appellant,

Asmaeilzadah Jawid,
Defendant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about August 16, 2010 (mot. seq. no. 003),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 15, 2011, and due deliberation having been had thereon,

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

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

-----X
Public Administrator of Bronx County
as the Administrator of the Estate of
Faustino Morales Perez, Deceased,
Plaintiff-Respondent,

-against-

M-2815X
Index No. 305274/09

Nam Chin Kim,
Defendant-Appellant.

-----X

Appeals having been taken from the orders of the Supreme Court, Bronx County, entered on or about February 28, 2011 and May 11, 2011, respectively,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 15, 2011, and due deliberation having been had thereon,

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

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

-----X
Lucia Pagano,
Plaintiff-Respondent,

-against-

M-2861X
Index No. 113541/07

Charlie Martinez and H.H. Benfield
Electrical Supply Co., Inc.,
Defendants-Appellants.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about January 5, 2011 (mot. seq. no. 005),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 17, 2011, and due deliberation having been had thereon,

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

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

-----X
Sandra Arabian,
Plaintiff-Respondent,

-against-

M-2908X
Index No. 301835/09

Massoud Arabian,
Defendant-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about July 22, 2010 (mot. seq. no. 002),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 22, 2011, and due deliberation having been had thereon,

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

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

-----X
Francoise D. Decatrel,
Plaintiff-Respondent,

-against-

M-2909X
Index No. 103390/10

Metro Loft Management, LLC, et al.,
Defendants-Appellants.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about December 1, 2010,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 22, 2011, and due deliberation having been had thereon,

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

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

-----X
Steven A. Zagoria,
Plaintiff-Appellant-Respondent,

-against-

M-2814X
Index No. 150028/09

Wingate, Russotti & Shapiro, LLP,
et al.,
Defendants-Respondents-Appellants.

-----X

An appeal and cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about September 22, 2010,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 15, 2011, and due deliberation having been had thereon,

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

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

-----X
Sherry Biken Cohen,
Plaintiff-Respondent-Appellant,

-against-

M-2874X
Index No. 650526/08

Bari-Jay Fashions, Inc., Estate of
Bruce Cohen,
Defendants-Appellants-Respondents.
-----X

An appeal and cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about March 9, 2011 (mot. seq. no. 003),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 20, 2011, and due deliberation having been had thereon,

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

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-2631
Ind. No. 3494/08

Manuel Dume, also known as Kevin Lugo,
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 March 21, 2011, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) 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, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

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-2632
Ind. No. 1850/09

Brian Franqui,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 8, 2011, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) 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 August 11, 2011.

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-2633
Ind. No. 1378/10

Franklin Kirkland,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 6, 2011, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) 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 August 11, 2011.

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-2634
Ind. No. 3119/10

Askia Lumumba,
Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about February 22, 2011, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) 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 August 11, 2011.

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-2635
Ind. No. 1837/10

Steven Madsen,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about January 6, 2011, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) 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 August 11, 2011.

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-2636
Ind. No. 4730/09

Michael Sostre,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about January 19, 2011, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) 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.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

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-2637
Ind. No. 4903/09

Rosario Terrance,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about March 8, 2011, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) 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 August 11, 2011.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Richard T. Andrias
Karla Moskowitz
Helen E. Freedman, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-1677

Ind. No. 99036/06

Alexander Irizarry,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County (Megan Tallmer, J.) entered on or about August 4, 2006, 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 denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth facts sufficient to establish that defendant has no funds or assets within which to prosecute the appeal, including a copy of defendant's most recent bank statements and tax returns, or a statement that none exist.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

Present: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzairelli
Rolando T. Acosta
Leland G. DeGrasse
Nelson S. Román, Justices.

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

Respondent,

-against-

M-1502

Ind. No. 99127/10

Eric Thomas,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County, entered on or about February 4, 2011, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL 460.70) two transcripts of the stenographic minutes of the SORA hearing and any other proceedings as yet not transcribed. 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 August 11, 2011.

PRESENT - Hon. Peter Tom, Justice Presiding,
David B. Saxe
James M. Catterson
Karla Moskowitz
Rolando T. Acosta, Justices.

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

-against-

Antonio Albino,
Defendant-Appellant.

