

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 November 15, 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-

Prince Adomako,

M-4664
DC #2
Ind. No. 9396C/06

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about July 11, 2007,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on October 27, 2011, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the February 2012 Term and counsel is directed to so perfect.

ENTER:


CLERK

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

Gerald Davis,

M-4686
DC #33
Ind. No. 2880/06

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about May 17, 2007,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on October 27, 2011, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the February 2012 Term and counsel is directed to so perfect.

ENTER:


CLERK

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

Carl Francois,

Defendant-Appellant.

M-4693
DC #42
Ind. Nos. 4969/07
352/08

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about July 31, 2008,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on October 27, 2011, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the February 2012 Term and counsel is directed to so perfect.

ENTER:


CLERK

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

Gregory Hall,

M-4699
DC #48
Ind. No. 4729/07

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about May 13, 2008,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on October 27, 2011, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the February 2012 Term and counsel is directed to so perfect.

ENTER:


CLERK

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

Eldred Leitzsey,

M-4717
DC #67
Ind. No. 1921/08

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about February 17, 2009,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on October 27, 2011, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the February 2012 Term and counsel is directed to so perfect.

ENTER:


CLERK

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

Myron Mungin,

M-4730
DC #85
Ind. No. 99016/04

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from an order of the Supreme Court, Bronx County, entered on or about June 24, 2009,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on October 27, 2011, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the February 2012 Term and counsel is directed to so perfect.

ENTER:


CLERK

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

Anthony Smith,

Defendant-Appellant.

M-4752
DC #101
SCI No. 3542/03
Ind. No. 3606/08

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about October 6, 2009,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on October 27, 2011, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the February 2012 Term and counsel is directed to so perfect.

ENTER:


CLERK

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

Moses Torres,

M-4757
DC #109
Ind. No. 4892/05

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about May 23, 2007,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on October 27, 2011, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the February 2012 Term and counsel is directed to so perfect.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 15, 2011.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Richard T. Andrias
Rolando T. Acosta
Sheila Abdus-Salaam, Justices.

-----X

Dennis Coles,
Plaintiff-Respondent,

-against-

M-4216
Index No. 602345/05

Wu-Tang Productions, Inc., etc., et al.,
Defendants-Appellants.

-----X

A decision and order of this Court having been entered on February 10, 2011 (Appeal No. 4243), unanimously modifying the judgment of the Supreme Court, New York County (Richard B. Lowe, III, J.), entered on October 1, 2009,

And plaintiff-respondent having moved for clarification of the aforesaid order of this 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 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 November 15, 2011.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
David B. Saxe
James M. Catterson, Justices.

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

-against-

M-3289
Ind. No. 4948/01

Mark Collins,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on May 18, 2006 (Appeal No. 8565), unanimously affirming a judgment of the Supreme Court, New York County (Michael Ambrecht, J.), rendered on February 6, 2003,

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 November 15, 2011.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
James M. Catterson
Karla Moskowitz
Rosalyn H. Richter, Justices.

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

-against-

M-1945
Ind. No. 3080/04

Ralph Hall,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on April 21, 2011 (Appeal No. 3390), unanimously affirming a judgment of the Supreme Court, New York County (Tejada, J.), rendered on October 7, 2005,

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 November 15, 2011.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
John W. Sweeny, Jr.
David Friedman, Justices.

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

-against-

M-2892
Ind. No. 927/00

Herbert Farrington,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on June 18, 2002 (Appeal No. 1424), unanimously affirming a judgment of the Supreme Court, New York County (Berkman, J.), rendered on January 3, 2001,

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 November 15, 2011.

PRESENT: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
Urban America, L.P., II,
Plaintiff-Respondent,

-against-

M-4521
Index No.600395/08

The Carl Williams Group, L.L.C.,
and Carl Williams,
Defendants-Appellants,

-against-

UrbanAmerica, L.P.,
Defendant.

