

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 February 2, 2012.

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,

-against-

M-1921
Ind. No. 3600/07

Sarjo Jallow,

Defendant.

-----x

Defendant having moved for leave to file a late notice of appeal from the judgment of the Supreme Court, Bronx County, rendered on or about April 15, 2009,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties dated August 2, 2011, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn in accordance with the aforesaid stipulation.

ENTER:


CLERK

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 February 2, 2012.

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

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

Respondent,

-against-

M-5790

Ind. No. 28084C/08

Jason Murchison,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about September 28, 2011, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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

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 February 2, 2012.

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

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

Respondent,

-against-

M-5792
Ind. Nos. 1721/06
19178C/06

Frankie Ramos,

Defendant-Appellant.
-----X

An order of a Justice of this Court having been entered on October 20, 2011 (M-2941), granting leave to appeal from the order of the Supreme Court, Bronx County, entered on or about May 27, 2010,

And defendant having moved for leave to prosecute the aforesaid appeal as a poor person, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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

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 February 2, 2012.

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

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

Respondent,

-against-

M-5794
Ind. Nos. 3210/09
38554C/09

Ramon Rivera,

Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about November 15, 2011 for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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 February 2, 2012.

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

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

Respondent,

-against-

M-5795
Ind. No. 4576/11

David Santiago,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about November 22, 2011, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 2, 2012.

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

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

Respondent,

-against-

M-5796
Ind. No. 2238/11

Anthony Wright,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about November 23, 2011, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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

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 February 2, 2012.

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

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

Respondent,

-against-

M-5799
Ind. No. 3988N/11

Manuel West,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about November 1, 2011 for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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 February 2, 2012.

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

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

-against-

M-5565

Ind. Nos. 542/07
543/07

Phillip Washington,
Defendant-Appellant.

-----X

Defendant having renewed his motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about February 10, 2011, for leave to have the appeal heard upon 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 upon the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Steven M. 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 February 2, 2012.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzarelli
David B. Saxe
John W. Sweeny, Jr.
Karla Moskowitz, Justices.

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

Pannette Smith,
Petitioner-Appellant,

M-5639
Index No. 103549/11

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

-against-

New York City Housing Authority,
Respondent-Respondent.

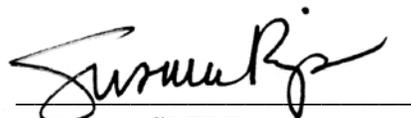
-----X

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 September 29, 2011, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard upon the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the attorney for respondent and file 8 copies of such brief, together with the original record, with this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record.

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 February 2, 2012.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzarelli
David B. Saxe
John W. Sweeny, Jr.
Karla Moskowitz, Justices.

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

Juelle G.,
Petitioner-Appellant,

M-5570
Docket Nos. V8994-05/09E
V8994-05/08E#3

-against-

William C.,
Respondent-Respondent.

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

-----X

Respondent-respondent mother having moved for leave to respond, as a poor person, to the appeal taken from the 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, Louise Belulovich, Esq., 411 East 57th Street, #14C, New York, NY 10022, Telephone No. (212) 421-6113, counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this Court.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 2, 2012.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzarelli
David B. Saxe
John W. Sweeny, Jr.
Karla Moskowitz, Justices.

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

Respondent,

-against-

M-5545
Ind. No. 5270/10

Rajeev Kumar,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about June 28, 2011, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, in compliance with CPLR 1101(a), setting forth the terms of defendant's retainer agreement with trial counsel, Michael L. Slotnick, 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 February 2, 2012.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-5534

Ind. No. 2016/10

Ousmane Ag,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about May 27, 2011, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, in compliance with CPLR 1101(a), setting forth the amount and sources of funds utilized for the posting of \$10,000 bail 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 February 2, 2012.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzaelli
David B. Saxe
John W. Sweeny, Jr.
Karla Moskowitz, Justices.