M-2520
Ind. No. 3000/10
SCI No. 179/08

-----X

An order of this Court having been entered on November 4, 2010 (M-4978), granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about July 14, 2010, and assigning Steven Banks, Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Steven Banks, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. (212)402-4100, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

Present - Hon. Peter Tom, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Helen E. Freedman
Sheila Abdus-Salaam, Justices.

-----X
SAP V/ATLAS 845 WEA Associates NF LLC,
Petitioner-Landlord-Respondent,

-against-

Ronald A. Janelli and Gwen R. Janelli,
Respondents-Tenants-Appellants,

M-1225
M-916
Index No. 570656/10

-and-

"John Doe" and "Jane Doe,"
Respondents-Undertenants.

-----X

Respondents-tenants pro se having moved (M-1225) for 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 December 30, 2010, and for leave to prosecute the appeal as a poor person; and respondents-tenants having moved (M-916), by separate motion, for a stay of eviction pending hearing and determination of the appeal,

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

It is ordered that the motion for leave to appeal from the Appellate Term (M-1225) is granted. Appellant shall file two copies of the pre-argument statement and of this order with the Clerk of the Appellate Term with proof of service, pursuant to Section 600.17 of the Rules of this Court, and it is further,

Ordered that respondents-tenants are granted leave to prosecute said appeal as a poor person to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellants' brief, on condition that appellant(s) serve one copy of such brief upon the attorney for respondent and file 8 copies of such brief, together with the original record, with this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record, and it is further,

Ordered that the motion for a stay of eviction (M-916) is granted to the extent of continuing the interim relief granted by an order of a Justice of this Court dated March 15, 2011, pending hearing and determination of the 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 August 11, 2011.

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

-----X
In the Matter of the Application for
Guardianship and Custody of

Aniya V.,

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

M-2629
Docket No. B-16707/09

Edwin Gould Services for Children and
Families,
Petitioner-Respondent,

Ebony V.,
Respondent-Appellant.

Michael Conroy, Esq.,
Attorney for the Child.

-----X
Petitioner-respondent agency having moved for dismissal of the appeal taken from the order of the Family Court, New York County, entered on or about April 5, 2010, for failure to timely prosecute,

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

It is ordered that the motion is granted and the appeal is dismissed.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

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

-----X
In the Matter of the Application of
Clarence Vanterpool,
Petitioner-Appellant,

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

M-2703
Index No. 403252/09

-against-

New York City Housing Authority,
Respondent-Respondent.

-----X
Respondent-respondent having moved for dismissal of the appeal taken from the judgment of the Supreme Court, New York County, entered on or about July 27, 2010, for failure to timely prosecute,

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

It is ordered that the motion is granted and the appeal is dismissed.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X
Clarence Mayfield,
Petitioner-Appellant,

-against-

M-2745

Index No. 402836/10

Andrea Evans, Chairwoman, New York
State Division of Parole,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, entered on or about March 15, 2011, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an expedited appointment of appellate counsel, a preference in the hearing of the 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 permitting the appeal to be heard upon the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the attorney for respondent and file 8 copies of such brief, together with the original record, with this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for purposes of the appeal. The Clerk is directed to calendar the appeal for the next available Term after petitioner perfects same.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

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

-----X
Maida DeJesus,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78
of the CPLR,

-against-

M-2654
Index No. 401377/10

New York City Housing Authority
Respondent-Respondent.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about December 16, 2010, and 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 said motion, and due deliberation having been had thereon,

It is ordered that said 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 serve one copy of such brief upon the attorney for respondent and file 8copies of such brief, together with the original record, with this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record. The Clerk of Supreme Court, New York County, is directed to have transcribed the minutes of the proceedings held therein, if any, for inclusion in the record on appeal, with a copy to appellant, the cost thereof to be charged against the City of New York from funds available therefor and any other fees in connection therewith. The time in which to perfect the appeal is enlarged to the December 2011 Term. The motion is otherwise denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

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

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

-against-

M-2917
Ind. No. 20002/10

Darryl A. Reaves,
Defendant-Appellant.