-----X

Appeals and cross appeals having been taken from an order and judgment of the Supreme Court entered on or about December 13, 2010 and April 8, 2011, same Court and Justice, respectively,

And plaintiff-respondent-appellant having moved for an order enlarging the time in which to perfect their appeal from the order of the Supreme Court, New York County, entered on or about December 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 consolidating the aforesaid appeals and cross-appeals and enlarging the time to perfect same with defendant-appellant The Carl Williams Group L.L.C. directed to perfect the consolidated appeals from the order entered December 13, 2010 and judgment entered April 8, 2011 as direct appellant on or before January 30, 2012 for the April 2012 Term. Appellants are permitted to prosecute the appeals upon 8 copies of one record and one copy of appellants' points covering the aforesaid appeals.

Plaintiff-respondent is directed to respond to the aforesaid consolidated appeals for the aforesaid April 2012 Term. The attention of the parties is directed to Rule 600.11(d) with respect to a joint record and costs thereof.

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 November 15, 2011.

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

-----X
1701 Restaurant on Second, Inc.,
etc.,

Plaintiff-Respondent,

M-2097

Index No. 110983/06

-against-

Armato Properties, Inc.,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on April 19, 2011 (Appeal Nos. 4815-4815A) unanimously affirming the orders of the Supreme Court, New York County, entered on or about February 17, 2010,

And defendant-appellant having moved for reargument/reversal of the aforesaid decision and order of this Court,

Now, upon reading and filing the papers with respect to the motion, and the correspondence from counsel for defendant-appellant dated June 7, 2011, and due deliberation having been had thereon, it is

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

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 November 15, 2011.

PRESENT: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
James M. Catterson
Rolando T. Acosta
Dianne T. Renwick, Justices.

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

-against-

M-4221
Ind. No. 1883/08

Luis Concepcion,
Defendant.

-----X

Defendant-appellant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, Bronx County, rendered on or about March 26, 2010, for leave to prosecute, as a poor person, said appeal, 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 (CPL 460.30).

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 November 15, 2011.

Present - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----x

Valerie Vorontsova,
Plaintiff-Respondent,

-against-

M-4428
Index No. 118999/03

Louise M. Priolo, M.D., et al.,
Defendants-Appellants.

-----x

Appeals having been taken to this Court by defendants from orders of the of the Supreme Court, New York County, June 24, 2011, July 6, 2011 and July 25, 2011, respectively,

And plaintiff-respondent having moved for a stay of a judgment after inquest filed on July 25, 2011, pending hearing and determination of the aforesaid appeals,

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

It is ordered that the motion is 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 November 15, 2011.

Present - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
James M. Catterson
Rolando T. Acosta
Dianne T. Renwick, Justices.

-----x

Steven Sarao, et al.,
Plaintiffs-Appellants,

-against-

M-4118
Index No. 302587/07

Jeffrey S. Aranoff, M.D.,
Defendant,

-and-

Lenox Hill Hospital,
Defendant-Respondent.

-----x

Defendant-respondent having moved for dismissal of the appeal from the order of the Supreme Court, Bronx County, entered on or about July 15, 2009, for failure to timely perfect,

Now, upon reading and filing the papers with respect to the motion, and the stipulation dated October 11, 2011 from Douglas & London, P.C. (Randolph Janis, of counsel), and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn, and 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 November 15, 2011.

PRESENT - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

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

-against-

M-2519
Ind. No. 8439/94

Nyeem Adams, also known as Adams Nyeem,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on March 9, 1999 (Appeal No. 463), unanimously affirming a judgment of the Supreme Court, Bronx County (Phyllis Skloot Bamberger, J.), rendered on May 9, 1996,

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

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

It is ordered that said application is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 15, 2011.

Present - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----x
Dean Robinson,

Plaintiff-Respondent,

-against-

M-4476
Index No. 16870/06

New York City Department of Education,
formerly known as The Board of
Education of the City of New York,

Defendant-Appellant.
-----x

Defendant-appellant having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, Bronx County, entered on or about September 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 to perfect the appeal to the March 2012 Term, with no further enlargements to be granted.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 15, 2011.

Present: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
Rayford Wayne Chappill,

Plaintiff-Appellant,

-against-

Bally Total Fitness Corporation,

Defendant-Respondent.
-----X

M-4496
Index No. 109041/05

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about January 26, 2011 (mot. seq. no. 004),

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 May 2012 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 November 15, 2011.