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

-against-

M-5561
Ind. No. 5603/10

Nolber Quinones,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about November 7, 2011, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, in compliance with CPLR 1101(a), setting forth the terms of defendant's retainer agreement with trial counsel, Andres Aranda, 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 February 2, 2012.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
David Friedman
Karla Moskowitz
Rolando T. Acosta
Rosalyn H. Richter, Justices.

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

M-5125
Ind. No. 3946/09

-against-

Kevon O. Hamilton,
Defendant-Appellant.

-----X

An order of this Court having been entered on November 4, 2010 (M-4991), 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 August 24, 2010, and assigning Steven Banks, Esq., as counsel to prosecute the appeal,

And assigned counsel having moved for an order to be relieved as counsel for defendant and to substitute other counsel to prosecute defendant's 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 striking the designation of assigned counsel Steven Banks, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Robert S. Dean, Esq., Center For Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. (212)577-2523, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 2, 2012.

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

-----X
9th St. Restaurant LLC,

Plaintiff-Respondent,

-against-

M-5635
Index No. 103235/10

Penquin Tenants Corp.,

Defendant-Appellant.
-----X

Defendant-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about March 14, 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 to the extent of enlarging the time in which to perfect the appeal to the June 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 February 2, 2012.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzarelli
David B. Saxe
John W. Sweeny, Jr.
Karla Moskowitz, Justices.

-----X
Avenue A at St. Marks Associates,
LLC,

Plaintiff-Appellant,

-against-

M-5646

Index No. 600886/10

Only Natural St. Marks LLC, doing
business as Australian Homemade,
etc., et al.,

Defendants-Respondents.
-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about March 29, 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 to the extent of enlarging the time in which to perfect the appeal to the September 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 February 2, 2012.

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

-----X
Daniel Ryan,

Plaintiff-Respondent,

-against-

M-5420
Index No. 601909/05

Kellogg Partners Institutional
Services,

Defendant-Appellant.
-----X

Defendant-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 March 11, 2011,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties dated November 28, 2011, 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 6, 2012 for the October 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 February 2, 2012.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzarelli
David B. Saxe
John W. Sweeny, Jr.
Karla Moskowitz, Justices.

-----X

Perry Michael Braunstein,

Plaintiff-Appellant,

-against-

M-5628

Index No. 311389/06

Marilyn Povodator,

Defendant-Respondent.

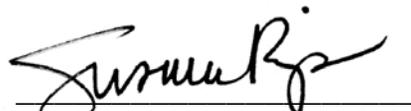
-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about December 10, 2010, and from the judgment of said Court entered on or about February 4, 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 to the extent of enlarging the time in which to perfect the appeal to on or before March 19, 2012 for the June 2012 Term, with no further enlargements to be granted. Upon failure to so perfect, an order dismissing the appeal may be entered ex parte provided that defendant-respondent serves a copy of this order upon plaintiff-appellant 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 February 2, 2012.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzarelli
David B. Saxe
John W. Sweeny, Jr.
Karla Moskowitz, Justices.

-----X
338 West 46th Street, LLC,
Petitioner-Landlord-Respondent,

-against-

M-5429
Index No. 570421/10

Robert Leonardi, et al.,
Respondents-Tenants-Appellants.
-----X

(And other actions)
-----X

Respondents having moved for leave to appeal to this Court from the decision and order of the Appellate Term entered in the office of the Clerk of the Supreme Court, New York County, on or about July 15, 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. Appellants shall file two copies of the pre-argument statement and of this order with the Clerk of the Appellate Term with proof of service, pursuant to Section 600.17 of the Rules of this Court.

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 February 2, 2012.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzarelli
David B. Saxe
John W. Sweeny, Jr.
Karla Moskowitz, Justices.

-----X
Alejandra Arenas,

Plaintiff-Respondent,

M-5601

Index No. 306550/09

-against-

Felix Guaman and Jade Car Corp.,

Defendants-Appellants.
-----X

Defendants-appellants having moved for an order staying the trial in the above-entitled action pending hearing and determination of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about June 16, 2011, and said appeal having been 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 denied. [See *Perl v Meher* - NY2d - 2011 N.Y. Slip Op. 08452, November 22, 2011]

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 February 2, 2012.

