

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 28, 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-473  
Ind. No. 5452/03

Raymond Wilson,

Defendant-Appellant.  
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about January 12, 2012, **denying resentence,**

Now, upon reading and filing the stipulation of the parties hereto, dated January 14, 2013, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 February 28, 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-538

Ind. No. 6233/02

Richard Santiago,

Defendant-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about April 19, 2010, **denying resentence,**

Now, upon reading and filing the stipulation of the parties hereto, dated January 23, 2013, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 February 28, 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-649  
Ind. No. 2873/11

Andrew Dixon,

Defendant-Appellant.  
-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about August 24, 2011,

Now, upon reading and filing the stipulation of the parties hereto, dated January 15, 2013, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 February 28, 2013.

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

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

Respondent,

-against-

M-675  
Ind. No. 3702/10

Cory Blue,

Defendant-Appellant.  
-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about July 27, 2011,

Now, upon reading and filing the stipulation of the parties hereto, dated January 31, 2013, 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 February 28, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Rolando T. Acosta  
Karla Moskowitz  
Helen E. Freedman  
Sheila Abdus-Salaam, Justices.

-----X  
Jian-Guo Yu, et al.,  
Plaintiffs,

-against-

Greenway Mews Realty LLC, et al.,  
Defendants,

- - - - -  
Greenway Mews Realty LLC,  
Third-Party Plaintiff,

M-5789  
Index No. 116885/05

Little Rest Twelve, Inc.,  
Third-Party Plaintiff-Appellant,

-against-

UAD Group,  
Third-Party Defendant-Respondent.

-----X

Third-party plaintiff-appellant having moved for an enlargement of time to move for reargument and clarification of the decision and order of this Court entered on October 25, 2012 (Appeal No. 8375-8375A), and for related relief,

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

It is ordered that the motion is denied.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 28, 2013.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
John W. Sweeny, Jr.  
Rosalyn H. Richter  
Nelson S. Román  
Darcel D. Clark, Justices.

-----X  
Union Carbide Corporation,  
Plaintiff-Respondent,

-against-

M-218  
Index No. 600804/04

Affiliated FM Insurance Company,  
et al.,  
Defendants,

Columbia Casualty Company, et al.,  
Defendants-Appellants.

-----X

Defendant-appellant, Argonaut Insurance Company, having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on December 6, 2012 (Appeal No. 8718-19),

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

It is ordered that the motion is denied.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 28, 2013.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Rolando T. Acosta  
David B. Saxe  
Judith J. Gische, Justices.

-----X  
Travelers Casualty and Surety Company,  
formerly known as The Aetna Casualty  
Insurity Company, et al.,  
Plaintiffs-Appellants,

-against-

M-5855  
Index No. 650667/09

Alfa Laval Inc., formerly known as  
The DeLaval Seperator Company,  
Defendant-Respondent,

American Surety Company, et al.,  
Defendant,

OneBeacon America Insurance Company,  
Defendant-Appellant.  
-----X

Plaintiffs-appellants having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on November 13, 2012 (Appeal No. 8484),

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

It is ordered that the motion is denied.

ENTER:

  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 28, 2013.

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

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

Respondent,

-against-

M-5957  
Ind. No. 6540/04

Antonio Torrecilla, also known as  
Antonio Torrecella,

Defendant-Appellant.  
-----X

An order of this Court having been entered on October 8, 2009 (M-3927) denying defendant-appellant an enlargement of time to file a notice of appeal from the judgment of the Supreme Court, rendered on or about July 14, 2006,

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 February 28, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Karla Moskowitz  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Darcel D. Clark, Justices.

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

Respondent,

-against-

M-269  
Ind. No. 3602/04

Darrel Corian,

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 (Charles Solomon, J.) entered on or about October 26, 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 Solomon as yet not transcribed. The Clerk shall furnish a copy of such transcripts

to appellant's counsel, Steven Banks, 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 February 28, 2013.

Present: Hon. Peter Tom, Justice Presiding,  
Karla Moskowitz  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Darcel D. Clark, Justices.

-----X

In the Matter of

**M-309**

Kristian-Isaiah M.,  
and Kristina Druessler M.,

Docket Nos. B30710/09  
B30711/09

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

- - - - -  
Jewish Child Care Association of  
New York, et al.,  
Petitioners-Respondents,

Jessenica Terri Monica B., also known  
as Jessenica B.,  
Respondent-Appellant.