Present - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Rolando T. Acosta
Helen E. Freedman
Rosaly H. Richter, Justices.

-----x
In the Matter of the Application of
Jasmine Weisman and Jose de la Cruz,
Petitioners-Appellants,

For a Judgment, etc.,

M-4478
Index No. 402362/10

-against-

New York City Housing Authority,
Respondent-Respondent.

-----x

Petitioners-appellants having moved for a stay of eviction proceedings pending hearing and determination of the appeal from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about March 16, 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 for the March 2012 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 November 15, 2011.

Present - Hon. Peter Tom, Justice Presiding,
David B. Saxe
Rolando T. Acosta
Sheila Abdus-Salaam, Justices.

-----X

Michael Mulgrew, etc.,
Petitioner-Appellant,

-against-

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

M-3977
M-4154
Index No. 113813/10

Dow Jones & Company, Inc., et al.,
Intervenors-Respondents.

- - - - -
New York State United Teachers,
American Federation of Teachers
and National Education Association,
Amici Curiae.

-----X

Petitioner-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on August 25, 2011 (Appeal No. 5156) [M-3977],

And the New York State United Teachers having moved for leave to appeal and to file a brief amicus curiae in support of petitioner-appellant's motion [M-4154],

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 to the Court of Appeals [M-3977] is denied. The motion for leave to file a brief amicus curiae [M-4154] is denied, as moot.

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 November 15, 2011.

Present - Hon. Peter Tom, Justice Presiding,
David B. Saxe
Karla Moskowitz
Leland G. DeGrasse
Sheila Abdus-Salaam, Justices.

-----x
Anthony J. Decintio, etc.,
Plaintiff-Appellant, M-3793
-against- M-3991
M-4214
Index No. 20837/98
Lawrence Hospital, et al.,
Defendants-Respondents.
-----x

An appeal having been taken to this Court from the order of the Supreme Court, Bronx County, entered on or about September 2, 2010,

And defendants-respondents Dial Hewlett, M.D. (M-3793), Lawrence Hospital Center (M-3991) and Our Lady of Mercy Medical Center (M-4214) having separately moved for dismissal of the appeal for failure to timely prosecute,

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 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 November 15, 2011.

PRESENT: Hon. Peter Tom, Justice Presiding,
James M. Catterson
Dianne T. Renwick
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of the Application of
Elizabeth Marrero,
Petitioner,

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

M-3934
Index No. 400135/10

-against-

New York City Housing Authority,
Respondent.

-----X

An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by an order of the Supreme Court, New York County, entered on or about October 1, 2010, to review a determination of respondent,

And respondent agency having moved for dismissal of the aforesaid petition for failure to timely prosecute,

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

It is ordered that the motion is granted and the petition 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 November 15, 2011.

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

-----X
In the Matter of

Brandon M.,

M-4441

Docket No. D189/11

A Person Alleged to be a Juvenile
Delinquent,
Respondent-Appellant.

-----X

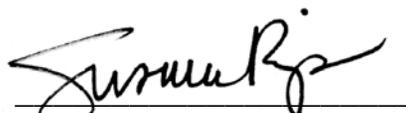
An appeal having been taken from order of the Family Court, Bronx County, entered on or about March 11, 2011, remanding respondent to the Administration for Children's Services for non-secure detention pending further proceedings in said Family Court,

And respondent-appellant having moved for an enlargement of time in which to perfect his appeal and to continue the stay granted by the order of this Court entered April 12, 2011 (M-1163) upon the same terms and conditions pending determination of this motion and during the period of any enlargement granted,

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 March 2012 Term, and continue the aforesaid stay upon the same terms and conditions imposed by the order of this Court entered on April 12, 2011 (M-1163).

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 November 15, 2011.

Present - Hon. Peter Tom, Justice Presiding,
David B. Saxe
Karla Moskowitz
Leland G. DeGrasse
Sheila Abdus-Salaam, Justices.

