

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 June 12, 2012.

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

-----X

Mark Levine,
Plaintiff-Respondent,

-against-

M-2467X
Index No. 116913/07

Manhattan Avenue Construction, Inc.,
Defendant,

Eric Sawyer,
Defendant-Appellant,

Kent Hargis, Mark Gil Neary, Gay
Men's Health Crisis, Inc., The
Brent Varner Project, Inc., and
Pines Care Center, Inc.,
Defendants.

-----X

(And other actions)

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about September 16, 2011 (mot. seq. no. 004),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" May 21, 2012, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 12, 2012.

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

-----x
Maya Stendhal Gallery, Inc. and
Harry Stendhal,
Plaintiffs-Respondents-Appellants,

-against-

M-2465X
Index No. 651333/11

Karlsson & Ng, P.C., and
David Ng, Esq.,
Defendants-Appellants-Respondents,

-and-

Daniel Aharoni, Esq., Escrow Agent,
Defendant.

-----x

An appeal and cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about January 11, 2012,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" May 21, 2012, and due deliberation having been had thereon,

It is ordered that the appeal and cross appeal are withdrawn in accordance with the aforesaid stipulation.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 12, 2012.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
David Friedman
Dianne T. Renwick
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-2197

Ind. No. 830N/04

Reginald Brickhouse,

Defendant-Appellant.

-----X

The People having moved for dismissal of the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about January 4, 2010,

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

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

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

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

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

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

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 June 12, 2012.

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

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

-against-

M-2344
Ind. No. 6737/01

Damon Robertson,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from an order of **resentence** of the Supreme Court, New York County, rendered on or about March 15, 2012, 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 on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of **resentence**. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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 June 12, 2012.

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

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

-against-

M-2347
Ind. No. 3753/99

Devon Simmons,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from an order of **resentence** of the Supreme Court, New York County, rendered on or about February 17, 2012, 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 on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of **resentence**. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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 June 12, 2012.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
David Friedman
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

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

-against-

Anthony Stevenson, also known as
Anthony D. Stevenson,

Defendant.
-----X

M-2170

Ind. Nos. 4962/99
839/00
93-97/00

Defendant having renewed his motion 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 April 13, 2000, for leave to prosecute the appeal as a poor person, 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 June 12, 2012.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
David Friedman
Dianne T. Renwick
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X
Sony Ericsson Mobile Communications
USA, Inc.,
Plaintiff-Appellant,

-against-

M-2304
Index No. 603505/07

LSI Corporation,
Defendant-Respondent.

-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about August 4, 2011 (mot. seq. no. 003), 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 enlarging the time in which to perfect the appeal to the November 2012 Term, and motion 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 June 12, 2012.

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

-----X
Patrick Naughton, Jr.,
Plaintiff-Appellant-Respondent,

-against-

The City of New York,
Defendant,

Petrocelli Construction, Inc.,
Defendant-Respondent-Appellant,

Petrocelli Construction, Inc.,
Third-Party Plaintiff-Respondent-
Appellant,

M-1713
M-2229
Index Nos. 104026/05
591166/06

-against-

W & W Glass Systems, Inc.,
Third-Party Defendant-Repondent-
Respondent,

Metal Sales, Co., Inc.,
Third-Party Defendant-Respondent-
Appellant.

-----X

Third-party defendant-respondent-appellant, Metal Sales Co., Inc., having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on February 23, 2012 (Appeal Nos. 6301-6302) [M-1713],

And defendant-respondent-appellant, Petrocelli Construction, Inc., having moved for the same relief [M-2229],

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

It is ordered that the motions are denied.

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 June 12, 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-2380
Ind. Nos. 1432/11
2939/11

Geral Ray,
Defendant-Appellant.

-----X

An order of this Court having been entered on January 3, 2012 (M-5073), assigning Robert S. Dean, Esq., as counsel to prosecute defendant's appeal from the judgment of the Supreme Court, New York County, rendered on or about October 5, 2011,

Now, upon the Court's own motion,

It is ordered that the designation of assigned counsel Robert S. Dean, Esq., as counsel to prosecute defendant's appeal is stricken; and, pursuant to Section 722 of the County Law, Stanley Neustadter, Esq., Cardozo School of Law, 55 Fifth Avenue, Room 1701, New York, NY 10003, Tel. No. 212-790-0368, is substituted as counsel to prosecute the appeal. The poor person relief previously granted is continued, and the 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 June 12, 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-2381
Ind. No. 4514/10

Eddie Moise,
Defendant-Appellant.

