

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

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.

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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.

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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 April 11, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David Friedman, Justices.

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

Respondent,

-against-

M-981
Ind. No. 5021/11

Tambassi Dumbuya, also known as
Tambassie Dumbuya,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about January 12, 2013, 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.

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ENTER:


CLERK

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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 April 11, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David Friedman, Justices.

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

Respondent,

-against-

M-988
Ind. No. 3116/12

Eric Harper,

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 December 20, 2012, 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 April 11, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzairelli
Dianne T. Renwick
Rosalyn H. Richter
Judith J. Gische, Justices.

-----X

In the Matter of the Application of
Moises Ortega,
Petitioner-Appellant,

-against-

M-446
Index No. 102423/12

New York State Department of Human
Rights, et al.,
Respondents-Respondents.

-----X

Petitioner-appellant, pro se, having moved for leave to prosecute, as a poor person, the purported appeal from the judgment of the Supreme Court, New York County, entered on or about June 18, 2012, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that said motion is denied, with leave to renew upon submission of a timely notice of appeal identifying the order or judgment appealed from, and a notarized affidavit, pursuant to CPLR 1101(a), setting forth facts sufficient to establish that petitioner has no funds or assets to prosecute 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 April 11, 2013.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzarelli
Dianne T. Renwick
Rosalyn H. Richter
Judith J. Gische, Justices.

-----X
Arnold Burvick,
Plaintiff-Appellant,

-against-

M-709
Index No. 406045/07

Nicole J. Kafka, M.D., et al.,
Defendants-Respondents.
-----X

Plaintiff-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 April 13, 2012, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

Now, upon reading and filing the papers with respect to 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 September 2013 Term, and 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 April 11, 2013.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzaelli
Rosalyn H. Richter
Judith J. Gische, Justices.

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

-against-

M-572
Ind. No. 70253/00

Rafael Vega, also known as Ralph
Vega,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County (Tallmer, J.) entered on or about January 17, 2013, 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 Tallmer as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Richard M. Greenberg, 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 April 11, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Rosalyn H. Richter
Sheila Abdus-Salaam, Justices.

-----X
Joy Booth,
Plaintiff-Appellant,

-against-

M-501
Index No. 108653/06

The Neiman-Marcus Group, Inc.,
et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from a judgment of the Supreme Court, New York County, entered on or about February 6, 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 granted to the extent of enlarging the time to perfect the appeal to the September 2013 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 April 11, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzairelli
Dianne T. Renwick
Rosalyn H. Richter
Judith J. Gische, Justices.

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

-against-

M-402
Ind. No. 3242/09

Greg Poirier,
Defendant-Appellant.

-----X

An order of this Court having been entered on November 20, 2012 (M-4878) denying defendant-appellant's pro se motion to relieve Richard M. Greenberg, Esq. as counsel to prosecute the appeal from the judgment of the Supreme Court, New York County, rendered on or about April 21, 2010,

And assigned counsel having moved for an order relieving them as counsel and to substitute other counsel to prosecute 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 striking the designation of assigned counsel Richard M. Greenberg, 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 April 11, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzairelli
Dianne T. Renwick
Rosalyn H. Richter
Judith J. Gische, Justices.

-----X
The People of the State of New York
ex rel. Shakim Brunson,
Petitioner,

-against-

M-513

Edmund Duffy, Warden, etc.,
Respondent(s).

-----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 application for the writ is hereby granted, and

It is further ordered that the matter is transferred 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 April 11, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzarelli
Dianne T. Renwick
Rosalyn H. Richter
Judith J. Gische, Justices.

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

Respondent,

-against-

Ceferino Perez,

Defendant-Appellant.
-----x

M-540
Ind. Nos. 1541/11
1542/11
3209/11

Appeals having been taken to this Court from judgments of the Supreme Court, New York County, rendered on or about February 29, 2012 and March 13, 2012, respectively,

And defendant-appellant, through retained counsel Aaron Wallenstein, Esq., having moved for consolidation of the aforesaid appeals,

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

It is ordered that the motion is granted and defendant is permitted to prosecute the appeals upon 9 copies of one record and one set of appellant's points.

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 April 11, 2013.

PRESENT: Hon: Luis A. Gonzalez, Presiding Justice,
David Friedman
Nelon S. Román
Darcel D. Clark, Justices.

-----X
Estelle Carr, etc.,
Plaintiff-Appellant-Respondent,

-against-

Rose A. Caputo, et al.,
Defendants,

Estate of John Gene Mangerino and
Estate of Royce K. Hoffman,
Defendants-Respondents-Appellants.
-----X

M-1524
M-1517
M-1537
Index No. 117185/97

Separate appeals and a cross appeal having been taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about November 17, 2010,

And defendants-respondents-appellants having moved jointly for an order dismissing plaintiff-appellant-respondent's appeal (M-1524),

And defendant-respondent Henry Alpizar having moved for an order extending the time to file his respondent's brief (M-1517),

And defendants-respondents-appellants Estate of Royce Hoffman and John Gene Mangerino having cross-moved for an extension of time to file a cross-appeal and respondent's brief (M-1537),

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

It is ordered that the motion for dismissal is denied, without prejudice to advancing the arguments seeking dismissal of plaintiff's appeal, in a response brief directly on appeal (M-1524). The motion and cross motion (M-1517/M-1537) are granted to the extent of adjourning the perfected appeal to the September 2013 Term and directing that the cross-appeal be perfected for said September 2013 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 April 11, 2013.