-----X

An order of this Court having been entered on December 2, 2010 (M-5219), granting defendant leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about October 4, 2010, and assigning Steven Banks, Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Steven Banks, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. 212-402-4100, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

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

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

-against-

M-2638
Ind. No. 791/10

Reynel Vega, also known as Dwayne
Vega,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about March 8, 2011, 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 denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth the amount and sources of funds to pay the fee of trial counsel, Amelio Marino, Esq., and to post the \$7,500 bail in the Supreme Court, the disposition thereof, and an explanation as to why similar funds are not available to prosecute the appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Rosalyn H. Richter
Sheila Abdus-Salaam, Justices.

-----X
Elena Strujan,
Plaintiff-Appellant,

-against-

Teperman & Teperman, et al.,
Defendants-Respondents.

M-2301
Index. No. 401164/10

-----X

Plaintiff-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, entered on or about January 31, 2011, 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 denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X

Roberto P. Mitrotti,

Plaintiff-Appellant,

-against-

M-2675

Index No. 112025/06

Frank J. Elia,

Defendant-Respondent.

-----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 August 17, 2010 (mot. seq. no. 003),

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to on or before October 3, 2011 for the December 2011 Term.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

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

-----X
Lula Ivezaj and Vuskan Ivezaj,
Plaintiffs,

-and-

Anna Kohen, Simeone Kohen and
Floare Stana,
Plaintiffs-Appellants,

M-2604
Index No. 6845/06

-against-

140 BW LLC, et al.,
Defendants-Respondents.

-----X
(And other actions)
-----X

Plaintiffs-appellants having moved for an enlargement of time in which to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about August 2, 2010,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the December 2011 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

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

-----X
Leonard Cedano,
Plaintiff-Respondent,

-against-

The City of New York,
Defendant-Appellant.

M-2677
Index No. 14687/05

-----X

Defendant-appellant having moved for an enlargement of time in which to perfect the appeal from a judgment of the Supreme Court, Bronx County, entered on or about September 3, 2010,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the December 2011 Term.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

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

-----X
In the Matter of a Contempt Proceeding
Under Article 1 of the Family Court Act.

Administration for Children's Services
Petitioner-Respondent,

-against-

M-2692
Docket No. NN 19867-71/10

Debra W.,
Respondent-Appellant.

-----X

Respondent-appellant having moved for an enlargement of time in which to perfect the appeal from an order of the Family Court, Bronx County, entered on or about August 13, 2010,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the December 2011 Term.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

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

-----X
Fantasia Jewelry, Inc.,
Plaintiff-Appellant,

-against-

M-2748
Index No. 100352/06

Gateway Protective Alarm, Inc.,
Defendant-Respondent.

-----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 July 27, 2010 (mot. seq. no. 002),

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the December 2011 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

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

-----X
Augustine Pamblanco Tapia,
Plaintiff-Appellant,

-against-

M-2910
Index No. 15192/03

P&T Contracting Corp., et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about September 22, 2010,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the December 2011 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
James M. Catterson
Karla Moskowitz
Nelson S. Román, Justices.

-----X
Katz Park Avenue Corp.,
Plaintiff-Respondent,

-against-

M-2501
Index No. 104524/05

Bianca Jagger,
Defendant-Appellant,

"John Doe" and "Jane Doe",
Defendants.

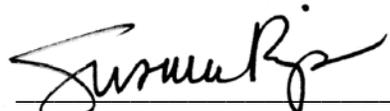
-----X

Defendant-appellant having moved for an enlargement of time in which to perfect the appeal from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about August 16 2010,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the December 2011 Term.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

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

-----X
Scott Kaufman,
Plaintiff-Appellant,

-against-

M-2651
Index No. 300663/08

Jennifer Kaufman,
Defendant-Respondent.