-----X

An order of this Court having been entered on September 1, 2011 (M-2935), assigning Steven Banks, Esq., as counsel to prosecute defendant's appeal from the judgment of the Supreme Court, New York County, rendered on or about April 5, 2011,

Now, upon the Court's own motion,

It is ordered that the designation of assigned counsel Steven Banks, Esq., as counsel to prosecute defendant's appeal is stricken; and, pursuant to Section 722 of the County Law, Stanley Neustadter, Esq., Cardozo School of Law, 55 Fifth Avenue, Room 1701, New York, NY 10003, Tel. No. 212-790-0368, is substituted as counsel to prosecute the appeal. The poor person relief previously granted is continued, and the 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 June 12, 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-2382
Ind. No. 5599/10

George Smith,
Defendant-Appellant.

-----X

An order of this Court having been entered on September 22, 2011 (M-3137), assigning Robert S. Dean, Esq., as counsel to prosecute defendant's appeal from the judgment of the Supreme Court, New York County, rendered on or about April 21, 2011,

Now, upon the Court's own motion,

It is ordered that the designation of assigned counsel Robert S. Dean, Esq., as counsel to prosecute defendant's appeal is stricken; and, pursuant to Section 722 of the County Law, Stanley Neustadter, Esq., Cardozo School of Law, 55 Fifth Avenue, Room 1701, New York, NY 10003, Tel. No. 212-790-0368, is substituted as counsel to prosecute the appeal. The poor person relief previously granted is continued, and the 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 June 12, 2012.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-2151

Ind. No. 2584/00

Oscar Miller,
Defendant-Appellant.

-----X

An order of this Court having been entered on January 13, 2011 (M-5836) 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 6, 2001, and assigning Richard M. Greenberg, Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel and to substitute retained counsel, Labe M. Richman, Esq., 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 Richard M. Greenberg, Esq., as counsel to prosecute defendant's appeal. 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. So much of the motion which seeks the assignment of Labe M. Richman, Esq., as counsel on the appeal is denied, as unnecessary.

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 June 12, 2012.

Present: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
David B. Saxe
Karla Moskowitz
Rolando T. Acosta, Justices.

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

-against-

M-1544

Ind. Nos. 9/11
2467/10

Emilio Jimenez,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about November 18, 2011, for leave to prosecute the appeal as a poor person, on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted only to the extent of deeming the notice of appeal timely filed.

The motion, to the extent that it seeks poor person relief, is denied, with leave to renew upon defendant's submission of a notarized affidavit, pursuant to CPLR 1101(a), setting forth facts sufficient to establish that defendant has no funds or assets with which to prosecute the appeal, including the amount and sources of his income and listing his property with its value. (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 June 12, 2012.

Present: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
David B. Saxe
Karla Moskowitz
Rolando T. Acosta, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-2109

Ind. No. 3731/11

Nadine Leach,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about March 30, 2012, 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, L. Lazzaro, 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 June 12, 2012.

PRESENT: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
David B. Saxe
Karla Moskowitz
Rolando T. Acosta, Justices.

-----X
Life Chiropractic, P.C., et al.,

Plaintiffs-Respondents,

-against-

M-2206
Index No. 570637/11

Farm Family Casualty Insurance Company,

Defendant-Appellant.
-----X

Defendant-appellant 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 January 25, 2012,

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 June 12, 2012.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Karla Moskowitz
Leland G. DeGrasse, Justices.

-----X
Waterfall Victoria Master Fund, Ltd.,
Plaintiff-Respondent,

-against-

M-2063
Index No. 113367/08

Edward G. Dingilian, etc.,
Defendant-Appellant,

Peggy I. Dingilian, etc., et al.,
Defendants.