Present - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
David B. Saxe
Sheila Abdus-Salaam
Judith J. Gische, Justices.

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

Jaelyn Hennessy F.,

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

- - - - -
Good Shepherd Services, et al.,
Petitioners-Respondents,

M-1068
Docket No. B-17864/11

Jose F.,
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, Bronx County, entered on or about December 18, 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, Geoffrey P. Berman, Esq., 2005 Palmer Avenue, #176, Larchmont, NY 10538, Telephone No. 914-834-3053, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City

of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this 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.

CORRECTED ORDER - April 29, 2013

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 April 11, 2013.

Present - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
David B. Saxe
Sheila Abdus-Salaam
Judith J. Gische, Justices.

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

Nishe Rasheen G., also known as
Nishe R. G., also known as
Nishe G.,

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

- - - - -
Cardinal McCloskey Services, et al.,
Petitioners-Respondents,

M-1130
Docket No. B-3074/10

Earl Rasheen G.,
Respondent-Appellant.

- - - - -
Patricia Moreno, Esq.,
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, Bronx County, entered on or about November 26, 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, **Julian A. Hertz, Esq., 15 Sherwood Drive, Larchmont, NY 10538, Telephone No. 914-834-5461**, 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

CORRECTED ORDER – April 29, 2013

(M-1130)

-2-

April 11, 2013

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 April 11, 2013.

Present - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
David B. Saxe
Sheila Abdus-Salaam
Judith J. Gische, Justices.

-----X

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

Angelina Jessie Pierre L.,

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

St. Vincent's Services, Inc., et al.,
Petitioners-Respondents,

M-1206
Docket No. B-13752/11

Anne Elizabeth Pierre L., also known as Annie Elizabeth Pierre L.,
Respondent-Appellant.

Dennis G. Corr, Esq.,
Attorney for the Child.
-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from the Final Order of Disposition of the Family Court, Bronx County, entered on or about January 29, 2013, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Geoffrey P. Berman, Esq., 2005 Palmer Avenue, #176, Larchmont, NY 10538, Telephone No. 914-834-3053, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City

of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this 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 April 11, 2013.

Present - Hon. Peter Tom, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Helen E. Freedman
Paul G. Feinman, Justices.

-----X

In the Matter of

Kevin N.,

A Child Under 18 Year of Age Alleged to be Neglected Under Article 10 of the Family Court Act.

- - - - -

Administration for Children's Services,
Petitioner-Respondent,

M-610
Docket No. NN-09273/11

Richard D.,
Respondent-Appellant,

Jane N.,
Respondent.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an the Order of Fact-Finding the Family Court, Bronx County, entered on or about September 20, 2012, and from the Order of Disposition of said Court entered on or about January 3, 2013, respectively, 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, Andrew Baer, Esq., 299 Broadway, Suite 1415, New York, NY 10007, Telephone No. 212-233-0318, 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.** (See M-1058, decided simultaneously herewith.)

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 April 11, 2013.

Present - Hon. Peter Tom, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Helen E. Freedman
Paul G. Feinman, Justices.

-----X

In the Matter of

Kevin N.,

A Child Under 18 Year of Age Alleged to be Neglected Under Article 10 of the Family Court Act.

Administration for Children's Services,
Petitioner-Respondent,

M-1058
Docket No. NN-09273/11

Richard D.,
Respondent-Appellant,

Jane N.,
Respondent.

Lewis S. Calderon, Esq.,
Attorney for the Child.

-----X

Craig S. Marshall, Esq., court attorney for the subject child Kevin N., having moved on the child's behalf for leave to respond, as a poor person, to the appeal from the Order of Fact-Finding the Family Court, Bronx County, entered on or about September 20, 2012, and from the Order of Disposition of said Court entered on or about January 3, 2013, respectively, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Lewis S. Calderon, Esq., 153-01 Jamaica Avenue, Suite 201, Jamaica, NY 11432, Telephone No. 718-883-1560, as 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. (See M-610, decided simultaneously herewith.)

ENTER:

A handwritten signature in black ink, appearing to read "Susan R. Jones". The signature is written in a cursive style with a prominent initial "S".

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 April 11, 2013.

Present: Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Sheila Abdus-Salaam
Sallie Manzanet-Daniels, Justices.

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

-against-

M-405
Ind. No. 344/06

Jose Mendoza,
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 (Zweibel, J.) entered on or about January 16, 2013, 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 Zweibel 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 April 11, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
David B. Saxe
Sheila Abdus-Salaam
Judith J. Gische, Justices.