Present - Hon. Luis A. Gonzalez, Justice Presiding,
Peter Tom
John W. Sweeny, Jr.
Dianne T. Renwick
Nelson S. Román, Justices.

-----X
The People of the State of New York,
Respondent/Appellant.

-against-

M-4422
Ind. No. 1304/09

David Snipes,
Defendant-Appellant/Respondent.

-----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 March 23, 2010,

And an appeal having been taken to this Court by the People from the judgment of **resentence** of said Court rendered on or about September 23, 2011,

An order of this Court having been entered on June 15, 2010 (M-2085), granting defendant leave to prosecute, as a poor person, to the appeal from the appeal from the judgment rendered on or about March 23, 2010, and assigning Robert S. Dean, The Center of Appellate Litigation, as counsel to prosecute the appeal,

And defendant-appellant having moved for leave to amend the aforesaid order of assignment entered on June 14, 2010 (M-2085) to include the appeal from the judgment of **resentence** rendered on or about September 23, 2011, under the same Indictment No.,

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 extending the poor person relief granted on defendant's order of assignment entered on June 15, 2010 (M-2085) to include the judgment of **resentence** rendered on or about September 23, 2011 under the same Indictment No. (See M-4422A, decided simultaneously herewith.)

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 2, 2012.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
John W. Sweeny, Jr.
Dianne T. Renwick
Nelson S. Román, Justices.

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

-against-

M-4422A
Ind. No. 1304/09

David Snipes,
Defendant-Appellant/Respondent.

-----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 March 23, 2010,

An order of this Court having been entered on June 15, 2010 (M-2085), granting defendant-appellant/respondent leave to prosecute, as a poor person, the appeal from the judgment rendered on or about March 23, 2010, and assigning Robert S. Dean, The Center of Appellate Litigation, as counsel to prosecute the appeal,

And an order of this Court having been entered on February 2, 2012 (M-4422), extending the poor person relief granted in the order of this Court entered June 14, 2010 (M-2085), to include the appeal from the judgment of **resentence** of Supreme Court, New York County, rendered on or about September 23, 2011,

And defendant-appellant/respondent having moved for leave to respond, as a poor person, to the People's appeal from the judgment of **resentence** rendered on or about September 23, 2011, for assignment of Robert S. Dean, The Center of Appellate Litigation, as counsel to respond to the appeal, as well as to the People's appeals from related orders of said Court entered on or about September 14, 2011 and May 16, 2011, respectively,

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

It is ordered that the motion is granted to the extent of (1) permitting movant to respond to the aforesaid People's appeals upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for the People and 8 copies thereof are filed with this Court, and (2) assigning, pursuant to Section 722 of the County Law, Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, as counsel for purposes of responding to the appeal. (See M-4422, decided simultaneously herewith.)

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 2, 2012.

Present - Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Leland G. DeGrasse
Sheila Abdus-Salaam
Sallie Manzanet-Daniels, Justices.

-----X
W.B. Corley,

Plaintiff-Appellant,

-against-

M-5828
Index No. 400026/10

Allstate Realty Associates, et al.,

Defendants-Respondents.

----- --X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about March 21, 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 to the extent of enlarging the time in which to perfect the appeal to the June 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 February 2, 2012.

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

-----x
Crystal Biton,

Plaintiff,

-against-

Jacob Biton,

Defendant.
-----x

M-5423
Index No. 312460/11

Plaintiff having moved for relief in the nature of a preliminary appellate injunction with respect to a purported appeal from an order of the Supreme Court, New York County, entered on or about October 21, 2011,

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

It is ordered that the motion is denied.

ENTER:


CLERK

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 February 2, 2012.

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

-----x

Gene Ann Criscenti,
Plaintiff-Respondent,

-against-

M-4255

Index No. 104729/06

Verizon, Carson Industries LLC, Verizon Services Corp., Channell Commercial Corp., Marble Heights of Westchester, Inc., Telesector Resources Group, Inc. and Verizon New York Inc.,
Defendants-Appellants.