- - - - -  
Carol L. Kahn, Esq.,  
Attorney for the Children.

-----X

Richard Bara, 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 from orders of the Family Court, Bronx County, both entered on or about August 23, 2012, and for assignment of counsel, a free copy of the transcript(s), 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 responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this Court.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 28, 2013.

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

-----X

1781 Riverside LLC,

Petitioner-Landlord-Respondent,

-against-

M-5882

Index No. 570545/11

Chinchu Song, Addis Teguegne and  
John Doe and Jane Doe,

Respondents-Tenants-Appellants.

-----X

Respondents-tenants-appellants 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 April 19, 2012, for a stay of certain proceedings, 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 denied.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 28, 2013.

PRESENT - Hon. Peter Tom, Justice Presiding,  
John W. Sweeny, Jr.  
Karla Moskowitz  
Dianne T. Renwick  
Darcel D. Clark, Justices.

-----X

Lynn & Cahill, LLP,

Plaintiff-Respondent,

-against-

M-5896

Index No. 114676/09

Nadine Witkin,

Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on December 13, 2012 (Appeal No. 8807-09),

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

It is ordered that the motion is denied.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 28, 2013.

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

-----X  
Olga Ortiz,

Plaintiff-Respondent,

-against-

**M-431**

Index No. 101007/02

New York City Transit Authority,

Defendant-Appellant.  
-----X

Defendant-appellant having moved for an enlargement of time to perfect an appeal taken from a judgment of the Supreme Court, New York County, entered on or about March 21, 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 June 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 February 28, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Karla Moskowitz  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Darcel D. Clark, Justices.

-----X  
In the Matter of the Application of  
Cassandra McKay-Brown,  
Petitioner-Appellant,

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

-against-

M-285  
Index No.101014/11

Raymond Kelly, as Police Commissioner  
of the City of New York, and as  
Chairman of the Board of Trustees  
of the Police Pension Fund Article II  
and The Board of Trustees of the Police  
Pension Fund, Article II,  
Respondents-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 March 20, 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 February 28, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
Sallie Manzanet-Daniels  
Nelson S. Román  
Darcel D. Clark, Justices.

-----X  
Giuseppe D'Alessandro,

Plaintiff-Respondent,

-against-

M-266  
Index No. 100135/11

John Carro, John S. Carro, Bartly  
Mitchell, Dasil Elius Velez,  
Carro, Carro & Mitchell, LLP  
and Carro, Velez, Carro & Mitchell,  
LLP,

Defendants-Appellants.  
-----X

Plaintiff-respondent having moved for dismissal of the appeal taken from the order of the Supreme Court, New York County, entered on or about March 6, 2012, for failure to timely perfect,

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

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

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 28, 2013.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
John W. Sweeny, Jr.  
Karla Moskowitz  
Dianne T. Renwick, Justices.

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

-----  
Jacqueline M.,  
Petitioner-Appellant,  
  
-against

**M-5779**  
Docket No. O-612/10  
IDV No. 203/10

Joseph M.,  
Respondent-Respondent.

-----  
Erin Burkavage, Esq.,  
The Children's Law Center,  
Attorney for the Children.

-----X  
  
Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Criminal Court (Integrated Domestic Violence Part), Bronx County, entered on or about October 5, 2012, 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, Christina Brandt-Young, Esq., New York Legal Assistance Group, 7 Hanover Square, 18<sup>th</sup> Floor, New York, NY 10004, Telephone No. (212) 613-5086, 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 therefor<sup>1</sup> **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

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<sup>1</sup>Service 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 February 28, 2013.

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

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

-----  
Victoria H., M-5878  
Petitioner-Appellant, Docket No. V13455/11

-against-

Tetsuhito A.,  
Respondent-Respondent.

-----  
Anna Schissel, Esq.,  
Lawyers for Children,  
Attorney for the Child.

-----X

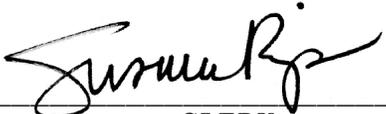
Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about November 27, 2012, and for assignment of counsel, a free copy of the transcript, and for related relief,

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, Kenneth M. Tuccillo, Esq., P.O. Box 576, Hasting on Hudson, New York, NY 10706, Telephone No. (914) 439-4843, 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 therefor<sup>1</sup> **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

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<sup>1</sup>Service 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 February 28, 2013.