-----X
Palisade Nursing Home, Inc., Elder-
Serve Home Care Service Agency, Inc.,
Plaintiffs-Appellants,

-against-

David Grenell, et al.,
Defendants-Respondents.

M-820
M-1254
Index No. 110028/09

-----X

Plaintiffs-appellants having moved for an enlargement of time in which to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about August 3, 2011 (M-820),

And defendants-respondents having cross-moved to dismiss the appeal (M-1254,

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

Ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the October 2013 Term (M-820). The cross motion to dismiss the appeal is granted unless appellants perfect the appeal for said Term. Upon failure to so perfect, an order dismissing the appeal may be entered ex parte, provided that respondent serves a copy of this order upon appellant within 10 days from the date of entry hereof (M-1254).

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 April 11, 2013.

Present: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
David B. Saxe
Sheila Abdus-Salaam
Judith J. Gische, Justices.

-----X

In the Matter of

Alex B.,

M-1237

Docket No. D-17629/11

A Person Alleged to be a Juvenile
Delinquent,

Respondent-Appellant.

-----X

An order of this Court having been entered on September 18, 2012 (M-3188), granting respondent leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, Bronx County, entered on or about June 12, 2012, and assigning Andrew Baer, Esq., as counsel for purposes of prosecuting said appeal,

And assigned counsel, Andrew Baer, Esq., having moved to withdraw the aforesaid appeal and to be relieved as counsel on said appeal,

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

Ordered that the motion is granted, the appeal is deemed withdrawn, and Andrew Baer, Esq., is relieved as counsel 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 April 11, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
David B. Saxe
Sheila Abdus-Salaam
Judith J. Gische, Justices.

-----X
Nicole M. Singleton,
Plaintiff-Appellant,

-against-

M-1342
Index No. 302079/10

Consolidated Edison Company of
New York, Inc.,
Defendant-Respondent.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about April 16, 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 granted to the extent of enlarging the time to perfect the appeal to the September 2013 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 April 11, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Helen E. Freedman
Paul G. Feinman, Justices.

-----x

Peter A. Leidel and Pamela Leidel,
Plaintiffs-Appellants,

-against-

M-755

Index No. 102456/10

John P. Annicelli, etc., et al.,
Defendants-Respondents.

-----x

Appeals having been taken to this Court by plaintiffs-appellants from an order of the Supreme Court New York County, entered on or about March 21, 2012 (mot. seq. no. 003) and from an order of the same Court and Justice entered on or about July 11, 2012, respectively,

And plaintiffs-appellants having moved for consolidation of the aforesaid appeals,

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

It is ordered that the motion is granted to the extent of permitting appellants to prosecute the appeals upon 9 copies of one record and one set of appellant's points covering the appeals and enlarging the time in which to perfect the consolidated appeals to the September 2013 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 April 11, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
David B. Saxe
Sheila Abdus-Salaam
Judith J. Gische, Justices.

-----X

Rossanna Rodriguez,
Plaintiff-Appellant,

-against-

2720 LLC,
Defendant-Respondent.

-----X

M-862
M-1512
Index No. 305446/09

Defendant-respondent having moved to dismiss the appeal taken from the order of the Supreme Court, Bronx County, entered on or about March 12, 2012 (M-862),

And plaintiff-appellant having cross-moved for an enlargement of time to perfect the aforesaid appeal (M-1512),

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

It is ordered that the motion is granted to the extent of dismissing the appeal unless said appeal is perfected for the September 2013 Term (M-862). The cross-motion is granted accordingly, to the extent of enlarging the time to perfect the appeal to said September 2013 Term (M-1512).

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 April 11, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
David B. Saxe
Sheila Abdus-Salaam
Judith J. Gische, Justices.

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

-against-

M-1294
Ind. No. 2526/10

Sezzie Goodluck,
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 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 to the extent of enlarging the time to perfect the appeal to the September 2013 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 April 11, 2013.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter
Judith J. Gische, Justices.

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

Respondent,

-against-

M-404
Ind. No. 3790/10

Nathaniel Gregory,

Defendant-Appellant.
-----X

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

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

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

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

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 11, 2013.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter
Judith J. Gische, Justices.

-----X
In the Matter of

Johnny H.,

A Person Alleged to Be a Juvenile
Delinquent,

M-566

Docket No. E35120/12

Respondent-Appellant.
-----X

Respondent-appellant having moved for leave to prosecute the appeal from an order of the Family Court, New York County, entered on or about January 25, 2013, as a poor person, for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Section 35 of the Judiciary Law and Section 1120 of the Family Court Act, Elisa Barnes, Esq., 419 Park Avenue, 18th Floor, New York, NY 10016, Telephone No. 212-693-2330, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the State of New York from funds available therefor;¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) directing appellant to perfect this appeal in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 11, 2013.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Dianne T. Renwick
Rosalyn H. Richter
Judith J. Gische, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-1280
Ind. No. 6384/09

Carlos Negron,
Defendant-Appellant.