-----x

Gene Ann Criscenti,
Plaintiff-Respondent,

-against-

Index No. 103728/07

Communications Construction Group, LLC, Communications Construction Group, Inc., RJE Telecom, LLC and JEK Communications, Inc.,
Defendants-Appellants.

-----x

Separate appeals having been taken to this Court by defendants-appellants Carson Industries LLC, and by defendants-appellants Verizon Services Corp., Telesector Resources Group, Inc. and Verizon New York Inc., and by defendant-appellant Channell Commercial Corp. from an order of the Supreme Court, New York County, entered on or about August 3, 2011,

And plaintiff-respondent having moved for consolidation of the aforesaid appeals with related appeals having been taken to this Court by defendants-appellants Marble Heights of Westchester, Inc., Communications Construction Group, LLC., RJE Telecom, LLC and JEK Communications, Inc. from orders of the Supreme Court, New York County, entered on or about April 28, 2011 (mot. seq. no. 001 and mot. seq. no. 011), respectively, said appeals having been consolidated by an order of this Court entered September 8, 2011 (M-2966),

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 defendants-appellants Carson Industries LLC, and defendants-appellants Verizon Services Corp., Telesector Resources Group, Inc. and Verizon New York Inc., and defendant-appellant Channell Commercial Corp., to prosecute their respective appeals upon 9 copies of one record and one set of appellants' points covering the appeals. The Clerk of the Court is directed to place the aforesaid consolidated appeals from the aforesaid order entered August 3, 2011 on the calendar for hearing together with the related appeals from the aforesaid order entered April 28, 2011, consolidated by the order of this Court entered September 8, 2011 (M-2966). It is further ordered that respondent may submit one brief in opposition to all the aforesaid appeals. Sua sponte, the time to perfect all of the aforesaid consolidated appeals is enlarged to the September 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 February 2, 2012.

Present: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
David Friedman
James M. Catterson
Rolando T. Acosta, Justices.

-----X
Richard Ware Levitt, doing business
as Levitt & Kaiser, Attorneys at Law,
a New York Partnership,
Plaintiff-Respondent,

M-5637
Index No. 116338/10

-against-

Jeffrey Brooks,
Defendant-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about October 31, 2011,

And plaintiff-respondent having moved for an order striking defendant-appellant's pre-argument statement,

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, without prejudice to raising the argument in plaintiff-respondent's brief on the appeal.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 2, 2012.

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

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

Maria A. M.,
Petitioner-Respondent,

M-29
Docket No. V8367-08/09C

-against-

Dexter N.,
Respondent-Appellant.

-----X

An appeal having been taken by respondent-appellant from an order of the Family Court, New York County, entered on or about July 29, 2010, and said appeal having been perfected,

And Stephanie Rancer, Esq., court attorney for the subject child, having moved for appointment of appellate counsel for the subject child to respond to 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 to the extent of appointing, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Carol L. Kahn, Esq., 225 Broadway, Suite 1510, New York, New York 10007, Telephone No. 212-227-0206, as counsel for purposes of responding to the aforesaid appeal.

It is further ordered that the appeal is adjourned 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 February 2, 2012.

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

-----x
Victoria Robinson,

Plaintiff-Respondent,

-against-

City of New York, et al.,

Defendants-Appellants.
-----x

M-5769
Index No. 303343/09

Defendants-appellants having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about March 1, 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 to the extent of enlarging the time to perfect the appeal to the June 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 February 2, 2012.

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

-----x
The City of New York, et al.,
Plaintiffs-Appellants-Respondents,

-against-

M-5868
Index No. 111104/09

Greenwich Insurance Company,
Defendant-Respondent-Appellant,

-agnd-

Transel Elevator,
Defendant-Respondent.

-----x

An appeal and cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about April 19, 2011 (mot. seq. no. 002), and said direct appeal having been perfected,

And defendant-respondent-appellant having moved for an enlargement of time to perfect their cross 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 to perfect the cross appeal to on or before March 21, 2012 for the May 2012 Term, to which Term the direct 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 February 2, 2012.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Leland G. DeGrasse
Rosalyn H. Richter
Sheila Abdus-Salaam, Justices.