-----x
Eneida Boniche,

Plaintiff-Appellant,

-against-

M-4288
Index No. 101226/07

Gideon Shimoni,

Defendant-Respondent.
-----x

Defendant-respondent having moved for dismissal of the appeal from the order of the Supreme Court, New York County, entered on or about September 27, 2010, for failure to timely perfect,

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

It is ordered that the motion is 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 November 15, 2011.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David B. Saxe
Karla Moskowitz, Justices.

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

-against-

M-3842
Ind. No. 10511/97

Curtis Gibson,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on September 18, 2003 (Appeal No. 1601), unanimously affirming a judgment of the Supreme Court, New York County (Dorothy Cropper, J., at hearing, Edwin Torres, J., at jury trial and sentence), rendered on December 21, 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 November 15, 2011.

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

-----x
160-62 East 2nd Street, H.D.F.C.,
Petitioner-Landlord-Respondent,

-against-

M-4307
Index No. 570433/10

Sean Beaumont,
Respondent-Tenant-Appellant,

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

-----x

An order of this Court having been entered on July 14, 2011 (M-2350), inter alia, denying respondent-tenant-appellant's motion for leave to appeal to this Court from the Appellate Term entered in the office of the Clerk of the Supreme Court, New York County, on or about April 14, 2011,

And respondent-tenant-appellant having moved for reargument of the aforesaid order, and for related relief (M-2350),

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 November 15, 2011.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
In re Regina Wise, etc.,
Petitioner,

-against-

Ricardo Elias Morales, etc.,
Respondent.

M-3283
Index No. 400523/09

-----X

Respondent having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on June 21, 2011 (Appeal No. 4311),

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 November 15, 2011.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
James M. Catterson
Karla Moskowitz
Sheila Abdus-Salaam, Justices.

-----X
Donnett Maynard,
Plaintiff-Appellant,

-against-

Anthony Montes,
Defendant-Respondent.

M-3925
Index No. 307704/08

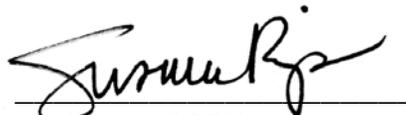
-----X

Defendant-respondent having moved for dismissal of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about August 25, 2010, for failure to timely perfect,

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

It is ordered that the motion is 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 November 15, 2011.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
James M. Catterson
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----x
Dwayne Moore,

Plaintiff-Appellant,

-against-

M-4257

M-4279

Index No. 407020/07

Federated Department Stores & Macy's,
Defendants-Respondents.

-----x

An appeal having been taken to this Court by plaintiff from orders of the Supreme Court, New York County, entered on or about July 16, 2010 (mot. seq. nos. 003, 004, 005) and September 27, 2010 (mot. seq. nos. 006, 007), respectively,

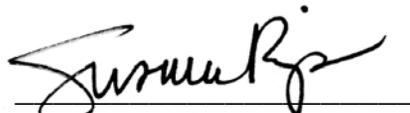
And plaintiff-appellant having moved for an enlargement of time to perfect the aforesaid appeals (M-4257),

And defendants-respondents having cross-moved for leave to file a late notice of appeal from an order of the Supreme Court, New York County, entered on or about June 28, 2011 (M-4279),

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 to perfect the appeals to the March 2012 Term. The cross motion is denied.

ENTER:


CLERK

CORRECTED ORDER - August 13, 2012

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 November 15, 2011.

Present - Hon. Angela M. Mazzairelli, Justice Presiding,
David B. Saxe
Rolando T. Acosta
Leland G. DeGrasse
Sallie Manzanet-Daniels, Justices.

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

-against-

Angie Codina,
Defendant-Appellant.