PRESENT: Hon. Angela M. Mazzairelli, Justice Presiding,  
Dianne T. Renwick  
Rosalyn H. Richter  
Judith J. Gische  
Darcel D. Clark, Justices.

-----X

In the Matter of

Abigail Bridget W.,

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

M-5877  
Docket No. B45080/10

- - - - -  
Episcopal Social Services, et al.,  
Petitioners-Respondents,

Janice Antoinette W.,  
Respondent-Appellant.

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

-----X

Respondent-appellant mother 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 September 13, 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, Kenneth Tuccillo, Esq., P.O. Box 576, Hasting on Hudson, New York, NY 10706, Telephone No. (914) 439-4843, 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 therefor<sup>1</sup> **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

---

<sup>1</sup>Service 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 February 28, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
Sallie Manzanet-Daniels  
Darcel D. Clark, Justices.

-----X  
Michael B. Davis,

Plaintiff-Appellant,

-against-

M-98  
Index No. 250432/12

New York Liquidation Bureau,

Defendant-Respondent.  
-----X

Plaintiff-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Supreme Court, Bronx County, entered on or about November 29, 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.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 28, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
Dianne T. Renwick  
Helen E. Freedman, Justices.

-----X  
Robert E. Kodsi,

Plaintiff-Respondent-Appellant,

-against-

M-5959  
Index No. 109620/07

Steven T. Gee and Steven T. Gee, P.C.,

Defendants-Appellants-Respondents.

-----X

Plaintiff-respondent-appellant, Robert E. Kodsi, 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 November 8, 2012 (Appeal Nos. 8459-8460),

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

It is ordered that the motion is denied.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 28, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
Sallie Manzanet-Daniels  
Nelson S. Román  
Darcel D. Clark, Justices.

-----X  
Ann Jennings-Purnell, M.D.,

Plaintiff-Appellant,

M-233

Index No. 110344/06

-against-

Eric C. Jennings, et al.,

Defendants-Respondents.  
-----X

An order of this Court having been entered on October 16, 2012 (M-3865) consolidating the appeals taken from the judgment of the Supreme Court, New York County, entered on or about February 7, 2012, and from the order of said Court entered on or about April 18, 2012, respectively, and enlarging the time to perfect said consolidated appeals to the March 2013 Term,

And plaintiff having moved for a further enlargement of time to perfect the aforesaid consolidated appeals,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the consolidated appeals to on or before July 8, 2013 for the September 2013 Term, with no further enlargements to be granted. Upon failure to so perfect, an order dismissing the consolidated appeals may be entered ex parte provided that defendants-respondents serve a copy of this order upon plaintiff-appellant within 10 days after the date of entry hereof.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 28, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----X  
Anne Renteria, and Luis De Azevedo,

Plaintiffs-Respondents,

-against-

M-271  
Index No. 101110/09

Oleg Yuryevich Simakov,

Defendant,

Patty Taxi Corp. and Libardo Daza,

Defendants-Appellants.  
-----X

Defendants-appellants 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 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 February 28, 2013.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,  
Dianne T. Renwick  
Helen E. Freedman  
Judith J. Gische, Justices.

-----X  
Jorge Naupari,

Plaintiff-Appellant,

-against-

Casa 74<sup>th</sup> Development, LLC, et al.,

Defendants-Respondents.  
-----X

M-11  
Index No. 115422/10

Defendants-respondents having moved for dismissal of the appeal taken from the order of the Supreme Court, New York County, entered on or about January 30, 2012 (mot. seq. no. 002), for failure to timely perfect,

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

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

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 28, 2013.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,  
Dianne T. Renwick  
Helen E. Freedman  
Judith J. Gische, Justices.

-----X  
The People of the State of New York,  
ex rel. Raymond Lewis,  
Petitioner,

-against-

Warden, Thomas Hall,  
Respondent.

M-181  
SCID No. 30206/11  
Index No. 403193/11

-----X

Petitioner 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 January 5, 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 and, sua sponte, the appeal is dismissed as academic.