-----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 August 18, 2010 (mot. seq. no. 009),

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the January 2012 Term, with leave to move for a further enlargement, if so advised.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

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

-----X
56 Warren Owners, Corp.,
Plaintiff-Respondent,

-against-

Thornton Tomasetti Engineers, Inc.,
Defendant-Appellant,

M-2585
Index No. 108058/07

Interstate Industrial Corp.,
Defendant-Respondent-Appellant,

SESI Consulting Engineers, PC,
Defendant-Respondent-Appellant,

-and-

85 West Broadway Owner, LLC, Pavarini
McGovern, LLC and Breeze National, Inc.,
Defendant-Respondents.

-----X
(And other actions)
-----X

Appeals and cross appeals having been taken from the order of the Supreme Court, New York County, entered on or about August 5, 2010 (mot. seq. nos. 003, 004, 005, 007),

And defendant-respondent-appellant Interstate Industrial Corp. having moved for dismissal of the appeal taken by defendant-appellant Thornton Tomasetti Engineers, Inc., for failure to timely perfect, and if so dismissed, to withdraw Interstate's cross appeal from the aforesaid order,

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

It is ordered that the motion is granted and the appeal taken by defendant-appellant Thorton Tomasetti Engineers, Inc. is dismissed. It is further ordered that the cross appeal taken by defendant-appellant Thorton Tomasetti Engineers, Inc. is deemed withdrawn. (See M-2551, decided simultaneously herewith.)

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

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

-----X
56 Warren Owners Corp.,
Plaintiff-Respondent,

-against-

M-2551
Index No. 108058/07

Thornton Tomasetti Engineers, Inc.,
Defendant-Appellant,

Interstate Industrial Corp.,
Defendant-Respondent-Appellant,

SESI Consulting Engineers, PC,
Defendant-Respondent-Appellant,

-and-

85 West Broadway Owner, LLC, Pavarini
McGovern, LLC and Breeze National Inc.,
Defendants-Respondents.

-----X
(And other actions)
-----X

Appeals and cross appeals having been taken from the order of the Supreme Court, New York County, entered on or about August 5, 2010 (mot. seq. nos. 003, 004, 005, 007),

And defendant-respondent/appellant SESI Consulting Engineers, PC having moved for an enlargement of time in which to perfect their cross appeal from the order of the Supreme Court, New York County, entered on or about August 5, 2010 (mot. seq. no. 003),

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the cross appeal of defendant SESI Consulting Engineers, PC as a direct appellant for the December 2011 Term. (See M-2585, decided simultaneously herewith.)

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

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

-----X

Charles Jones,
Plaintiff-Appellant,

-against-

M-2795
M-2802
Index No. 105489/10

The Riese Organization, doing business as Riese Restaurants and/or Riese Bros.; Board of Managers of 761-779 Seventh Avenue Condominium; Board of Managers of Executive Plaza Condominium,
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 September 16, 2010, and for leave to proceed on the original record (M-2795),

And defendant-respondent the Riese Organization, doing business as Riese Restaurants and/or Riese Bros., having cross-moved to dismiss the aforesaid appeal (M-2802),

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 the December 2011 Term, and the motion is otherwise denied (M-2795). The cross motion is denied, without prejudice to raising the issue on direct appeal in respondent's brief (M-2802).

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

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

-----X

Ariel Ness,
Plaintiff-Respondent,

-against-

M-2590
M-2863
Index No. 110804/10

James B. Fellus,
Defendant-Appellant.

-----X

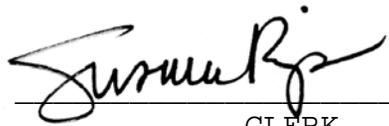
Plaintiff-respondent having moved to dismiss the appeal taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about April 5, 2011 (M-2590),

And defendant-appellant having cross-moved for an enlargement of time in which to perfect the aforesaid appeal (M-2863),

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 to dismiss the appeal is denied (M-2590). The cross motion is granted to the extent of enlarging the time to perfect the appeal to the December 2011 Term (M-2863).

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

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

-----X

The Plaza PH2001 LLC,
Plaintiff-Appellant,

-against-

M-2753
Index No. 602673/08

Plaza Residential Owner, LP, El-
Ad Properties NY LLC and Stribling
Market Associates LLC,
Defendants-Respondents.