M-4268
Ind. Nos. 1730/99
1730A/99
6852/98

-----X

An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, rendered on or about June 24, 2005,

And defendant-appellant having moved for an order relieving assigned counsel and substitute other counsel on the appeal or, in the alternative, for leave to file a pro se supplemental brief, for a copy of the trial transcripts and for an enlargement of time in which to file said pro se supplemental brief,

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 directing defendant to serve and file 8 copies of her pro se supplemental brief, limited to 70 pages in length, on or before January 30, 2012 for the April 2012 Term, to which Term the appeal is adjourned. The Clerk of the Court is directed to forward to the Warden at the State correctional facility wherein defendant is incarcerated a transcript of the minutes relating to defendant's appeal, said transcript to be made available to appellant and returned by appellant to this Court when submitting the pro se supplemental brief hereto. The appeal will not be heard unless and until all material furnished to appellant has been returned. 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 November 15, 2011.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
James M. Catterson
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
In the Matter of the Application of
Jaime Gongora,
Petitioner-Respondent,

For a Judgment under Article 78 of
the Civil Practice Law and Rules

-against-

M-4147
Index No. 110047/09

New York City Department of
Education,
Respondent-Appellant.

-----X

Respondent-appellant having moved for an enlargement of time in which to perfect the appeal from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about December 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 March 2012 Term, with no further enlargements to be granted.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 15, 2011.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
James M. Catterson
Karla Moskowitz
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
Elizabeth Frances Kerrigan,
as Executrix of the Estate of
Thomas Connelly, etc., et al.,
Plaintiffs-Respondents-Appellants,

-against-

M-585
Index No. 100316/08

RM Associates, Inc., etc. et al.,
Defendants-Appellants-Respondents,

Tri-City Insurance Brokers, Inc., etc.,
et al.,
Defendants,

Ace INA, et al.,
Defendants-Respondents.

-----X

Defendants-respondents 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 December 29, 2009 (Appeal No. 1874),

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 November 15, 2011.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
James M. Catterson
Leland G. Degrasse
Sheila Abdus-Salaam
Nelson S. Román, Justices.

-----X
Resmac 2 LLC,
Plaintiff-Appellant,

-against-

Madison Realty Capital, L.P., et al.,
Defendants,

M-3584
Index Nos. 601049/08
50639/09

Stewart Title Insurance Company,
Defendant-Respondent.

(And a third-party action)
-----X

Defendant-respondent Stewart Title Insurance Company having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on July 7, 2011 (Appeal Nos. 5530-32),

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 November 15, 2011.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Leland G. DeGrasse
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
NYCTL 1998-2 Trust and the Bank of New York, as Collateral Agent and Custodian,
Plaintiffs-Respondents

-against-

Norman Ackerman,
Defendant-Appellant,

M-2963
Index No. 115924/01

-and-

The Urban Partnership, et al.,
Defendants.

-----X

Defendant-appellant Norman Ackerman having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on March 3, 2011 (Appeal No. 4434), 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 November 15, 2011.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Rolando T. Acosta
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
Ronald Thompson and Shelby Thompson,
Plaintiffs-Appellants,

-against-

Edgar A. Pimentel, D.O., New York
Family Medicine Associates, Carl
Guillaume, M.D.,
Defendants-Respondents,

M-4010
Index No. 8498/06

-and-

St. Barnabas Hospital, Norman SAS, MD.,
and Montefiore Medical Center,
Defendants.

-----X

Defendant-respondent Carl Guillaume, M.D., having moved for dismissal of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about April 22, 2010, for failure to timely perfected,

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 November 15, 2011.

Present: Hon. Richard T. Andrias, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of

Isaiah C.,

M-4298

A Person Alleged to Be a Juvenile
Delinquent,

Docket No. D11616/11

Respondent-Appellant.
-----X

Respondent-appellant having moved for leave to prosecute the appeal from the order of Disposition and the order of Fact Finding of the Family Court, Bronx County, both entered on or about August 25, 2011, as a poor person, for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Section 35 of the Judiciary Law and Section 1120 of the Family Court Act, Elisa Barnes, Esq., 350 Broadway, Suite 1100, New York, NY 10013, Telephone No. (212) 693-2330, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the State of New York from funds available therefor;¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) directing appellant to perfect this appeal 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:


CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 15, 2011.

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

-----X
Miriam Sanon,
Plaintiff-Appellant,

-against-

M-3514
Index No. 106642/09

Anissa Fok,
Defendant-Respondent.
-----X

Defendant-respondent having moved to dismiss the appeal taken from the order of the Supreme Court, New York County, entered on or about June 14, 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 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 November 15, 2011.