-----X

Defendant-appellant Edward G. Dingilian having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on February 23, 2012 (Appeal No. 6904),

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 June 12, 2012.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Leland G. DeGrasse
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
Stephanie Brenes,

Plaintiff-Appellant,

-against-

Dosall Limousines, Ltd., et al.,

Defendants-Respondents.
-----X

M-2125

Index No. 16388/06

Defendants-respondents having moved for dismissal of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about June 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 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 June 12, 2012.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Leland G. DeGrasse
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
In the Matter of

Elijah J. and Kavon W.,

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

M-2315
Docket Nos. N24172/11
N24173/11

- - - - -
Administration for Children's
Services,
Petitioner-Respondent,

Yvonda M.,
Respondent-Appellant.

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

-----X

Respondent-appellant mother, Yvanda M., having moved for leave to prosecute, as a poor person, the appeal from an Order of Fact Finding of the Family Court, Bronx County, entered on or about January 18, 2012 and from an Order of Disposition of said Court, entered on or about April 9, 2012, 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, Dora M. Lassinger, Esq., 6 Howland Road, East Rockaway, NY 11518, Telephone No. (516) 887-8987, as counsel for purposes of prosecuting the appeal; (2) directing the

Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 12, 2012.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Rosalyn H. Richter
Sheila Abdus-Salaam, Justices.

-----X
In the Matter of

Rosie Shameka S. R.,

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

M-2458
Docket No. B27948/09

- - - - -
Children's Aid Society, formerly
Salvation Army Social Services of
Greater New York,
Petitioner-Respondent,

Tulip S. R., also known as Tulip R.,
Respondent-Appellant.

- - - - -
Mark Leider, Esq.,
Lawyers for Children, Inc.,
Attorney for the Child.

-----X
Respondent-appellant mother, Tulip S. R., having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about May 3, 2012, 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, Carol L. Kahn, Esq., 225 Broadway, Suite 1510, New York, NY 10007, Telephone No. (212) 227-0206, as counsel for purposes of prosecuting the appeal; (2) directing the

Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 12, 2012.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Rosalyn H. Richter
Sheila Abdus-Salaam, Justices.

-----X
In the Matter of

Vincent J.,

M-2462

A Person Alleged to Be a Juvenile
Delinquent,

Docket No. D11727/11

Respondent-Appellant.
-----X

Respondent-appellant having moved for leave to prosecute the appeal from an order of the Family Court, Bronx County, entered on or about May 9, 2012, 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, Israel P. Inyama, Esq., 244 Fifth Avenue, Suite 2582, New York, NY 10001, Telephone No. (646) 595-9090, 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 June 12, 2012.

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

-----X
Erik Gutheil,
Plaintiff-Respondent-Appellant,

-against-

Consolidated Edison of New York
Company, Inc., The City of New
York,
Defendants,

Nico Asphalt Paving Inc.,
Defendant-Appellant-Respondent,

Felix Equities, Inc.,
Defendant.

M-1819
M-2144
Index No. 106295/05

-----X
An appeal and cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about June 27, 2011 (mot. seq. no. 009),

And defendant-appellant-respondent, Nico Asphalt Paving Inc., having moved for an enlargement of time in which to perfect their aforesaid direct appeal (M-1819),

And plaintiff-respondent-appellant, Erik Gutheil, having moved for an enlargement of time in which to perfect their cross appeal (M-2144),

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 and cross motion are granted to the extent of enlarging the time in which to perfect the appeal and cross appeal to the November 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 June 12, 2012.

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

-----X
The People of the State of New York
ex rel. Jamal Evans,
Petitioner,

-against-

M-2154

Joandrea Davis, Warden, G.M.D.C.,
and the New York County District
Attorney,
Respondents.

-----X

The above-named petitioner having moved for, inter alia, a writ of habeas corpus to be issued from 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 granted to the extent of transferring the proceeding to the Ex Parte Office of the Supreme Court at 60 Centre Street, New York, New York 10007 for the issuance of said writ and service by mail upon the respective parties.

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 June 12, 2012.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
James M. Catterson
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
The Corcoran Group Real Estate,

Plaintiff-Appellant

-against-

Grace De Libero,

Defendant-Respondent.
-----X

M-481
Index No. 116740/08

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 January 17, 2012 (Appeal No. 6236), and for a stay of enforcement of the order of the Supreme Court, New York County, entered on or about February 25, 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 June 12, 2012.

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

-----X
Morrison Cohen, LLP,
Plaintiff-Appellant-Respondent,

-against-

David Fink,
Defendant-Respondent-Appellant.