-----X

Defendant-appellant, in connection with an appeal taken from the judgment of the Supreme Court, New York County, rendered on or about November 9, 2010, having moved for leave to file a pro se supplemental 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 directing defendant to serve and file 8 copies of his pro se supplemental brief on or before August 5, 2013 for the October 2013 Term, to which Term the appeal is adjourned. The Clerk of the Court is directed to forward to the Warden at the State correctional facility wherein defendant is incarcerated a transcript of the minutes relating to defendant's appeal, said transcript to be made available to appellant and returned by appellant to this Court when submitting the pro se supplemental brief hereto. The appeal will not be heard unless and until all material furnished to appellant has been returned.

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 April 11, 2013.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

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

-against-

M-666
Ind. No. 3215/10

Ablasse Sore,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about December 22, 2011, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 11, 2013.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

-----X
In the Matter of a Probate Proceeding,
Will of Dorothy K. Mendelson,
Deceased.

- - - - -
Jonathan Mendelson,
Objectant-Appellant,

M-887
Surrogate's Court
File No. 4348/09

Barbara Miller and William Kass,
Executors-Respondents.

-----X

Objectant-appellant having moved for an enlargement of time to perfect the appeal from a decree of the Surrogate's Court, New York County, entered on or about April 26, 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 granted to the extent of enlarging the time to perfect the appeal to the September 2013 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 April 11, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Leland G. DeGrasse
Paul G. Feinman
Darcel D. Clark, Justices.

-----X
Manhattan Telecommunications,
Corp.,
Plaintiff-Appellant,

-against-

M-967
Index No. 111319/10

Rachel Jackson, Esq.,
Defendant-Respondent.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about April 18, 2012 (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 to perfect the appeal to the September 2013 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 April 11, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Leland G. DeGrasse
Darcel D. Clark, Justices.

-----X
The Board of Managers of the Onyx
Chelsea Condominium and The Onyx
Chelsea Condominium,
Plaintiffs-Appellants,

-against-

261 West LLC,
Defendant-Respondent.
-----X

M-1315
Index No. 104912/10

Plaintiffs-appellants 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 12, 2012 (mot. seq. no. 003),

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the September 2013 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 April 11, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Dianne T. Renwick
Rosalyn H. Richter
Judith J. Gische, Justices.

-----X
United States Fire Insurance Company,
Plaintiff-Appellant-Respondent,

-against-

M-1505
Index No. 603284/09

Nine Thirty FEF Investments, LLC,
et al.,
Defendants-Respondents-Appellants.

-----X

Plaintiff-appellant-respondent and defendants-respondents-appellants having jointly moved for an enlargement of time in which to perfect the appeal and cross appeal taken from the order of the Supreme Court, New York County, entered on or about June 11, 2011,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal and cross appeal to the September 2013 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 April 11, 2013.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Leland G. DeGrasse
Paul G. Feinman
Darcel D. Clark, Justices.

-----X

In the Matter of

Shahid Tanvir,
Petitioner,

For a Judgment Pursuant to Article 78
of the CPLR,

-against-

M-896
Index No. 106868/10

New York City Health and Hospitals
Corporation,
Respondent.

-----X

An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about September 17, 2010, to review a determination of respondent,

And petitioner having moved for an enlargement of time in which to perfect the aforesaid proceeding,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the proceeding to the October 2013 Term, with no further enlargements to be granted.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 11, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Leland G. DeGrasse
Paul G. Feinman
Darcel D. Clark, Justices.

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

-against-

M-923
Ind. No. 2758/10

Donell Dinkins,
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal from a judgment of the Supreme Court, New York County, rendered on or about July 6, 2010,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the October 2013 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 April 11, 2013.

Present - Hon. Richard T. Andrias, Justice Presiding,
David Friedman
Rolando T. Acosta
Helen E. Freedman
Darcel D. Clark, Justices.

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

Respondent,

-against-

Natalio C. Pastor,

Defendant-Appellant.
-----X

M-617
SCI No. 2542/11
Case No. 48180C/11

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 October 5, 2011, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 11, 2013.

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

-----X
QBE Insurance Corporation,
Plaintiff-Respondent,

-against-

Jinx-Proof Inc., doing business
as Beauty Bar, et al.,
Defendants-Appellants,

M-1038
Index No. 11485/10

Garrett Alarcon,
Defendant.

-----X

Defendant-appellant Jinx-Proof Inc. having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on January 17, 2013 (Appeal No. 7949),

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 this Court, pursuant to CPLR 5713, certifies that the following question of law, decisive of the correctness of its determination, has arisen, which in its opinion ought to be reviewed by the Court of Appeals:

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 11, 2013.

Present - Hon. Richard T. Andrias, Justice Presiding,
David Friedman
Rolando T. Acosta
Helen E. Freedman
Darcel D. Clark, Justices.