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 28, 2013.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,  
John W. Sweeny, Jr.  
Karla Moskowitz  
Darcel D. Clark, Justices.

-----X  
In re Oscar Cintron,

Petitioner-Respondent,

-against-

M-5132  
Index No. 994/05

Judith A. Calogero, etc.,

Respondent-Appellant.  
-----X

Petitioner-respondent having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on October 4, 2012 (Appeal No. 8187N),

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

It is ordered that the motion is denied.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 28, 2013.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,  
John W. Sweeny, Jr.  
Karla Moskowitz  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----X  
Paramount Leasehold LP,

Plaintiff-Respondent,

-against-

M-5263  
Index No. 650398/09E

Patricia A. Smalls,

Defendant-Appellant.  
-----X

Plaintiff-appellant having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the order of this Court entered on October 9, 2012 (M-3846),

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

It is ordered that the motion is denied.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 28, 2013.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,  
David B. Saxe  
Leland G. DeGrasse  
Sheila Abdus-Salaam  
Paul G. Feinman, Justices.

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

Ralph D., III,  
Petitioner,

-against-

M-267  
M-374  
Docket No. V-14836-08/11C

Courtney R.,  
Respondent,

Raoul Felder and Partners, P.C.,  
Non-Party Movant/Respondent,

Cohen Goldstein Silpe, LLP,  
Non-Party Respondent/Movant.

-----X  
An appeal having been taken from an order of the Family Court, New York County, entered on or about December 17, 2012,

And non-party movant/respondent having moved for an order pursuant to CPLR 5701(c) for leave to appeal to this Court from the aforesaid order, for a stay of the underlying proceeding, and for related relief (M-267),

And non-party respondent/movant having cross-moved for attorneys fees and sanctions against non-party movant (M-374),

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 denied and the interim relief granted by an order of a Justice of this Court dated January 16, 2013 is vacated (M-267). The cross motion is denied (M-374).

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 28, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,  
Leland G. DeGrasse  
Rosalyn H. Richter  
Sheila Abdus-Salaam  
Paul G. Feinman, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

Milton Vega,

Defendant-Appellant.

M-5902  
M-6028  
Ind. No. 1527/11

-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, rendered on or about July 21, 2011,

And the People having moved to dismiss the appeal for failure to timely file a notice of appeal (M-5902),

And defendant having moved for an enlargement of time to file a notice of appeal and for other relief (M-6028),

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 is to dismiss the appeal is granted (M-5902). The motion to file a late notice of appeal and for other relief is denied (M-6028).

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 28, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Sheila Abdus-Salaam  
Sallie Manzanet-Daniels, Justices.

-----X

Abuwi M. Waheed,  
Plaintiff-Appellant,

M-277

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

Index No. 400111/12

-against-

City of New York, et al.,  
Defendants-Respondents.

-----X

An order of this Court having been entered on November 13, 2012 (M-3723) denying plaintiff-appellant's motion for leave to prosecute, as a poor person, the purported appeal from the order of the Supreme Court, New York County, entered on or about July 25, 2012, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief, and dismissing said purported appeal,

And plaintiff-appellant having renewed his motion for the aforesaid relief and for reconsideration of this Court's order entered on November 12, 2012 (M-3723) which dismissed the purported appeal,

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

It is ordered that the motion is denied.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 28, 2013.

PRESENT - Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Dianne T. Renwick  
Rosalyn H. Richter  
Nelson S. Román, Justices.

-----X  
In re 7<sup>th</sup> Avenue Restaurant Group, LLC,

Petitioner-Appellant,

-against-

M-153  
Index No. 113490/11

New York State Liquor Authority,

Respondent-Respondent.  
-----X

Petitioner-appellant having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on December 27, 2012 (Appeal No. 8884),

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

It is ordered that the motion is denied.

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 28, 2013.

PRESENT - Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Sheila Abdus-Salaam  
Sallie Manzanet-Daniels  
Nelson S. Román, Justices.