-----X

Appeals having been taken from the order of the Supreme Court, New York County, entered on or about November 30, 2010, and from the order of said Court entered on or about May 4, 2011 (mot. seq. no. 003), respectively,

And plaintiff-appellant having moved for consolidation of the aforesaid appeals, and for an enlargement of time in which to perfect same,

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 consolidating the aforesaid appeals, and permitting appellant to prosecute the consolidated appeals upon 8 copies of one record and one set of appellant's points covering the consolidated appeals. The attention of the parties is directed to 22 NYCRR § 600.11. The time to perfect the consolidated appeals is enlarged to the December 2011 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

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

-----X
Lenders Capital LLC,
Plaintiff-Respondent,

-against-

M-2733
Index No. 380425/08

Ranu Realty Corp., Azizur Rahman,
New York State Department of
Taxation & Finance, City of New
York, Jane Doe and John Doe 1
through 9,
Defendants-Respondents,

Viktoriya Zavelina,
Intervenor-Appellant.

-----X

Intervenor-appellant having moved for a stay of sale of a certain foreclosed property pending hearing and determination of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about April 6, 2011,

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 October 3, 2011 for the December 2011 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

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

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

Azmara N.G., **M-2047A**
Petitioner-Appellant, Docket Nos. V1813-15/09

-against-

Jessica Stephanie S. and the
Administration for Children's
Services,
Respondents-Respondents.

-----X

Petitioner-appellant 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 March 31, 2011, and for assignment of counsel, a free copy of the transcript, an enlargement of time in which to perfect said 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 (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Louise Belulovich, Esq., 411 East 57th Street, #14C, New York, NY 10022, Telephone No. (212) 421-6113, 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) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **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.** (The order of this Court entered on June 30, 2011 [M-2047], is hereby recalled and vacated.)

ENTER:



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 August 11, 2011.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

Respondent,

-against-

M-2018
Ind. No. 1887/10

Socrates Cordero, also known as
Corderonias Socrates,

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 13, 2010, 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 denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth the amount and sources of funds to pay to pay the fee of trial counsel, Francisco A. Knipping, Esq., to post the \$2,500 bail in the Supreme Court, the disposition thereof, and an explanation as to why similar funds are not available to prosecute this appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Nelson S. Román, Justices.

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

Respondent,

-against-

M-2314
Ind. No. 5451/10

Charisse Harris,

Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about March 31, 2011, 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 denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth the amount and sources of funds to post the \$30,000 bail in the Supreme Court, the disposition thereof, and an explanation as to why similar funds are not available to prosecute this appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

Present: Hon. Richard T. Andrias, Justice Presiding,
David Friedman
James M. Catterson
Karla Moskowitz
Nelson S. Román, Justices.

-----X
85-87 Pitt Street, LLC,
Plaintiff-Appellant,

-against-

85-87 Pitt Street Realty Corporation,
et al.,
Defendants-Respondents.

M-2248
Index No. 601341/09

-----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 April 7, 2011 (Appeal No. 4723),

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

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

Present - Hon. David B. Saxe, Justice Presiding,
John W. Sweeny, Jr.
James M. Catterson
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

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

Respondent,

-against-

M-2444
Ind. No. 504/09

Julio Perez,

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 March 21, 2011, 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 denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth the amount and sources of funds to pay the fee of trial counsel, Goldstein & Weinstein, the amount and sources of funds for trial counsel's fee and an explanation as to why similar funds are not available to prosecute this appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

PRESENT: Hon. David B. Saxe, Justice Presiding,
James M. Catterson
Karla Moskowitz
Dianne T. Renwick
Leland G. DeGrasse Justices.

-----X
Elizabeth Biascochea,
Plaintiff-Appellant,

-against-

M-2898
Index No. 13853/07

Grisel Boves, D-J Ambulette Service,
Inc., D&J Service, Inc., J.V. Service,
Inc., Oak Pond Transportation Inc.
and David W. Ramsey,
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, Bronx County, entered on or about August 26, 2010,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the December 2011 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

PRESENT: Hon. David B. Saxe, Justice Presiding,
James M. Catterson
Karla Moskowitz
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
Hussein Environment, Inc.,
also known as Cleopatra's Needle,
Plaintiff-Appellant,

-against-

M-2905
Index No. 114295/07

Roxborough Apartments Corp. and
Katouna, Inc., doing business as
Perfecto Ristorante,
Defendants-Respondents.

-----X

Plaintiff-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 26, 2010,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the December 2011 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

PRESENT - Hon. David B. Saxe, Justice Presiding,
James M. Catterson
Karla Moskowitz
Dianne T. Renwick
Leland G. Degrasse, Justices.