-----X

M-1239

M-1252

Index No. 104100/09

Defendant-respondent-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on February 14, 2012 (Appeal No. 6802N) [M-1239],

And defendant-respondent-appellant having moved for a stay of enforcement of the order of the Supreme Court, New York County, entered on or about December 7, 2010 [M-1252],

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

It is ordered that the motions are denied.

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 June 12, 2012.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
Rolando T. Acosta
Helen E. Freedman
Sheila Abdus-Salaam, Justices.

-----X
Pedro Garcia Tzic, etc., et al.,
Plaintiffs-Respondents,

-against-

M-1391
Christina Serafis Kasampas, et al., Index No. 302038/08
Defendants-Appellants-Respondents,

MSS Construction Corp., et al.,
Defendants-Respondents-Appellants,

Christina Serafis Kasampas, et al.,
Third-Party Plaintiffs-Appellants-
Respondents, Third-Party
Index No. 83936/08

-against-

Champion Builder & Construction Corp.,
Third-Party Defendant-Respondent-
Appellant.

-----X

Defendants/third-party plaintiffs-appellants-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 March 6, 2012 (Appeal No. 6984),

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

CORRECTED ORDER JUNE 25, 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 June 12, 2012.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X
In the Matter of

Adam Mike M. and John Paul M.,

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

M-2383
Docket Nos. B25692/09
B25693/09

- - - - -
Leake and Watts Services, Inc.,
et al.,
Petitioners-Respondents,

Jeffrey M.,
Respondent-Appellant.

- - - - -
Lisa H. Blitman, Esq.,
Attorney for the Children.

-----X

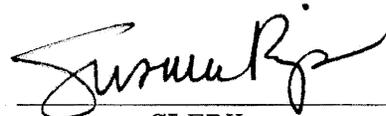
Mina MacFarlane, Esq., Family Court attorney for the subject children, having moved on said children's behalf for leave to respond, as poor persons, to the appeal taken from orders of the Family Court, Bronx County, entered on or about March 16, 2012, and for assignment of counsel, a free copy of the 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, Lisa H. Blitman, Esq., 225 Broadway, Suite 1203, New York, NY 10007, Telephone No. (212) 724-2792, as

counsel for purposes of responding to the appeal; (2) permitting movants 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 June 12, 2012.

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

-----X

The People of the State of New York,

Respondent,

-against-

M-2335
Ind. No. 3963/10

Maurice L. Figgures,

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 February 21, 2012, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth the amount and sources of funds to post the \$5,000 bail in the Supreme Court, the disposition thereof, and an explanation as to why similar funds are not available to prosecute this appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 12, 2012.

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

-----X
In re Probate Proceeding,
Will of Julia Elizabeth Taschereau,
Deceased.

Elizabeth Combier,

Proponent-Appellant,

M-1845
File No. 1042/98

-against-

Julia Danger,

Proponent-Respondent.

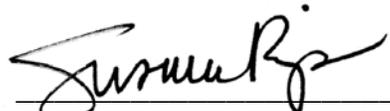
-----X

Proponent-appellant having moved for reargument of the decision and order of this Court entered on March 20, 2012 (Appeal No. 7131),

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 June 12, 2012.

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

-----X
Leon Kucherovsky, Esq.,
Plaintiff,

-against-

M-2026
Index No. 100488/08

Excel Medical & Diagnostic, P.C.,
et al.,
Defendants,

Prasad Chalasani, M.D.,
Defendant-Appellant,

Moriah United Corporation,
Intervenor-Respondent.

-----X

Defendant-appellant having moved for reargument of the decision and order of this Court entered on March 20, 2012 (Appeal No. 7130),

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 June 12, 2012.

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

-----X
Anthony S. Sacco,

Plaintiff-Appellant,

-against-

The City of New York,

Defendant-Respondent.
-----X

M-1353
Index No. 107568/07

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 February 16, 2012 (Appeal No. 5247),

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 June 12, 2012.

Present: Hon. Richard T. Andrias, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Sallie Manzanet-Daniels, Justices.

-----X
Cadles of Grassy Meadows II, L.L.C.,
Plaintiff-Respondent,

-against-

M-1878

Index No. 106421/06

Edward B. Lapidus,
Defendant-Appellant,

David Glaser,
Defendant.

