

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 May 3, 2011.

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

-----X
Guo-Jia Su and Rui-Xia Su,
Plaintiffs-Respondents,

-against-

M-1443X
Index No. 20608/05

Hong Kong Station, Inc., et al.,
Defendants,

-and-

Lee's Family Realty Inc.,
Defendant-Appellant.

-----X
[and other actions]
-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about October 29, 2010,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" March 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 May 3, 2011.

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

-----X
H & J Ventures, LLC, doing business as
Turnstyles Ticketing,

Plaintiff-Appellant,

-against-

UFL Management, LLC,

Defendant-Respondent.
-----X

M-1461
Index No. 106973/10

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about November 4, 2010,

Now, upon reading and filing the stipulation of the parties hereto, filed March 29, 2011, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the May 2011 Term, is withdrawn in accordance with the aforesaid stipulation.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 3, 2011.

Present: Hon. Luis A. Gonzalez, Presiding Justice
John W. Sweeny, Jr.
Karla Moskowitz
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

Juelle G., M-1223
Petitioner-Respondent, Docket Nos. V-8994-95/08E

-against-

William C.,
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 February 17, 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, Geoffrey P. Berman, Esq., 2005 Palmer Avenue, No. 176, Larchmont, New York 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**

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

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.**

ENTER:

A handwritten signature in cursive script, appearing to read "Susan R. Jones", written in black ink. The signature is positioned above a horizontal line.

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 3, 2011.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
John W. Sweeny, Jr.
Karla Moskowitz
Rolando T. Acosta
Sallie Manzanet-Daniels, Justices.

-----X

S.M. Pires,
Plaintiff-Appellant,

-against-

Frota Oceanica Brasileira, S.A.,
Defendant-Respondent,

M-1238
M-1472
Index No. 1453/06

Galveston Wharves, doing business
as Port of Galveston, et al.,
Defendants.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about October 12, 2010,

And plaintiff-appellant having moved to enlarge the time in which to perfect the aforesaid appeal (M-1238),

And defendant-respondent Frota Oceanica Brasileira, S.A., having cross moved for dismissal of the aforesaid appeal (M-1472),

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 enlarge the time in which to perfect the appeal is denied (M-1238); the cross motion is granted and the appeal is dismissed (M-1472).

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 May 3, 2011.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzarelli
Karla Moskowitz
Rolando T. Acosta, Justices.

-----X

In re Meryl Brodsky,
Petitioner-Appellant,

Mark Feinsot, et al.,
Petitioners,

M-680
Index No. 118316/06

-against-

New York City Campaign Finance Board,
Respondent-Respondent.

-----X

Petitioner-appellant Meryl Brodsky 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 January 18, 2011 (Appeal No. 4065),

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 May 3, 2011.

Present: Hon. Luis A. Gonzalez, Presiding Justice
John W. Sweeny, Jr.
Karla Moskowitz
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
Joyce Costi,

Plaintiff-Appellant,

-against-

347-49 East 53rd St. Owners Corp.,

Defendants-Respondents.
-----X

M-976
Civil Court
Index No. 4071/09

Defendants-respondents having moved for dismissal of the appeal taken from the judgment of the Civil Court, New York County, entered on or about November 19, 2009,

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 transferring to the Appellate Term, First Department.

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 May 3, 2011.

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

-----X
Ramon Perez and Francia Rodriguez,

Plaintiffs-Respondents,

-against-

M-1086
Index No. 6779/02

Wendell Jordan,

Defendant,

Shirley Roberts,

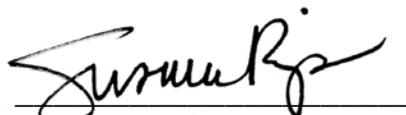
Intervenor-Appellant.
-----X

Plaintiffs-respondents having moved for dismissal of the appeal taken from the order and judgment (one paper) of the Supreme Court, Bronx County, entered on or about December 28, 2009,

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 May 3, 2011.

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

-----X
In the Matter of the Application of
Frances Garcia,

Petitioner,

M-1180

Index No. 402883/09

For an Order, etc.,

New York City Housing Authority,

Respondent.
-----X

An Article 78 proceeding to review the determination of respondent having been transferred to this Court, pursuant to CPLR 7804(g), by the order of the Supreme Court, New York County, entered on or about February 19, 2010,

And respondent having moved for an order to dismiss the proceeding,

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 proceeding 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 May 3, 2011.