-----X  
Trump Securities, LLC, et al.,  
Plaintiffs-Respondents,

-against-

The Purolite Company, et al.,  
Defendants-Appellants,

M-5169  
M-5323  
Index No. 602809/09

Watch Hill Partners LLC,  
Defendant.  
-----X

Defendants-appellants having moved by separate motions for reargument (M-5169) of or, in the alternative, leave to appeal to the Court of Appeals (M-5323) from the decision and order of this Court entered on September 27, 2012 (Appeal No. 8105),

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 February 28, 2013.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
David B. Saxe  
Leland G. DeGrasse  
Sheila Abdus-Salaam  
Paul G. Feinman, Justices.

-----X  
Marina Seleznyov,

Plaintiff-Appellant,

-against-

M-5713  
Index No. 110778/08

New York City Transit Authority  
and the City of New York,

Defendants-Respondents.  
-----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 March 2, 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 with leave to renew upon proof of proper service of the motion upon Wallace D. Gossett, Esq., 130 Livingston Street, 11<sup>th</sup> Floor, Brooklyn, New York 11201 and upon Corporation Counsel, 100 Church Street, New York, NY 10007.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 28, 2013.

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

-----X

The People of the State of New York,

Respondent,

-against-

M-4215  
Ind. No. 2752/06

Victor Suazo Lopez, also known as  
Vicor S. Lopez,

Defendant-Appellant.

-----X

A decision and order of this Court having been entered on January 25, 2011 (Appeal No. 4106), unanimously affirming a judgment of the Supreme Court, Bronx County (Megan Tallmer, J.), rendered on March 11, 2009,

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

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

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

-----X  
In the Matter of the Application of  
Steven Kobrick and Gary Schwedock,  
Petitioners-Respondents,

M-5974

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

Index No. 102267/12

-against-

**LEAVE TO APPEAL  
TO THIS COURT  
GRANTED**

New York State Division of Housing  
and Community Renewal,  
Respondent,

Sherwood 34 Associates.  
Respondent-Intervenor-Appellant.

-----X

Respondent-intervenor having taken a purported appeal to this Court from the order of the Supreme Court, New York County, entered on or about August 23, 2012 (mot. seq. no. 002), and having separately moved for certain relief with respect to the aforesaid matter,

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

It is ordered that, sua sponte, leave to appeal to this Court from the aforesaid order of Supreme Court is granted. (See M-5974A, decided simultaneously herewith.)

Dated: February 21, 2013  
New York, New York



Entered:

\_\_\_\_\_  
Hon. Leland G. DeGrasse  
Associate Justice

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 28, 2013.

Present: Hon. Richard T. Andrias, Justice Presiding,  
John W. Sweeny, Jr.  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----X

In the Matter of the Application of  
Steven Kobrick and Gary Schwedock,  
Petitioners-Respondents,

**M-5974A**

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

Index No. 102267/12

-against-

New York State Division of Housing  
and Community Renewal,  
Respondent,

Sherwood 34 Associates.  
Respondent-Intervenor-Appellant.

-----X

An order of a Justice of this Court having been entered simultaneously herewith granting respondent-intervenor leave to appeal to this Court from the order of the Supreme Court, New York County, entered on or about August 23, 2012 (mot. seq. no. 002),

And respondent-intervenor-appellant having moved to stay the underlying proceeding, including the obligation with respect to service of an amended answer, pending hearing and determination of 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 staying the underlying Article 78 proceeding including but not limited to movant's obligation to file an amended answer pending hearing and determination of the appeal, and is otherwise denied. (See M-5974, decided simultaneously herewith.)

ENTER:

  
CLERK

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

BEFORE: Hon. Luis A. Gonzalez,

Justice.

-----X

<b>The People of the State of New York,</b>	:	<b>M - 5664</b>
- against -	:	CERTIFICATE DENYING LEAVE
<b>Jeffrey Versage,</b>	:	
<b>a/k/a Abdool Ahmid Rasheed.</b>	:	<b>Indictment No.</b>
Defendant.	:	<b>7624/02</b>

-----X

I, Luis A. Gonzalez, Presiding 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 Section 460.15 of the Criminal Procedure Law, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about July 31, 2012, is hereby denied.

Dated: New York, New York

February 11, 2013

**ENTERED** FEB 28 2013

*Luis A. Gonzalez*  
Presiding Justice

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

BEFORE: **Hon. Luis A. Gonzalez,**

Justice.