-----X
Brian K. Williams,
Plaintiff-Respondent,

-against-

Irina Belova,
Defendant,

M-625
Index No. 8006/07

-against-

America's Wholesale Lender,
Defendants-Appellants.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about April 6, 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 granted to the extent of enlarging the time to perfect the appeal to the September 2013 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 April 11, 2013.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
Karla Moskowitz
Helen E. Freedman
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

-----X
Koya Abe,
Plaintiff-Appellant,

-against-

M-1071
Index No. 113150/10

Nancy Barton and Ken Castronuovo,
Defendants-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about January 31, 2013,

And plaintiff-appellant having moved for a stay of enforcement of the aforesaid order being appealed,

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

It is ordered that the motion is denied, and the interim relief granted by the order of a Justice of this Court dated February 25, 2013 is 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 April 11, 2013.

Present - Hon. David Friedman, Justice Presiding,
Richard T. Andrias
Rolando T. Acosta
Helen E. Freedman
Darcel D. Clark, Justices.

-----X

In the Matter of

Liarah H.,

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

- - - - -

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

M-626
Docket No. NN-42733/11

Dora S.,
Respondent-Appellant.

- - - - -

Laura Daly, Esq., Lawyer for Children, Inc.,
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 December 24, 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, Steven N. Feinman, Esq., One North Broadway, Suite 412, White Plains, NY 10601, Telephone No. 914-949-8214, 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 April 11, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,
Karla Moskowitz
Helen E. Freedman
Rosalyn H. Richter
Sheila Abdus-Salaam, Justices.

-----X
Classic New York Realty 2009 LLC,
Petitioner-Respondent,

-against-

AIMCO 240 West 73rd Street, LLC
and AIMCO 240 West 73rd Street Co-
Owner, LLC,
Respondents-Appellants.

M-4241
M-5897
Index No. 570873/11

-----X

Respondents-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 May 15, 2012 (M-4241),

And attorney for petitioner-respondent having moved to withdraw as counsel and for a stay of proceedings pending appointment of new counsel (M-5897),

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

It is ordered that the motion for leave to appeal from the Appellate Term is denied (M-4241) and the motion for a stay and to withdraw as counsel accordingly is denied as moot (M-5897).

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 April 11, 2013.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Rolando T. Acosta
Nelson S. Román
Paul G. Feinman
Darcel D. Clark, Justices.

-----X
Laine Levret de Melo,
Plaintiff-Respondent,

-against-

M-704
Index No. 303025/09

Northon Levret de Melo,
Defendant-Appellant.
-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about May 9, 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 granted to the extent of enlarging the time to perfect the appeal to the September 2013 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 April 11, 2013.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Rolando T. Acosta
Nelson S. Román
Paul G. Feinman
Darcel D. Clark, Justices.

-----X
Joseph Batista,
Plaintiff-Respondent,

-against-

M-851
Index No. 302226/08

Francisco Rafae Porro and DYA Inc.,
Defendants-Appellants.
-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about October 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 to perfect the appeal to the September 2013 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 April 11, 2013.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Rolando T. Acosta
Nelson S. Román
Paul G. Feinman
Darcel D. Clark, Justices.

-----X
Michael Notaro, et al.,
Plaintiffs-Respondents,

-against-

1075 Units, LLC,
Defendant-Appellant,

1075 Concourse Tenants Corp.,
Defendant.

M-902
Index No. 309543/09

-----X

Defendant-appellant 1075 Units, LLC having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about January 10, 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 granted to the extent of enlarging the time to perfect the appeal to the September 2013 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 April 11, 2013.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Karla Moskowitz
Sheila Abdus-Salaam
Paul G. Feinman, Justices.

-----X

In the Matter of the Application of
Miriam Reyes,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78
of the CPLR,

M-410
M-743

Index No. 401991/11

-against-

New York City Housing Authority,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about April 23, 2012 (M-410),

And respondent-respondent having cross-moved for dismissal of the aforesaid appeal for failure to timely prosecute (M-743),

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the September 2013 Term, with no further enlargements to be granted (M-410). The cross motion to dismiss the appeal is granted unless the appeal is perfected for said September 2013 Term (M-743).

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 April 11, 2013.

Present: Hon. David B. Saxe, Justice Presiding,
Dianne T. Renwick
Helen E. Freedman
Nelson S. Román
Judith J. Gische, Justices.

-----X
In the Matter of the Application
of The State of New York,
Petitioner-Respondent,

-against-

M-903
Index No. 250306/11

Enrique T.,
Respondent-Appellant,

For Civil Management Pursuant to
Mental Hygiene Law Article 10.

-----X

Respondent-appellant having moved for an enlargement of time to perfect the appeal from the orders of the Supreme Court, Bronx County, entered on or about February 15, 2012, and from an order of the same Court and Justice entered on or about March 1, 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 granted to the extent of enlarging the time to perfect the appeal to the September 2013 Term, with no further enlargements to be granted.

ENTER:


CLERK

PM ORDERS

ENTERED ON

APRIL 11, 2013

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 April 11, 2013.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
Karla Moskowitz
Helen E. Freedman
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

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

Leslie R. Whitted,
Petitioner,

For a Judgment Pursuant to Article
78 of the CPLR,

M-1105
M-1567
Index No. 403141/11

-against-

New York City Housing Authority,
Respondent.