-----X

In the Matter of

Brandon M. ,

A Person Alleged to be a Juvenile
Delinquent,

M-3177
Docket No. D189/11

Appellant.

-----X

Appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Family Court, Bronx County, entered on or about March 11, 2011, and for a continuation of a stay granted by an order of this Court entered on April 12, 2011 (M-1163),

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the December 2011 Term, and the stay granted by an order of this Court entered on April 12, 2011 (M-1163) is otherwise continued upon the same terms and conditions stated therein.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

Present - Hon. David B. Saxe, Justice Presiding,
James M. Catterson
Karla Moskowitz
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
Frank Parlamis, Inc.,
Plaintiff-Respondent,

-against-

Bradhurst 2 Commercial, LLC and Bradhurst
Development Company, LLC,
Defendants-Appellants,

M-2490
Index No. 650152/10

Bradhurst 2 Commercial, LLC, Bradhurst
Development Company, LLC, Wells Fargo
Bank, N.A. and the City of New York,
Defendants.

-----X

Appeals having been taken to this Court by defendants Bradhurst 2 Commercial, LLC and Bradhurst Development Company, LLC, from orders of the Supreme Court, New York County, entered on or about March 25, 2011 and April 20, 2011, respectively,

And defendants-appellants having moved for consolidation of the aforesaid appeals, for a stay of proceedings pending hearing and determination of the aforesaid appeals, and for a stay of the enforcement of the award of sanctions and attorney's fees,

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 consolidating the aforesaid appeals, and permitting defendants-appellant to prosecute the consolidated appeals upon 8 copies of one record and one set of appellant's points covering the consolidated appeals. The attention of the parties is directed to 22 NYCRR § 600.11. The stay of enforcement of award of sanctions and attorney's fees is granted on condition appellants perfect the appeal for the November 2011 Term. The motion is otherwise denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in in the County of New York on August 11, 2011.

PRESENT: Hon. David B. Saxe, Justice Presiding,
David Friedman
James M. Catterson
Rolando T. Acosta
Rosalyn H. Richter, Justices.

-----X
William Kamen, Bruce Matarese,
Michael J. Salvo and Mahendra R. Vora,
Plaintiffs-Respondents,

-against-

M-2674
Index No. 603530/09

Keith Weithorn,
Defendant-Appellant.

-----X

An order of this Court having been entered January 27, 2011 (M-6147), continuing the interim relief granted by a Justice of this Court on December 15, 2010 pending hearing and determination of the appeals taken from the judgment and order of the Supreme Court, New York County, entered on or about March 18, 2010 and November 17, 2010 (mot. seq. no. 003), respectively,

And plaintiffs-respondents having moved for leave to renew and reargue defendant's prior motion (M-6147),

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 deemed one to vacate the stay granted by an order of this Court entered January 27, 2011 (M-6147) and, as such, is granted, and the stay previously granted (M-6147) is hereby vacated.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

Present - Hon. David B. Saxe, Justice Presiding,
James M. Catterson
Karla Moskowitz
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----x

Martin D. Yudell & Donald M. Spanton,
as Trustees of the Julius Yudell Trust,
individually, and in the right of
Baldwin Harbor Associates, and Martin
D. Yudell, Individually,
Plaintiffs-Appellants,

-against-

Jerrold Gilbert, Individually, Susan W.
Finley, Wendy W. Chayet and Stanley
Weiser, as Trustees of the Weiser
Family Trust, Jerrold Gilbert & Jerrold
Morgulas, as Trustees of the Irene
Psaty Trust,
Defendants-Respondents,

M-3153
Index No. 600404/08

-and-

Baldwin Harbor Associates,
Defendant.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about May 3, 2010,

And Mark D. Lefkowitz, Esq., counsel for plaintiffs-appellants, having moved for an order deeming the appeal from the aforesaid order to specify an appeal from a subsequent judgment of said Court entered on or about August 30, 2010, and, upon consent, for leave to be substituted as counsel for plaintiffs-appellants on 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, counsel is substituted, and the appeal from the order entered on or about May 3, 2010 is deemed to specify an appeal from the judgment entered on or about August 30, 2010, to the extent it dismissed the first, second, third, fourth, and sixth causes of action (CPLR § 5501[c]). Plaintiffs-appellants are directed to file a supplemental record on or before October 3, 2011 for the December 2011 Term, to which Term the appeal is adjourned.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