-----X

Defendant-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on March 20, 2012 (Appeal No. 7136N),

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 June 12, 2012.

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

-----X

Option One Mortgage Corp.,
Plaintiff-Respondent,

-against-

M-1737

Index No. 107675/10

J.P. Morgan Chase & Co., et al.,
Defendants-Appellants,

Washington Mutual, Inc., et al.,
Defendants.

-----X

Plaintiff-respondent having moved for reargument of the decision and order of this Court entered on March 13, 2012 (Appeal No. 7062),

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 June 12, 2012.

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

-----X
In re Myles M.,

Petitioner-Respondent,

M-1776

M-2036

-against-

Docket Nos. V2882/10

V2882/10/10A

Pei-Fong K.,

V147310/10

V147310-10/10A

Respondent-Appellant.
-----X

Respondent-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on March 13, 2012 (Appeal No. 7049), and for a stay of an order of the Family Court, New York County, entered on or about March 28, 2011, and for related relief [M-1776],

And New York Legal Assistance Group, et al., having moved for leave to file a brief amicus curiae in connection with the aforesaid motion [M-2036],

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

It is ordered that the motions are denied.

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 June 12, 2012.

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

-----X
General Motors Acceptance Corporation,
et al.,
Plaintiffs-Respondents,

-against-

M-2093
Index No. 109668/06

New York Central Mutual Fire
Insurance Company,
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 July 14, 2011 (mot. seq. no. 002),

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the November 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 June 12, 2012.

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

-----X
In the Matter of the Application of
Peter G. Milazzo,

Petitioner,

For Judicial Dissolution of
SMS Industries, Inc.

M-2273
Index No. 603804/07

-----X

Petitioner having moved for a stay of all proceedings pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about April 23, 2012,

Now, upon reading and filing the papers with respect to the motion, including the correspondence from Ahmed A. Massoud, Esq., dated May 21, 2012, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 12, 2012.

PRESENT: Hon. David B. Saxe, Justice Presiding,
James M. Catterson
Dianne T. Renwick
Rosalyn H. Richter
Sheila Abdus-Salaam, Justices.

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

-against-

M-2158
Ind. No. 1210/08

Donald Orr,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on May 20, 2010 (Appeal No. 2826), unanimously affirming a judgment of the Supreme Court, New York County (Arlene Goldberg, J.), rendered on December 22, 2008,

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 June 12, 2012.

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

-----X

The People of the State of New York,

Respondent,

-against-

M-1930
Ind. No. 4201/07

Jose Cruz,

Defendant-Appellant.

-----X

Assigned counsel, Robert S. Dean, Esq., having moved for an order dismissing defendant's appeal from the judgment of the Supreme Court, New York County, rendered on or about July 15, 2009,

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

Ordered that the motion is granted to the extent of deeming the appeal withdrawn.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 12, 2012.

PRESENT - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Helen E. Freedman
Sheila Abdus-Salaam, Justices.

-----X

In the Matter of

Amir L.,

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

- - - - -
Administration for Children's Services, M-2214
Petitioner-Respondent, Docket No. NA-32082/11

Chantel B.,
Respondent-Appellant.

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

-----X

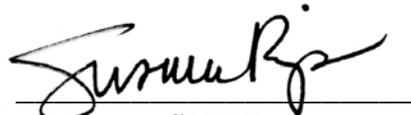
Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about April 10, 2012, and for assignment of counsel, a free copy of the transcript, and for related relief,

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, 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 City of New York from

funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 12, 2012.

Present: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Helen E. Freedman, Justices.

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

-against-

M-2038
Ind. No. 1795/09

Gareth Malave,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Ward, J.) entered on or about March 22, 2012, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL 460.70) two transcripts of the stenographic minutes of the SORA hearing and any other proceedings before Justice Ward as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Robert S. Dean, Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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 June 12, 2012.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Helen E. Freedman
Sheila Abdus-Salaam, Justices.

-----X
In the Matter of the Application of
Liberty Mutual Insurance Company,
Petitioner-Respondent,

-against-

M-2156
Index No. 18827/07

To Stay the Arbitration to be had by
Surujdat Mohabir and Khamini Mohabir,
Respondents-Appellants,

-and-

Progressive Insurance, et al.,
Respondents.