-----X
Kathleen Rice, as Administrator of
the Estate of James Rice, Decedent,
and Kathleen Rice, Individually,
Plaintiffs-Respondents,

-against-

M-139

Index No. 101207/05

West 37th Group, LLC, GJF Construction
Corp., doing business as Builders
Group,
Defendants-Appellants,

Cord Contracting Co., Inc.,
Defendants.

-----X
West 37th Group, LLC, GJF Construction
Corp., doing business as Builders
Group,
Third-Party Plaintiffs-Appellants-
Respondents,

Index No. 590813/08

-against-

Five Boro Associates,
Third-Party Defendants-Respondents-
Appellants.

-----X
(And other actions)

An appeal and cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about July 13, 2011 (mot. seq. no. 010), and said appeal and cross appeal having been perfected on a joint record on appeal,

And plaintiffs-respondents having moved for an order enlarging and/or supplementing the record on appeal to include certain post order deposition testimony,

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 February 2, 2012.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Dianne T. Renwick
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

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

-against- M-5264
Ind. Nos. 4617/10
George Olson, 1972/10
Defendant-Appellant.

-----X

An order of this Court having been entered on May 24, 2011 (M-1491), inter alia, granting defendant's 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 October 27, 2010, under Ind. No. 4617/10, and assigning counsel therefor,

And defendant having moved for an enlargement of time to file a notice of appeal from the judgment of Supreme Court, New York County, rendered on or about October 27, 2010 under Ind. No. 1972/10,

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 a timely filed notice of appeal, and continuing and extending the poor person relief and assignment of counsel previously granted by the order of this Court entered on May 24, 2011 (M-1491) under New York County Ind. No. 4617/10 to cover the appeal under New York County Ind. No. 1972/10.

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 February 2, 2012.

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

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

-against-

Josephina Jiminez,
Defendant-Appellant.

M-4547
M-163
Ind. No. 2496/08

-----x

An appeal having been taken to this Court from the judgment of the Supreme Court, Bronx County, rendered on or about May 18, 2010,

And defendant-appellant having moved, by separate motions, for a continuation of a stay of execution of sentence and bail granted by an order of a Justice of this Court dated July 9, 2010, and for an enlargement of time to perfect the appeal,

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

It is ordered that the motions are granted to the extent of continuing the stay of execution of sentence granted by order of a Justice of this Court dated July 9, 2010, upon the same terms and conditions, and on condition the appeal is perfected for the June 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 February 2, 2012.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
James M. Catterson
Rolando T. Acosta
Nelson S. Román, Justices.

-----X

Ernest Milchman, et al.,
Plaintiff-Respondent,

-against-

M-5476
Index No. 20431/00

Steven Lipkin,
Defendant-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about August 29, 2011,

And defendant-appellant having moved to stay all proceedings, including a certain sheriff's sale, pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is granted on condition that the appeal is perfected on or before March 19, 2012 for the June 2012 Term, and on the further condition that defendant-appellant posts an undertaking in the amount of \$200,000.00 within 20 days of the date hereof. Upon failure to meet either of these conditions, an order vacating the stay may be entered ex parte, provided that plaintiff-respondent serves a copy of this order upon defendant-appellant 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 February 2, 2012.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
Karla Moskowitz
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----x
O. Aldon James, Jr., et al.,

Plaintiffs-Appellants,

-against-

M-156
Index No. 109945/11

The National Arts Club, et al.,

Defendants-Respondents.
-----x

Plaintiffs-appellants having moved for a stay of enforcement of the order of the Supreme Court, New York County, entered on or about November 22, 2011, pending hearing and determination of the appeal taken therefrom, 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 February 2, 2012.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David B. Saxe
Helen E. Freedman
Nelson S. Román, Justices.

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

Respondent,

-against-

M-5405
Ind. No. 4332/00

Darnell Macon,

Defendant-Appellant.