-----X

An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about April 23, 2012, to review a determination of respondent,

And petitioner-appellant having moved for leave to prosecute the proceeding as a poor person, upon the original record and reproduced petitioner's brief, an enlargement of time in which to perfect the aforesaid proceeding and a stay of proceedings pending hearing and determination of said proceeding (M-1105),

And respondent agency having cross-moved to dismiss the aforesaid proceeding (M-1567)

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the proceeding to on or before July 8, 2013, for the September 2013 Term; granting a stay of said proceeding on condition petitioner perfects same for said September 2013 Term and permitting the proceeding to be heard on the original record and upon a reproduced petitioner's brief, on condition that petitioner serves one copy of such brief upon the

attorney for the respondent and file 8 copies of such brief, together with the original record, with this Court. Petitioner is permitted to dispense with payment of the required fee for the subpoena and filing of the record (M-1105). The cross motion is denied, with leave to move on notice to petitioner, to vacate the stay and dismiss the aforesaid proceeding should petitioner fail to perfect the proceeding for the September 2013 Term (M-1567).

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 April 11, 2013.

PRESENT - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
David B. Saxe
Sheila Abdus-Salaam
Judith J. Gische, Justices.

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

-against-

M-1194
Ind. No. 1848/10

Kirk Laurencin,
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, Bronx County, rendered on or about June 26, 2012, for leave to prosecute the appeal as a poor person, upon the original record and upon a reproduced appellant's brief, and for assignment of counsel,

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, insofar as 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.

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 April 11, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
David B. Saxe
Sheila Abdus-Salaam, Justices.

-----X
Roy J. Hay,

Plaintiff-Respondent,

-against-

M-1218
Index No. 117971/09

Fred B. Vah, Vah Mechanical Plumbing
& Heating, Inc., Vah Plumbing &
Heating,

Defendants-Appellants.
-----X

Defendants-appellants having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about April 25, 2012 (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 September 2013 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 April 11, 2013.

PRESENT - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
David B. Saxe
Sheila Abdus-Salaam
Judith J. Gische, Justices.

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

-against-

M-1270
Ind. No. 3986/11

Nelson Rosa,
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about June 7, 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 granted to the extent of deeming the moving papers a timely filed notice of 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 April 11, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
David B. Saxe
Sheila Abdus-Salaam, Justices.

-----X
Daniel R. Wotman & Associates,
PLLC,
Plaintiff-Appellant,

-against-

M-1292
Index No. 110893/10

Janet Chang,
Defendant-Respondent.
-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about July 16, 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 granted to the extent of enlarging the time to perfect the appeal to the September 2013 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 April 11, 2013.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Sheila Abdus-Salaam
Judith J. Gische, Justices.

-----X
Alexandra Kasmin,
Plaintiff-Appellant,

-against-

M-1296
Index No. 312592/11

Paul Kasmin,
Defendant-Respondent.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about May 22, 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 granted to the extent of enlarging the time to perfect the appeal to the October 2013 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 April 11, 2013.

Present - Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Rosalyn H. Richter
Judith J. Gische, Justices.

-----X
New York State Coalition of Hispanic
Chambers of Commerce, et al.,
Petitioners-Respondents,

For a Judgment, etc.,

-against-

The New York City Department of Health
and Mental Hygiene, et al.,
Respondents-Appellants.

M-1762
M-1763
Index No. 653584/12

The National Association of Local
Boards of Health, et al.,
Amici Curiae,

The National Alliance for Hispanic
Health, et al.,
Amici Curiae.

-----X

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about March 11, 2013, and said appeal having been perfected,

And The National Association of Local Boards of Health, et al. (M-1762) and The National Alliance for Hispanic Health, et al. (M-1763) having respectively moved for leave to file a brief amici curiae in connection with 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 and each set of movants is directed to file 9 copies of their respectively briefs as amici curiae, and to serve copies of the brief upon counsel for respondents, forthwith.

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 April 11, 2013.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Karla Moskowitz
Sheila Abdus-Salaam
Paul G. Feinman, Justices.

-----X
Francia Rodriguez, as Administrator of
the Estate of Angel Rodriguez,
Plaintiff-Respondent,

-against-

M-391
Index No. 25347/97

The City of New York, Anthony Grace &
Sons, Inc. and Grace Industries,
Defendants,

Higraban of N.Y., Inc. and Statbrook
Contracting Company, Inc.,
Defendants-Appellants.

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

Appeals having been taken from the orders of the Supreme Court, Bronx County, entered on or about April 4, 2012 and October 28, 2012, respectively,

And defendants-appellants having moved for an order enlarging the time to perfect the appeals from taken from the aforesaid orders,

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 appeals, which are sua sponte consolidated, to on or before July 8, 2013 for the September 2013 Term. Appellants are permitted to prosecute the appeals upon 8 copies of one record and one copy of appellants' points covering the aforesaid appeals.