Present - Hon. Richard T. Andrias, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Dianne T. Renwick
Nelson S. Román, Justices.

-----X

David Bruno,
Plaintiff-Respondent,

-against-

M-4450
Index No. 107529/07

Port Authority of New York and
New Jersey, et al.,
Defendants-Appellants.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about July 12, 2010 (mot. seq. no. 006),

And defendants-appellants having moved for an enlargement of time in which to perfect said appeal,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the June 2012 Term, with leave to seek further enlargement, if necessary.

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 November 15, 2011.

PRESENT - Hon. David B. Saxe, Justice Presiding,
David Friedman
Karla Moskowitz
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
Renard C. Herbert, Damary Herbert,
Individually and as Mother and Natural
Guardian of Renard Herbert, Jr., an
Infant,
Plaintiff-Appellant,

-against-

M-4149
Index No. 350043/09

Marjos Auto Corp., Manuel D. Vasquez,
Defendants-Respondents.

-----X

Defendants-respondents having moved to dismiss the appeal taken from the order of the Supreme Court, Bronx County, entered on or about November 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 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 November 15, 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

Neamiah M.,

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

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

M-2805
Docket No. NN45651/10

Donna M.,
Respondent-Appellant.

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

-----X

An order of this Court having been entered on January 25, 2011 granting respondent-appellant mother leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about October 29, 2010, assignment of counsel, a free copy of the transcript, and related relief (M-5901),

And assigned counsel for respondent-appellant mother, Randall Carmel, Esq., having moved to withdraw the appeal and for vacatur of the aforesaid order entered on January 25, 2011 (M-5901),

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

Ordered that the motion is granted to the extent of deeming the appeal withdrawn and the aforesaid order of this Court entered January 25, 2011 (M-5901) 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 November 15, 2011.

Present - Hon. David B. Saxe, Justice Presiding,
John W. Sweeny, Jr.
Leland G. DeGrasse
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----x
Mr. Ho Charter Service, Inc.,

Plaintiff-Respondent,

-against-

M-4413
Index No. 103565/11

Edward G. Ho,

Defendant-Appellant.
-----x

Appeals having been taken to this Court by defendant from orders of the Supreme Court, New York County, entered on or about August 1, 2011 and August 17, 2011 (mot. seq. no. 006), respectively,

And defendant-appellant having moved for a stay of all proceeding pending hearing and determination of the aforesaid appeals,

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

It is ordered that the motion is granted on condition appellant perfects the appeals on or before January 3, 2012 for the March 2012 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 November 15, 2011.

PRESENT - Hon. David B. Saxe, Justice Presiding,
Rolando T. Acosta
Leland G. Degrasse
Sheila Abdus-Salaam
Sallie Manzanet-Daniels, Justices.

-----X

Cheneise E. Carey,
Plaintiff-Appellant,

-against-

M-3239
Index No. 303897/10

Empire Paratransit Corp., et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on June 14, 2011 (Appeal No. 5337N),

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 November 15, 2011.

Present: Hon. David B. Saxe, Justice Presiding,
Karla Moskowitz
Rosalyn H. Richter
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X
Allan Salman, et al.,
Plaintiffs,

Zorazella Garcia,
Plaintiff-Appellant,

M-3975
Index No. 7153/06

-against-

Hector Rosario, et al.,
Defendants,

Bassough Kanate,
Defendant-Respondent.

-----X

Defendant-respondent 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 August 25, 2011 (Appeal No. 4098), or to vacate so much of said decision and order which modified the order of the Supreme Court, Bronx County, entered on or about July 6, 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, to the extent it seeks reargument/vacatur, is denied. So much of the motion which seeks leave to appeal to the Court of Appeals is granted, and this Court, pursuant to CPLR 5713, certifies that the following question of law, decisive of the correctness of its determination, has arisen, which in its opinion ought to be reviewed by the Court of Appeals:

"Was the order of this Court, which modified the order of the Supreme Court, properly made?"