Present: Hon. Peter Tom, Justice Presiding
Angela M. Mazzarelli
Rolando T. Acosta
Dianne T. Renwick
Helen E. Freedman, Justices.

-----X
Kendra Cividanes,
Plaintiff-Respondent,

-against-

The City of New York,
Defendant,

M-1107
Index No. 308141/08

-and-

Manhattan and Bronx Surface Transit
Operating Authority, et al.,
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about May 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 September 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 May 3, 2011.

Present: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
Rolando T. Acosta
Diane T. Renwick
Helen E. Freedman, Justices.

-----X
Tamarie Profita and Christopher
Profita,

Plaintiffs-Appellants,

M-1408

Index No. 307465/08

-against-

Juan Diaz, et al.,

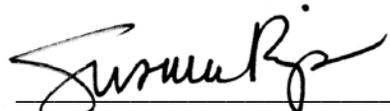
Defendants-Respondents.
-----X

Plaintiffs-appellants having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about April 9, 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 October 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 May 3, 2011.

Present: Hon. Peter Tom, Justice Presiding
Angela M. Mazzarelli
Rolando T. Acosta
Dianne T. Renwick
Helen E. Freedman, Justices.

-----X
In the Matter of the Application of
Robert Jacoby,

Petitioner-Appellant,

For a Judgment, etc.,

-against-

Raymond Kelly, etc., et al.,

Respondents-Respondents.
-----X

M-1251
Index No. 114151/09

Petitioner-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 May 5, 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 on or before August 8, 2011 for the October 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 May 3, 2011.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-952

Ind. No. 4750/08

Ronald Messam, also known as Ronald
Messan,
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about July 28, 2010,

And defendant-appellant having moved pro se for an enlargement of time in which to perfect the aforesaid appeal and/or to hold the appeal in abeyance pending the determination of a CPL 440.10 to be filed with the Supreme Court,

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

Ordered that the motion is granted to the extent of enlarging appellant's time in which to perfect the appeal to the September 2011 Term, and 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 May 3, 2011.

Present: Hon. Peter Tom, Justice Presiding
Richard T. Andrias
John W. Sweeny, Jr.
Leland G. DeGrasse
Nelson S. Román, Justices.

-----X
DKR Soundshore Oasis Holding Fund Ltd.,
Plaintiff-Appellant,

-against-

M-577
M-600

Merrill Lynch International, et al.,
Defendants-Respondents.

Index No. 650327/09

- - - - -
International Swaps and Derivatives
Association, Inc.,
Amicus Curiae.

-----X

A decision and order of this Court having been entered January 6, 2011 (Appeal Nos. 3818, 3818A), inter alia, unanimously reversing a judgment of the Supreme Court, New York County, (Barbara A. Kapnick, J.) entered on or about April 16, 2010,

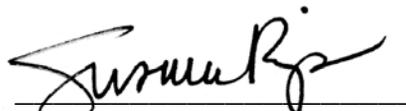
And plaintiff-appellant (M-577) having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the aforesaid decision and order of this Court,

And International Swaps and Derivatives Association, Inc. (M-600), having moved for leave to file a brief amicus curiae in support of the aforesaid motion, and for related relief,

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

It is ordered that the motions (M-577/M-600) are 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 May 3, 2011.

Present: Hon. Peter Tom, Justice Presiding
Richard T. Andrias
David B. Saxe
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----X
Southern Wine & Spirits of America,
Inc., et al.,

Plaintiffs-Appellants,

-against-

M-1016
Index No. 650489/08

Impact Environmental Engineering, PLLC,
et al.,

Defendants-Respondents.
-----X

Plaintiffs-appellants 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 January 20, 2011 (Appeal No. 3894),

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 May 3, 2011.

Present: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
Richard T. Andrias
Sallie Manzanet-Daniels, Justices.

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

Respondent,

-against-

M-6289

Ind. No. 6514/96

Paul Ruine,

Defendant-Appellant.
-----X

A decision and order of this Court having been entered on February 4, 1999 (Appeal No. 138), unanimously affirming the judgment of the Supreme Court, New York County (Herbert Altman, J.), rendered on June 25, 1998,

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

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

It is ordered that said application is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 3, 2011.

Present: Hon. Angela M. Mazzarelli, Justice Presiding
John W. Sweeny, Jr.
Leland G. Degrasse
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-1224
Ind. No. 2420/09

Edwin Hernandez,

Defendant-Appellant.

-----X

Defendant having renewed the motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about July 26, 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 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 May 3, 2011.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
Diane T. Renwick
Leland G. DeGrasse
Rosalyn H. Richter, Justices.