ENTER:


CLERK

CORRECTED ORDER - April 29, 2013

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 April 11, 2013.

Present - Hon. Luis A. Gonzalez, Justice Presiding,
Peter Tom
Rosalyn H. Richter
Sheila Abdus-Salaam, Justices.

-----X
In the Matter of

Danyal L-N.,
David M. L.,
David L., Jr.,
Evette L.,
Kendrick L., and
Maria D. N.,

M-457
Docket Nos.
NA-25610-15/09

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

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

David L., also known as David A. L.,
Respondent-Appellant.

- - - - -
Aleeza Ross, Esq.,
Attorney for the Children.

-----X
Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from the Order of Fact-Finding of the Family Court, Bronx County, entered on or about October 29, 2012, and from an Order of Disposition of said Court entered on or about December 17, 2012, respectively, 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, George E. Reed, Jr., 222 Mamaroneck Ave., White Plains, NY 10605, Telephone No. 914-946-5000, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the

CORRECTED ORDER -- April 29, 2013

(M-457)

-2-

April 11, 2013

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 April 11, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzairelli
David Friedman
Sheila Abdus-Salaam, Justices.

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

-against-

M-499
Ind. No. 5297/01

Alexander Pasley,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on March 27, 2007 (Appeal No. 9318), unanimously affirming a judgment of the Supreme Court, New York County (Joan Sudolnik, J.), rendered on April 29, 2004,

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 April 11, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Rosalyn H. Richter
Sheila Abdus-Salaam, Justices.

-----X
In the Matter of a Family Offense
Proceeding Under Article 8 of
the Family Court Act.

Nakia C.,
Petitioner-Appellant,

M-645
Docket No. O-30920/11

-against-

Johnny F. R.,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about January 15, 2013, 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, George E. Reed, Jr., Esq., 222 Mamaroneck Ave., White Plains, NY 10605, Telephone No. 914-946-5000, 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

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

compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:

A handwritten signature in black ink, appearing to read "Susan R. Jones", written in a cursive style.

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 April 11, 2013.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,
Karla Moskowitz
Sheila Abdus-Salaam
Paul G. Feinman, Justices.

-----X

In the Matter of the Application of

Ruth Rains,
Petitioner-Appellant,

M-667

For a Judgment Pursuant to Article 78 Index No. 106860/11
of the Civil Practice Law and Rules,

-against-

Rafael E. Cestero, Commissioner of
the New York City Department of
Housing Preservation and Development,
Respondent-Respondent.

-----X

Petitioner having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about December 13, 2011, and to extend the stay afforded petitioner by the order of this Court entered on May 3, 2012 (M-1095),

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to on or before July 8, 2013 for the September 2013 Term, with no further enlargements to be granted. The stay afforded petitioner by the order of this Court entered on May 3, 2012 (M-1095) is extended upon condition petitioner perfects said appeal on or before July 8, 2013 for the September 2013 Term. Upon failure to so perfect, an order vacating the stay may be entered ex parte, provided that respondent serves a copy of this order upon petitioner 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 April 11, 2013.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Rosalyn H. Richter
Sheila Abdus-Salaam, Justices.

-----X

In the Matter of

Jeremiah M.,

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

- - - - -
SCO Family of Services,
Petitioner-Respondent,

M-688
Docket No. B19195/09

Sabrina Ann M., also known as
Sabrina M.,
Respondent-Appellant.

- - - - -
George M. Reed, Jr., Esq.,
Attorney for Subject Child.

-----X

Rina Mais, Esq., Family Court attorney for the subject child, Jeremiah M., having moved on said child's behalf for leave to respond, as a poor person, to the appeal from the order of the Family Court, Bronx County, entered on or about December 7, 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, George M. Reed, Jr., Esq., 222 Mamaroneck Ave., White Plains, NY 10605, Telephone No. (914) 946-5000, as 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 April 11, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Rosalyn H. Richter
Sheila Abdus-Salaam, Justices.

-----X

The People of the State of New York,

Appellant,

-against-

M-745

Ind. No. 415/02

Marsha Austin,

Defendant-Respondent.

-----X

Defendant-respondent having moved for leave to respond, as a poor person, to the People's appeal from an order of the Supreme Court, Bronx County, entered on or about December 28, 2012, and for assignment of counsel,

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 appeal 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.

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 April 11, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Rosalyn H. Richter
Sheila Abdus-Salaam, Justices.

-----X
The People of the State of New York
ex rel. Eugene Smith,
Petitioner,

-against-

M-759

Warden, etc.,
Respondent(s).

-----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 be and the same hereby is granted to the extent of issuing the writ, and

It is further ordered that the habeas corpus proceeding herein be transferred to and be heard before a Justice of the Supreme Court of the State of New York, Bronx County, 851 Grand Concourse, Bronx, New York 10451, forthwith, and

It is further ordered that service by mail of a copy of this writ of habeas corpus, petition and supporting papers, by the Clerk of this Court, contemporaneous with the entry hereof, upon the Warden at Otis Bantum Correctional Center, 16-00 Hazen Street, East Elmhurst, New York 11370; the Attorney General of the State of New York, 120 Broadway, New York, New York 10271; and the District Attorney of Bronx County, 198 East 161st Street, Bronx, New York 10451, be deemed due and sufficient notice.