-----X

A decision and order of this Court having been entered on January 20, 2005 (Appeal No. 5121) unanimously modifying to the extent of vacating a reckless endangerment conviction and dismissing that count of the indictment, and otherwise affirming the judgment of the Supreme Court, Bronx County, rendered on or about June 12, 2002,

And an order of the Supreme Court, Bronx County, having been entered on or about November 1, 2011, denying defendant's application pursuant to CPL 440.10 to vacate the judgment of conviction,

And defendant having moved for an enlargement of time in which to file an application for a Certificate Granting Leave to Appeal to this Court from the aforesaid order of the Supreme Court, Bronx County, entered on or about November 1, 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 to the extent of enlarging the time in which defendant may file an application for a Certificate pursuant to CPL 450.15 to 30 days from the date of entry of this order (CPL 460.30[1]).

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 2, 2012.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David B. Saxe
Helen E. Freedman
Nelson S. Román, Justices.

-----X

In the Matter of the Judicial Settlement of the First and Final Account of Proceedings of Jeffrey Scott Lasdon, as Co-Trustee and Preliminary Executor of the Estate of Gene S. Lasdon, deceased Co-Trustee, of the trust Created for the Benefit of Michael B. Abrams Under Article FIFTH of the Last Will and Testament of

M-5504
M-5535
Surrogate's Court
File No. 703/93

Stanley S. Lasdon,
Deceased.

-----X

In the Matter of the Judicial Settlement of the First and Final Account of Proceedings of Jeffrey Scott Lasdon, as Co-Trustee and Preliminary Executor of the Estate of Gene S. Lasdon, deceased Co-Trustee, of the Trust Created for the Benefit of Daniel A. Abrams Under Article FIFTH of the Last Will and Testament of

Stanley S. Ladson,
Deceased.

Jeffrey Ladson,
Petitioner-Appellant-Respondent,

Michael B. Abrams and Daniel A. Abrams,
Objectants-Respondents-Appellants.

-----X

(And other actions)

An appeal having been taken by petitioner-appellant from the order of the Surrogate's Court, New York County, entered on or about February 10, 2011,

And a cross appeal having been taken by objectants-respondents from the order of said Court entered on or about February 10, 2011,

And an appeal having been taken by objectants-respondents from the order of said Court entered on or about November 1, 2010,

And petitioner-appellant-respondent having moved for an enlargement of time in which to perfect the direct appeal taken from the order of said Court entered on or about February 10, 2011 (M-5504),

And objectants-respondents-appellants having cross-moved to enlarge the time in which to perfect their cross appeal taken from the order entered on or about February 10, 2011, and to withdraw their appeal taken from the order entered on or about November 1, 2010 (M-5535),

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 petitioner-appellant-respondent's motion is granted to the extent of enlarging the time in which to perfect the appeal and cross appeal from the aforesaid order entered on or about February 10, 2011 to the September 2012 Term (M-5504). Objectants-respondents-appellants' cross motion is granted accordingly, with respect to their cross appeal from the aforesaid order entered on or about February 10, 2011, and to the extent that the appeal taken from the order entered on or about November 1, 2010 is deemed withdrawn (M-5504).

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 February 2, 2012.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
David Friedman
Leland G. DeGrasse
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of A Proceeding for
Support Under Articles 4 and 5 of
the Family Court Act,

Noelle P.,
Petitioner-Appellant,

-against-

Alexis D. F.,
Respondent-Respondent.

M-4572
Docket Nos. F-01303-02/09C
F-01303-02/09D
F-01303-02/09E

-----X
Petitioner-appellant having moved for leave to appeal to this Court from the decision and order of the Family Court, New York County, entered on or about July 14, 2011 and from the order of the same Court entered on April 13, 2011, and for a stay of said order pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is 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 February 2, 2012.

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

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

-against-

M-2058
Ind. No. 4206/10

Cindy R. Fletcher,
Defendant-Appellant.