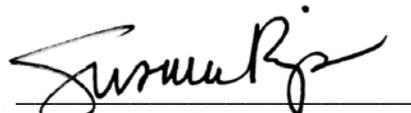
-----X

Respondents-appellants having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about July 20, 2011, and for alternative 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 enlarging the time in which to perfect the appeal to the November 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 in the County of New York on June 12, 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,

M-3049A
Ind. Nos. 593/09
1887/07
23673C/07
23474C/07
2183/07

-against-

Gaetano D'Attore,
Defendant-Appellant.
-----X

An order of this Court having been entered on June 14, 2011 (M-5480), inter alia, granting defendant's motion for leave to prosecute, as a poor person, the appeal from a judgment of **resentence** of the Supreme Court, Bronx County, rendered on or about April 11, 2011, under Indictment No. 593/09, and assigning counsel therefor,

And defendant-appellant having moved for an order amending the aforementioned order to include the judgment of said Court rendered on or about July 1, 2010, under Indictment No. 593/09,

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 amending defendant's aforementioned order to include the judgment of said Court rendered on or about July 1, 2010, and extending the poor person relief previously granted to cover same, and it is further,

Ordered that the court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of **resentence** and any proceedings pursuant to CPL §210.20, Arts. 710 and 730, of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed. The order of this Court entered on October 18, 2011 (Corrected Order October 26, 2011) is hereby recalled and vacated.

ENTER:



CLERK

CORRECTED ORDER - July 11, 2012

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

BEFORE: Hon. Peter Tom
Justice of the Appellate Division

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

Respondent,

-against-

Israel Rodriguez,

Defendant.
-----X

M-1237

Ind. No. 5506/85

CERTIFICATE
DENYING LEAVE

I, Peter Tom, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County, entered on or about June 23, 2011 is hereby denied.



Hon. Peter Tom
Associate Justice

Dated: May 22, 2012
New York, New York

Entered: June 12, 2012

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

BEFORE: Hon. Richard T. Andrias,
Associate Justice

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

M-2105
Ind. No. 4048/07

-against-

CERTIFICATE
DENYING LEAVE

Davvon Hines,

Defendant.

-----X

I, Richard T. Andrias, 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, (Thomas Farber, J.), entered July 26, 2011 which denied defendant's motion pursuant to CPL 440.10, is hereby denied.

Dated: New York, New York
May 17, 2012

Entered: June 12, 2012


Justice of the Appellate Division

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

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

M-2300
M-2301
Ind. No. 3541/88

-against-

CERTIFICATE
DENYING LEAVE

Jesse Shannon, Defendant.
-----X

Defendant having moved for reargument and/or renewal of the order of a Justice of this Court entered April 26, 2012 (M-1587) which denied defendant's application for a certificate granting leave to appeal to this Court from an order of the Supreme Court, Bronx County, entered on July 25, 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 in its entirety. Motion to extend time to file notice of appeal is hereby denied as moot.



Leland G. DeGrasse
Associate Justice

Dated: New York, New York
May 30, 2012

Entered: June 12, 2012

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

BEFORE: Hon. Helen E. Freedman
Justice of the Appellate Division

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

M-2358
Ind. No. 3438C/05

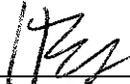
-against-

CERTIFICATE
GRANTING LEAVE TO APPEAL
TO THE COURT OF APPEALS

Nicholas Sanchez,
Defendant-Appellant.

-----x
I, Helen E. Freedman, a Justice of the Appellate Division,
Supreme Court, First Department, do hereby certify that in the
record and proceedings herein* questions of law are involved
which ought to be reviewed by the Court of Appeals and pursuant
to CPL 460.20, it is

ORDERED that permission hereby is granted to the above-named
appellant to appeal to the Court of Appeals.



Justice of the Appellate Division

Dated: May 24, 2012
New York, New York

ENTERED: June 12, 2012

*Description: Judgment, Supreme Court, Bronx Co., rendered
8/5/2008, affirmed by Decision and Order, Appeal No. 5647,
App. Div. 1st Dept. (entered 4/10/12).