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

-against-

M-835
Ind. No. 8470/90

Juan Morales,
Defendant-Appellant.

-----X

Defendant having moved for an extension of time in which to file a notice of appeal from the judgment of **resentence** of the Supreme Court, New York County, rendered on or about November 5, 2010, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of deeming the notice of appeal as timely filed and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 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 **resentence**. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, 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 May 3, 2011.

Present: Hon. Angela M. Mazzarelli, Justice Presiding
David Friedman
Rolando T. Acosta
Leland G. DeGrasse
Nelson S. Román, Justices.

-----X
In the Matter of the Application of
Caprice Dillon,

Petitioner-Appellant,

For a Judgment, etc.,

M-1243
Index No. 401890/10

-against-

New York City Housing Authority,

Defendant-Respondent.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, entered on or about March 2, 2011, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, for a free copy of the transcripts, 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 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 files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of 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's counsel, the cost thereof to be charged against the City of New York from funds available therefor and any other fees in connection therewith. 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 May 3, 2011.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Roselyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
Rosalind Cole,
Plaintiff-Appellant,

-against-

M-745
Index No. 106530/05

Mark Johnson, D.D.S., et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from a judgment of the Supreme Court, New York County, entered on or about February 8, 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 September 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 May 3, 2011.

Present: Hon. Angela M. Mazzarelli, Justice Presiding
David Friedman
Rolando T. Acosta
Leland G. DeGrasse
Nelson S. Román, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-1147
Ind. No. 3002/06

Alpha Diallo, also known as
Alpha Ismael Diallo,

Defendant-Appellant.

-----X

An order of this Court having been entered January 5, 2010 (M-5447), inter alia, granting defendant leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about October 29, 2009, and assigning Robert S. Dean, Esq., as counsel to prosecute the appeal, and said appeal having been perfected,

And the People having moved for an order enlarging the record on appeal to include, and directing the court reporter to transcribe, the calendar call minutes for the dates of August 10, 2009 through August, 11, 2009 before Hon. Seymour Rotker, which are listed in exhibit B of the moving papers,

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

It is ordered that the motion is granted to the extent of enlarging the record on appeal to include the minutes of the proceedings enumerated above, directing the people to serve a copy of this order and the moving papers herein, within 10 days after the date of entry hereof, upon the Clerk of the Supreme Court, Bronx County, who shall have transcribed, within 30 days after such service, the aforesaid minutes, with a copy of the transcripts to be included in the record on appeal with another

to be made available to the People and to appellant's counsel, without charge. The People's time within which to file their respondent's brief is enlarged to on or before July 11, 2011 for the September 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 May 3, 2011.

Present: Hon. Richard T. Andrias, Justice Presiding
David B. Saxe
Karla Moskowitz
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

Zevrone Realty Corporation,

Plaintiff-Respondent,

-against-

M-1265
Index No. 13618/07

American International Specialty Lines
Insurance Company,

Defendants-Appellants,

New York Marine and General Insurance
Company and Federal Insurance Company,

Defendants.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about May 13, 2010,

And counsel, Michael J. Fleming, Esq., Law Offices of Beth Zaro Green, Attorney for defendant-appellant American International Specialty Lines Insurance Company, having moved for leave to withdraw 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 and appeal is deemed withdrawn.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 3, 2011.

Present: Hon. Richard T. Andrias, Justice Presiding
David B. Saxe
James M. Catterson
Sheila Abdus-Salaam
Sallie Manzanet-Daniels, Justices.

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

-against-

M-1118
Ind. No. 1511/10

De Jesus Payamps, also known as
Payamps Tavares DeJesus, also known as
DeJesus Tavaras-Payamps,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about August 9, 2010, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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 May 3, 2011.

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

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

Respondent,

-against-

M-1040
Ind. No. 3241/07

Sparkle Daniel,

Defendant-Appellant.

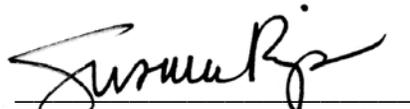
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about October 25, 2010, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for the assignment of 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 denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, in compliance with CPLR 1101(a), setting forth the terms of defendant's retainer agreement with trial counsel, Dawn Florio, Esq., 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 May 3, 2011.

Present: Hon. Richard T. Andrias, Justice Presiding
David B. Saxe
James M. Catterson
Sheila Abdus-Salaam
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-1158
Ind. No. 4669/06

Safedin Reckovic,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about March 20, 2008,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the September 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 May 3, 2011.