-----X

An order of this Court having been entered on March 1, 2011 (M-223), inter alia, granting defendant leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, rendered on or about December 8, 2010 under Ind. No. 4026/10, and assigning Steven Banks, Esq., as counsel to prosecute the appeal,

And defendant-appellant having moved for leave to amend the notice of appeal and order of assignment to reflect the correct Ind. No. 4206/10,

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 deeming the notice of appeal to be under Ind. No. 4206/10, and granting poor person relief to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

The order of this Court entered on March 1, 2011 (M-233) is hereby recalled and 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 February 2, 2012.

Present - Hon. David B. Saxe,
James M. Catterson
Karla Moskowitz
Rolando T. Acosta
Dianne T. Renwick,

Justice Presiding,

Justices.

-----x
In the Matter of

Isaac Howard M.,
Jaheim Terrance S.,

M-5622

Dependent Children Under 14 Years
of Age Pursuant to §384-b of the
Social Services Law of the State
of New York.

Docket Nos. B24283-84/08

- - - - -
Jewish Child Care Association,
et al.,
Petitioners-Respondents,

Fatima M.,
Respondent-Appellant.

- - - - -
Israel P. Inyama, Esq.,
Attorney for the Children.

-----x
An order of this Court having been entered on September 15, 2011 (M-2573), inter alia, granting the subject children leave to respond, as a poor person, to the appeal from the order of the Family Court, Bronx County, entered on or about April 27, 2010,

And said appeal having been heard and decided (see Appeal Nos. 6411/6411A/6411B, entered December 20, 2011),

And court attorney for the subject children, Israel P. Inyama, Esq., having moved on the children's behalf for an enlargement of time to respond to the brief filed by respondent-appellant,

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, as academic.

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 February 2, 2012.

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-5598**
Ind. No. 6358/08

Rashid Bilal,
Defendant-Appellant.
-----X

Defendant having renewed his motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about December 15, 2010, for leave to have the appeal heard upon 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 upon 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

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-4582
Ind. No. 4902/02

-against-

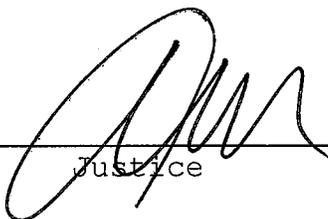
CERTIFICATE
DENYING LEAVE

Vielka Garcia,

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, New York County (Laura A. Ward, J.), entered on or about July 26, 2011, is hereby denied.



Justice

Dated: New York, New York
, 2012

ENTERED FEB 02 2012

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

BEFORE: Hon. DAVID FRIEDMAN
Justice of the Appellate Division

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

M-3912
SCI No. 00222N/2005

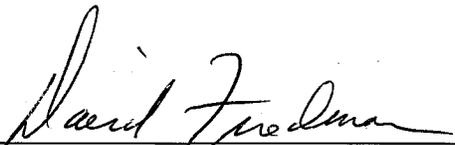
-against-

CERTIFICATE
DENYING LEAVE

Edward Tavaréz,
Defendant.

-----X
I, DAVID FRIEDMAN, a Justice of the Appellate Division,
First Judicial Department, do hereby certify that, upon
application timely made by the above-named defendant for a
certificate pursuant to Criminal Procedure Law, section 460.15,
and upon the record and proceedings herein, there is no question
of law or fact presented which ought to be reviewed by the
Appellate Division, First Judicial Department, and permission to
appeal from the Order of the Supreme Court, New York County,
entered on or about April 18, 2011, is hereby denied.

Dated: New York, New York
January 11, 2012



DAVID FRIEDMAN
Justice of the Appellate Division

ENTERED FEB 02 2012

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

BEFORE: Hon. DAVID FRIEDMAN
Justice of the Appellate Division

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

M-4027
Ind. No. 8640/89

-against-

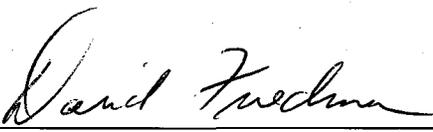
CERTIFICATE
DENYING RECONSIDERATION
OF DENIAL OF LEAVE

DeMariano Fagairo,
Defendant.