This Court further certifies that its determination was made as a matter of law and not in the exercise of discretion.

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 November 15, 2011.

Present: Hon. David B. Saxe, Justice Presiding,
John W. Sweeny, Jr.
Leland G. DeGrasse
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X
Cara Muhlhahn,
Plaintiff-Respondent,

-against-

M-4574
Index No. 102846/10

Andrew Goldman and New York Media
LLC,
Defendants-Appellants.

-----X

Defendants-appellants having moved for a stay of proceedings in the above-entitled action pending hearing and determination of the appeal taken from an order of the Supreme Court, New York County, entered on or about August 24, 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 that the appeal is perfected for the March 2012 Term. Upon failure to so perfect, an order vacating the stay may be entered ex parte, provided that plaintiff-respondent serves a copy of this order upon defendants-appellants within 10 days after the date of entry hereof.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 15, 2011.

Present - Hon. David Friedman, Justice Presiding,
James M. Catterson
Karla Moskowitz
Helen E. Freedman
Sheila Abdus-Salaam, Justices.

-----x
In the Matter of the Application of
Kimberly Webster,
Petitioner-Appellant,

For an Order Pursuant to Article 78
of the CPLR,

M-4412
Index No. 400960/10

-against-

New York City Housing Authority,
Respondent-Respondent.
-----x

Respondent-respondent having moved for dismissal of the appeal from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about December 13, 2010, for failure to timely perfect,

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

It is ordered that the motion is 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 November 15, 2011.

Present - Hon. David Friedman, Justice Presiding,
James M. Catterson
Karla Moskowitz
Helen E. Freedman
Sheila Abdus-Salaam, Justices.

-----x
Oasis Sportswear, Inc.,
Plaintiff-Respondent,

-against-

Patricia Rego, et al.,
Defendants-Appellants.

- - - - - M-4424
Patricia Rego, et al., Index No. 115500/07
Third-Party Plaintiffs-Appellants,

-against-

Joseph Trachtman,
Third-Party Defendant-Respondent.

- - - - -
(And another action)

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about December 3, 2010 (mot. seq. no. 010),

And defendants and third-party plaintiffs having moved for an enlargement of time to perfect the 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 to perfect the appeal to on or before January 3, 2012 for the March 2012 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 November 15, 2011.

Present - Hon. David Friedman, Justice Presiding,
James M. Catterson
Karla Moskowitz
Helen E. Freedman
Sheila Abdus-Salaam, Justices.

-----x

In the Matter of the Application of
Saverio L. Bruscano,
Petitioner-Appellant,

For a Judgment, etc.,

M-4356
Index No. 110244/09

-against-

Raymond W. Kelly, etc., et al.,
Respondents-Respondents.

-----x

Petitioner-appellant having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, New York County, entered on or about June 30, 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 to perfect the appeal to the March 2012 Term, with no further enlargements to be granted.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 15, 2011.

Present: Hon. Helen E. Freedman, Justice Presiding,
Rosalyn H. Richter
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-3619

Ind. No. 5073/96

Manuel Martinez,
Defendant-Appellant.

-----X

An order of this Court having been entered on June 21, 2011 (M-1588) 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 May 9, 2008, and assigning Anthony L. Ricco, 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 Anthony L. Ricco, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Simone Petromelis, Esq., 110 Wall St., 11th Floor, New York, NY 10005, Telephone No. (917)589-5926, 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

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

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

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

M- 4178
Ind. No. 2274/93

-against-

CERTIFICATE
DENYING LEAVE

Angel Serrano,
Defendant.

-----X

I, Dianne T. Renwick, 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 July 26, 2011, is hereby denied.



Hon. Dianne T. Renwick
Associate Justice

Dated:
New York, New York

ENTERED: **NOV 15 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-4297
Ind. No. 4326/02

-against-

CERTIFICATE
DENYING LEAVE

Carlton Evans, 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, New York County, entered on or about April 27, 2011, is hereby denied.

Dated: New York, New York
October 19, 2011



Hon. Leland G. DeGrasse
Justice of the Appellate Division



NOV 15 2011