Present - Hon. David B. Saxe, Justice Presiding,
James M. Catterson
Karla Moskowitz
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----x
Washington Heights Optical, Inc.,

Plaintiff,

-against-

M-3022
Index No. 107535/11

The Port Authority of New York and
New Jersey,

Defendant.
-----x

Plaintiff having moved, pursuant to CPLR 5704(a), for a signature on an order to show cause, said relief having been denied by an order of the Supreme Court, New York County, dated June 11, 2011,

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 DEPARTMENT

BEFORE: Hon. Richard T. Andrias
Justice of the Appellate Division

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

Respondent,

CERTIFICATE
GRANTING LEAVE

-against-

M-2473
Ind. No. 3782/07

Western Express International Inc.
for Douglas Latta,

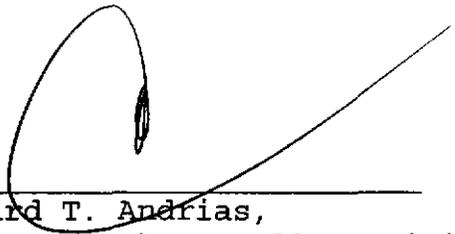
Defendant-Appellant.

-----X
I, Richard T. Andrias, a Justice of the Appellate Division,
Supreme Court, First Department, do hereby certify that, upon
application timely made by defendant-appellant for a certificate
pursuant to CPL 460.20, and upon the record and proceedings
herein,¹ this case involves a question of law which ought to be
reviewed by the Court of Appeals and permission to appeal is
hereby granted.

Dated: July 20, 2011
New York, New York

ENTERED

AUG 11 2011


Richard T. Andrias,
Justice of the Appellate Division

Description of Order:

04/19/11 (Appeal No. 3176)
App. Div. 1st Dept.

NOTICE: Within 10 days from the issuance of this certificate, a jurisdictional statement must be filed with the Clerk of the Court of Appeals pursuant to § 500.2 of the Rules of the Court of Appeals. (22 NYCRR § 500.2).

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-2485
Ind. No. 236/2008

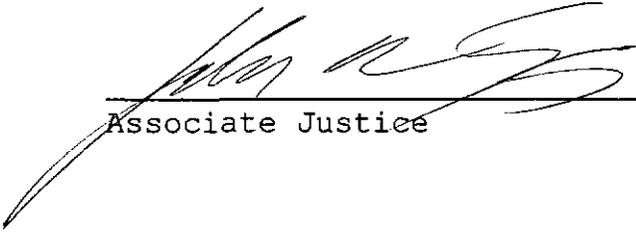
-against-

CERTIFICATE
DENYING LEAVE

Keith Drayton,

Defendant.

-----X
I, John W. Sweeny, Jr., a Justice of the Appellate
Division, First Judicial Department, do hereby certify that,
upon application timely made by the above-named defendant for
a certificate pursuant to Criminal Procedure Law, sections
450.15 and 460.15, and upon the record and proceedings herein,
there is no question of law or fact presented which ought to
be reviewed by the Appellate Division, First Judicial
Department, and permission to appeal from the order of the
Supreme Court, New York County, entered on or about December
16, 2010 (Ronald A. Zweibel, J.) is hereby denied.


Associate Justice

Dated: July 18, 2011
New York, New York

ENTERED: **AUG 11 2011**

STATE OF NEW YORK
APPELLATE DIVISION: FIRST DEPARTMENT

BEFORE: Hon. Shiela Abdus-Salaam
Justice of the Appellate Division

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

-against-

Linyan Zou, also known as Tong Hui You,
also known as Kevin You

Defendant.
-----X

M-2042
Ind. No. 2924/10

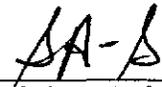
ORDER DENYING ROR OR
BAIL AFTER APPEAL TAKEN

An appeal having been taken to this Court by the above-named defendant from the judgment of the Supreme Court, New York County, rendered on February 8, 2011, and defendant having moved, pursuant to CPL 460.50 for a stay of execution of sentence pending hearing and determination of the aforesaid appeal or in the alternative for an order releasing him on his own recognizance or upon the fixing of bail pending hearing and determination of the aforesaid appeal,

Now, upon reading and filing the notice of motion, with proof of due service thereof, and the papers filed in support of said motion, and further papers filed in relation thereto; and due deliberation having been had thereon,

It is ordered that the motion be and the same hereby is denied.