Notice: Within 10 days from the issuance of this certificate,
a preliminary appeal statement must be filed with the
Clerk of the Court of Appeals pursuant to Rule 500.9
of the Court of Appeals Rules.

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

BEFORE: Hon. Rosalyn H. Richter
Justice of the Appellate Division

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

M-1898
Ind. No. 06230/2006

-against-

CERTIFICATE
GRANTING LEAVE

Yaindahi Milanes,
Defendant-Appellant.

-----X

I, Rosalyn H. Richter, a Justice of the Appellate Division, First Judicial Department, do hereby certify that in the proceedings herein questions of law or fact are involved which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is hereby granted to the above-named defendant to appeal to the Appellate Division, First Judicial Department, from the order of the Supreme Court, New York County, entered on or about March 22, 2012.

Dated: May 22, 2012
New York, New York

Entered: June 12, 2012



Hon. Rosalyn H. Richter
Associate Justice

NOTICE: Within 15 days from the date hereon, an appeal must be taken, and this certificate must be filed with the notice of appeal. An appeal is taken by filing, in the Clerk's office of the criminal court in which the order sought to be appealed was rendered, a written notice in duplicate that appellant appeals to the Appellate Division, First Judicial Department (Section 460.10, subd. 4, CPL), together with proof that another copy of the notice of appeal has been served upon opposing counsel. The appeal (or consolidated appeals; see footnote) must be argued within 120 days from the date of the notice of appeal, unless the time to perfect the appeal(s) is enlarged by the court or a justice thereof.

PM ORDERS
ENTERED ON
JUNE 7, 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 June 7, 2012.

Present - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
Karla Moskowitz
Dianne T. Renwick
Sheila Abdus-Salaam, Justices.

-----x
130 West 95th Street, LLC and Mario
Pesa,
Plaintiffs-Respondents,

-against-

M-2204
Index No. 114272/09

Jeanne Beatty and John Does Nos. 1
through 5,
Defendants-Appellants.

-----x

An appeal having been taken from the order (unfiled judgment) of the Supreme Court, New York County, said appeal deemed to be same thereafter filed as a judgment on or about April 10, 2012 (CPLR 5501[c]),

And defendant-appellant Jeanne Beatty having moved for a stay of enforcement of the aforesaid judgment 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 denied.

ENTER:


CLERK

PM ORDERS
ENTERED ON
JUNE 12, 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 June 12, 2012.

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

-----X

Grand Pacific Finance Corp.,
Plaintiff-Respondent,

-against-

M-2124
Index No. 100018/09

Alexander Ashkenazi, et al.,
Defendants-Respondents,

Amit Louzon,
Successful Bidder/Appellant.

-----X

Appellant Amit Louzon having moved for an order staying the sale of a certain condominium unit located at 251 West 81st Street, New York, New York, pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about March 15, 2012 (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 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 June 12, 2012.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
James M. Catterson
Rolando T. Acosta
Helen E. Freedman
Nelson S. Román, Justices.

-----x

Ganesh Singh,
Plaintiff-Respondent,

-against-

BE Bronx Builders, LLC, et al.,
Defendants-Appellants-Respondents,

-and-

M-2538
Index No. 309068/09

L & E 89 Construction, Inc.,
Defendant-Respondent-Appellant,

-and-

Pilato Brothers Plumbing & Hearing Co.,
Inc., et al.,
Defendants.

-----x

An appeal and cross appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about July 8, 2011, and said direct appeal having been perfected,

And defendant-respondent-appellant L & E 89 Construction, Inc. having moved for an enlargement of time to perfect the 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 that the interim relief granted by an order of a Justice of this Court dated March 21, 2012, is modified so as to provide that defendant-respondent-appellant shall file a single brief covering both its respondent's points on the direct appeal and its appellant's points on its cross appeal, and its supplemental record on appeal, on or before July 9, 2012 for the September 2012 Term. Plaintiff-respondent is directed to file his

respondents brief in response to the direct appeal and cross appeal on or before August 8, 2012 for said September 2012 Term. Defendants-appellants-respondents BE Bronx Builders, LLC, et al., are directed to file their reply/respondents brief by August 17, 2012 for said Term; and defendant-respondent-appellant L & E 89 Construction Inc., is directed to file its reply brief on or before August 27, 2012 for the September 2012 Term.

ENTER:



CLERK