Present: Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
James M. Catterson
Sheila Abdus-Salaam
Sallie Manzanet-Daniels, Justices.

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

-against-

Jerry Williams,
Defendant-Respondent.

-----X

M-1172

Ind. Nos. 9280/99
5364/04

An order of this Court having been entered on November 9, 2010 (M-4318), consolidating the appeals taken by the People from the orders of the Supreme Court, New York County, entered on or about January 7, 2010 and March 17, 2010, respectively,

And the People having moved for an order enlarging the time in which to perfect the consolidated appeals,

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

Ordered that the motion is granted to the extent of enlarging the time in which to perfect the consolidated appeals to the September 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 May 3, 2011.

Present: Hon. Richard T. Andrias, Justice Presiding
David B. Saxe
James M. Catterson
Sheila Abdus-Salaam
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of the Application of
Venus Clay,

Petitioner,

For a Judgment Pursuant to Article
78 of the CPLR,

M-1178
Index No. 400342/10

-against-

John B. Rhea, as Chairman of the
New York City Housing Authority,

Respondent.

-----X

An Article 78 proceeding to review a determination of respondent, having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about June 2, 2010,

And respondent having moved for dismissal of the aforesaid proceeding,

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 unless the proceeding is perfected for the September 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 May 3, 2011.

Present: Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Karla Moskowitz
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of

Octavia R., also known as Octavia
Loretta R., and Randy Lee McN., Jr.,
also known as Randy McN., Jr.,

M-1110

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

Docket Nos. B25567/07
B25569/07

Edwin Gould Services for Children and
Families, et al.,
Petitioners-Respondents,

Randy McN., Sr.,
Respondent-Appellant.

Steven Banks, Esq., The Legal Aid
Society, Juvenile Rights Division,
Attorney for the Children.

-----X
An appeal having been taken from the order of the Family Court, Bronx County, entered on or about September 18, 2008,

And petitioner-respondent agency having moved for an order dismissing the aforesaid appeal,

And respondent-appellant, supported by the attorney for the children, having applied in the affirmation in opposition for an enlargement of time in which to perfect 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 motions are denied as academic, the appeal having been perfected and adjourned upon the parties stipulation to the September 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 May 3, 2011.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Leland G. DeGrasse
Sheila Abdus-Salaam, Justices.

-----X
MBIA Insurance Corporation, et al.,
Plaintiffs-Appellants-Respondents,

-against-

Merrill Lynch, et al.,
Defendants,

M-1003
Index No. 601324/09

Merrill Lynch International,
Defendant-Respondent-Appellant.
-----X

Plaintiffs-appellants 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 February 1, 2011 (Appeal No. 4163),

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

It is ordered that the motion is denied.

ENTER:



CLERK

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

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

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

M-352
Ind. No. 679/78

-against-

CERTIFICATE
DENYING LEAVE

Joseph Harris a/k/a Yusuf Harris,

Defendant.

-----X

I, Angela M. Mazzarelli, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County (Darcel D. Clark, J.), entered on or about November 4, 2010, is hereby denied.



Justice

Dated: New York, New York
, 2011

ENTERED

MAY 03 2011

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

BEFORE: Hon. Leland G. DeGrasse
Justice of the Appellate Division

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

M-1308
Ind. No. 5161/89

-against-

CERTIFICATE
DENYING LEAVE

Jose Crespo, Defendant.
-----X

I, Hon. Leland G. DeGrasse, 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 December 2, 2010, is hereby denied.

Dated: New York, New York
April 18, 2011



Hon. Leland G. DeGrasse
Justice of the Appellate Division

ENTERED

MAY 03 2011

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

BEFORE: Hon. Leland G. DeGrasse
Associate Justice of the Appellate Division

-----X

ABN AMRO BANK N.V., et al.,

Petitioners-Respondents,

-against-

M-204

CM-221

Index No. 601846/09

ERIC DINALLO, in his capacity as
Superintendent of the New York State
Insurance Department, and the NEW YORK
STATE INSURANCE DEPARTMENT,

Respondents-Appellants,

-and-

MBIA, INC., et. al.,

Respondents.

-----X

Respondents-Appellants and Petitioners-Respondents having moved and cross-moved for leave to appeal to this Court from the order of the Supreme Court, New York County, entered on or about November 23, 2010,

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

It is ordered that the motions are denied.



Hon. Leland G. DeGrasse
Associate Justice

Dated: April 20, 2011
New York, New York

Entered: **MAY 03 2011**