Dated: June 28, 2011
New York, New York



Sheila Abdus-Salaam
Justice of the Appellate Division

ENTERED: **AUG 11 2011**

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

BEFORE: Hon. Rolando T. Acosta
Justice of the Appellate Division

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

M - 2599
Ind. No. 6757/1998

-against-

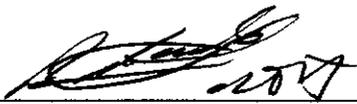
CERTIFICATE
DENYING LEAVE

Robert Paramour a/k/a Robert Paramore,

Defendant.

-----X

I, Rolando T. Acosta, 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 March 29, 2011 is hereby denied. Defendant's motion for an order granting poor person relief is also denied.



Hon. Rolando T. Acosta
Associate Justice

Dated: June 29, 2011
New York, New York

ENTERED: **AUG 11 2011**

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

BEFORE: Hon. Rolando T. Acosta
Justice of the Appellate Division

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

M - 2613
Ind. No. 5431N/03

-against-

CERTIFICATE
DENYING LEAVE

Alberto Polanco,

Defendant.

-----X

I, Rolando T. Acosta, 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 February 16, 2011 is hereby denied.



Hon. Rolando T. Acosta
Associate Justice

Dated: June 29, 2011
New York, New York

ENTERED: **AUG 11 2011**

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

BEFORE: Hon. Rolando T. Acosta
Justice of the Appellate Division

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

M - 2626
Ind. No. 5995C/05

-against-

CERTIFICATE
DENYING LEAVE

Khaliyq Sellers,

Defendant.

-----X

I, Rolando T. Acosta, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application deemed 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, 2009, is hereby denied.



Hon. Rolando T. Acosta
Associate Justice

Dated: June 30, 2011
New York, New York

ENTERED: **AUG 11 2011**

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

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

M-2768
Ind. No. 2801/03

-against-

CERTIFICATE
DENYING LEAVE

Delroy Pitterson, Defendant.
-----X

Defendant having moved for reconsideration of the order of a Justice of this Court entered April 12, 2011 (M-737) which denied defendant's application for a certificate granting leave to appeal to this Court from an order of the Supreme Court, Bronx County, entered on March 4, 2010,

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

It is ordered that the motion is denied in its entirety.



Leland G. DeGrasse
Associate Justice

Dated: New York, New York
June 28, 2011

ENTERED

AUG 11 2011

PM ORDERS

ENTERED ON

AUGUST 11, 2011

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 11, 2011.

Present - Hon. David B. Saxe, Justice Presiding,
James M. Catterson
Karla Moskowitz
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X

In the Matter of the Commitment for
the Custody and Guardianship of

Emmanuel Kymani B., also
known as Emanuel B., also
known as Emanuel W., also known
as Emanuel K. B.,

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

MercyFirst, et al., M-3144
Petitioners-Respondents, Docket No. B25204/09

Eric A. B., also known as Eric B.,
Respondent-Appellant.

Steven Banks, Esq., The Legal Aid
Society, Juvenile Rights Division,
Law Guardian for the Child.

-----X

Respondent-appellant father having moved for leave to prosecute, as a poor person, the appeal from a judgment and order of the Family Court, New York County, entered on or about May 27, 2011, and 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 Article 18b of the County Law and §1120 of the Family Court Act, Lewis S. Calderon, Esq., 153-01 Jamaica Avenue, Suite 201, Jamaica, New York 11432, Telephone No. (718) 553-1560, 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) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **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.** The interim stay granted by the order of a Justice of this Court dated June 28, 2011 is continued on condition the appeal is perfected for the December 2011 Term.

ENTER:



CLERK

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