-----X

I, DAVID FRIEDMAN, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application made by the above-named defendant for reconsideration of the Order of this Court, entered February 8, 2011 (David Friedman, J.) (M-4072), denying defendant's application for a certificate pursuant to Criminal Procedure Law, section 460.15, for leave to appeal to this Court from the Order of the Supreme Court, New York County, entered on or about December 22, 2009, and upon the record and proceedings herein, no question of law or fact presented was overlooked or misapprehended in the consideration of the prior application, and the application for reconsideration of the aforesaid Order of this Court, entered February 8, 2011, is hereby denied.

Dated: New York, New York
January 11, 2012



DAVID FRIEDMAN
Justice of the Appellate Division

ENTERED FEB 02 2012

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

BEFORE: Hon. DAVID FRIEDMAN
Justice of the Appellate Division

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

M-4097
Ind. No. 6039/86

-against-

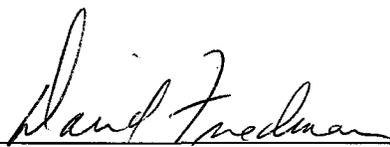
CERTIFICATE
DENYING LEAVE

William Quinones,
Defendant.

-----X

I, DAVID FRIEDMAN, a Justice of the Appellate Division,
First Judicial Department, do hereby certify that, upon
application timely made by the above-named defendant for a
certificate pursuant to Criminal Procedure Law, section 460.15,
and upon the record and proceedings herein, there is no question
of law or fact presented which ought to be reviewed by the
Appellate Division, First Judicial Department, and permission to
appeal from the Order of the Supreme Court, New York County,
entered on or about April 22, 2011, is hereby denied.

Dated: New York, New York
January 11, 2012



DAVID FRIEDMAN
Justice of the Appellate Division

ENTERED

FEB 02 2012

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

BEFORE: Hon. DAVID FRIEDMAN
Justice of the Appellate Division

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

M-4349
Ind. No. 4565/2000

-against-

CERTIFICATE
DENYING LEAVE

Echo Dixon,
Defendant.

-----X

I, DAVID FRIEDMAN, a Justice of the Appellate Division,
First Judicial Department, do hereby certify that, upon
application timely made by the above-named defendant for a
certificate pursuant to Criminal Procedure Law, section 460.15,
and upon the record and proceedings herein, there is no question
of law or fact presented which ought to be reviewed by the
Appellate Division, First Judicial Department, and permission to
appeal from the Order of the Supreme Court, New York County,
entered on or about June 17, 2011, is hereby denied.

Dated: New York, New York
January 11, 2012



DAVID FRIEDMAN
Justice of the Appellate Division

ENTERED

FEB 02 2012

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

BEFORE: Hon. DAVID FRIEDMAN
Justice of the Appellate Division

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

M-4851
Ind. No.
2009BX057974

-against-

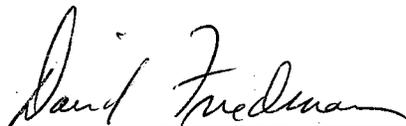
CERTIFICATE
DENYING LEAVE

Addle Alhomeed,
Defendant

-----X

I, DAVID FRIEDMAN, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, section 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the Order of the Supreme Court, Bronx County, entered on or about August 22, 2011, is hereby denied. To the extent that defendant seeks poor person relief and assignment of counsel, that motion is hereby denied as academic.

Dated: New York, New York
January 11, 2012



DAVID FRIEDMAN
Justice of the Appellate Division

ENTERED FEB 02 2012

PM ORDERS

ENTERED ON

FEBRUARY 2, 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 February 2, 2012.

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

-----x
Rita Scaba,

Plaintiff-Respondent,

-against-

M-5077
Index No. 306861/10

Moshe Scaba,

Defendant-Appellant.
-----x

Defendant-appellant having moved for a stay of execution and enforcement of the appeal from the order of the Supreme Court, New York County, entered on or about September 20, 2011, pending hearing and determination of the appeal taken therefrom,

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 only to the extent of staying electronic discovery of defendant's "digital business storage media" on condition defendant-appellant perfects the appeal on or before March 19, 2012 for the June 2012 Term, and the motion is otherwise denied.

ENTER:



CLERK