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 April 11, 2013.

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

-----x

In the Matter of Arnold I. Biegen
(admitted as Arnold Irwin Biegen),
(OCA Atty. Reg. No. 1462712),
a disbarred attorney:

Petitioner,

For Reinstatement to the Bar
of the State of New York,

M-4267

Departmental Disciplinary Committee
for the First Judicial Department,
Respondent.

-----x

A decision and order of this Court having been entered on April 7, 1992 (M-988), disbaring petitioner (who, as Arnold Irwin Biegen, was admitted to practice as an attorney and counselor-at-law in the State of New York at a Term of the Appellate Division of the Supreme Court for the Second Judicial Department on December 16, 1959) from the practice of law in the State of New York, effective nunc pro tunc to February 10, 1992 and until further order of this Court,

And an order of this Court having been entered on October 27, 2011 (M-3085), referring the matter to the Committee to designate a Hearing Panel to conduct a hearing where petitioner would have the burden of establishing by clear and convincing evidence that he has fully complied with the order of suspension and that he possesses the requisite character and general fitness to resume the practice of law,

And the Departmental Disciplinary Committee for the First Judicial Department, by Jorge Dopico, its Chief Counsel (Raymond Vallejo, of counsel), having moved this Court on November 20, 2012, for an order confirming the report and recommendation of the Hearing Panel, and denying petitioner's application for reinstatement as an attorney and counselor-at-law in the State of New York,

And petitioner, by his attorneys Mintz & Fraade, P.C. (Alan P. Fraade, of counsel), having submitted an affirmation in opposition to the Committee's motion to confirm the report and recommendation of the Hearing Panel, and seeking an order granting petitioner's application for reinstatement,

And the Committee having submitted an affirmation in reply to the petitioner's affirmation in opposition to the Committee's motion,

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

Ordered that the Committee's motion for an order confirming the report and recommendation of the Hearing Panel is granted and petitioner's application for reinstatement is denied.

ENTER:


CLERK

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

BEFORE: Hon. John W. Sweeny, Jr.
Justice of the Appellate Division

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

M-1014
Ind. No. 1894/97

-against-

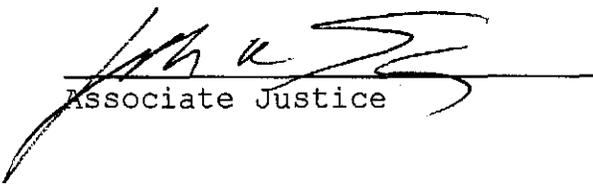
CERTIFICATE
DENYING LEAVE

Larry Rodriguez,

Defendant.

-----X

I, John W. Sweeny, Jr., a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County, entered on or about September 11, 2012 (William I. Mogulescu, J.) is hereby denied.


Associate Justice

Dated: March 12, 2013
New York, New York

ENTERED: **APR 11 2013**

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

BEFORE: Hon. KARLA MOSKOWITZ
Justice of the Appellate Division

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

M-1138
Ind. No. 5059/1984

-against-

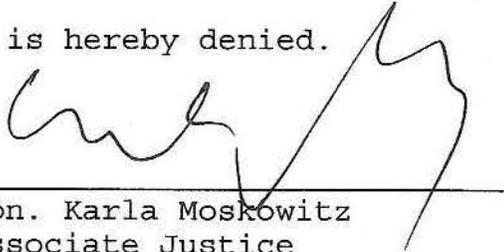
CERTIFICATE
DENYING LEAVE

Anthony Peterson

Defendant.

-----X

I, Karla Moskowitz, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application deemed timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented that 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 January 4, 2013, is hereby denied.



Hon. Karla Moskowitz
Associate Justice

Dated:  , 2013
New York, New York

ENTERED: **APR 11 2013**

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

BEFORE: Hon. John W. Sweeny, Jr.
Justice of the Appellate Division

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The People of the State of New York,

M-1013
Ind. No. 1502/04

-against-

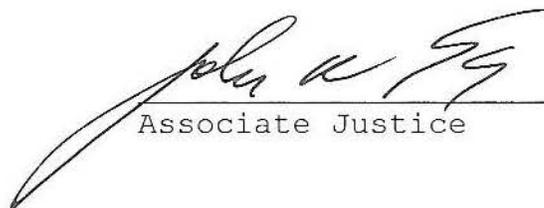
CERTIFICATE
DENYING LEAVE

Terrell Gilford,

Defendant.

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I, John W. Sweeny, Jr., a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County, entered on or about August 10, 2012 (Caesar Cirigliano, J.) is hereby denied.


Associate Justice

Dated: March 12, 2013
New York, New York

ENTERED: APR 11 2013