-----X

<b>The People of the State of New York,</b>	:	<b>M - 5693</b>
- against -	:	CERTIFICATE DENYING LEAVE
<b>Russell Harris,</b>	:	
Defendant.	:	<b>Indictment No. 10614/93</b>

-----X

I, Luis A. Gonzalez, Presiding 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 Section 460.15 of the Criminal Procedure Law, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about May, 15, 2012, is hereby denied.

Dated: New York, New York

February 11, 2013

**ENTERED**

**FEB 28 2013**

*[Handwritten Signature]*  
Presiding Justice

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

BEFORE: **Hon. Luis A. Gonzalez**  
**Presiding Justice of the Appellate Division**

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

**M-5686**  
**Ind. No. 3616/06**

-against-

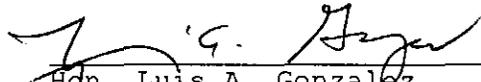
**CERTIFICATE**  
**GRANTING LEAVE**

**Kevin McDonald,**  
Defendant-Appellant.

-----X

I, Luis A. Gonzalez, Presiding 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, Bronx County, entered on or about March 7, 2012.

Dated: *February 11,* 2013  
New York, New York

  
\_\_\_\_\_  
Hon. Luis A. Gonzalez  
Presiding 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 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.

**ENTERED** FEB 28 2013

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-178  
Docket # 64668C-2006

-against-

CERTIFICATE  
DENYING LEAVE

Howard Bond, also known as  
Yeifrin Cabrera, etc.,

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, Bronx County, (Joseph J. Dawson, J.), entered on or about April 27, 2011, which denied defendant's motion pursuant to CPL 440.10, is hereby denied.

Dated: New York, New York  
February 1, 2013

**ENTERED**

**FEB 28 2013**

  
\_\_\_\_\_  
Justice of the Appellate Division

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-5266  
Ind. Nos. 2346/79

-against-

CERTIFICATE  
DENYING LEAVE

Michael Heron,

Defendant.

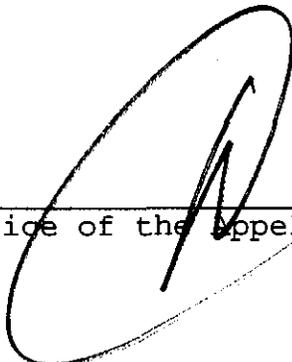
-----X

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, Bronx County, (James M. Kindler, J.), entered May 11, 2012, which denied defendant's motion pursuant to CPL 440.20, is hereby denied.

Dated: New York, New York  
January 30, 2013

**ENTERED**

**FEB 28 2013**

  
Justice of the Appellate Division

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-4552  
Ind. No. 251/87

-against-

CERTIFICATE  
DENYING LEAVE

Colin Haley,

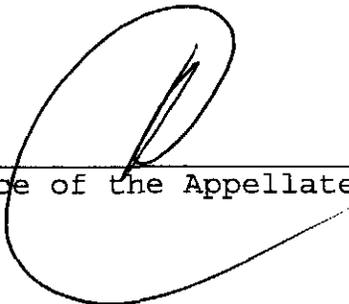
Defendant.  
-----X

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, (Cassandra M. Mullen, J.), entered June 4, 2012, which denied defendant's motion pursuant to CPL 440.10, is hereby denied.

Dated: New York, New York  
February 15, 2013

**ENTERED**

FEB 28 2013

  
\_\_\_\_\_  
Justice of the Appellate Division

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

BEFORE: Hon. DAVID FRIEDMAN  
Justice of the Appellate Division

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

M-2423  
Ind. No. 1337/02

-against-

CERTIFICATE  
DENYING LEAVE

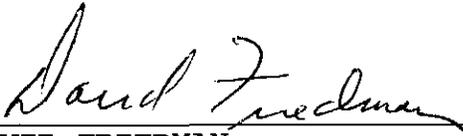
Woodrow Flemming,  
Defendant.

-----X

I, DAVID FRIEDMAN, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, section 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the Order of the Supreme Court, New York County, entered on or about April 18, 2012, is hereby denied. To the extent that defendant seeks poor person relief and assignment of counsel, that motion is hereby denied as academic.

Dated: New York, New York  
February 4, 2013

**ENTERED** FEB 28 2013

  
\_\_\_\_\_  
DAVID FRIEDMAN  
Justice of the Appellate Division

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

BEFORE: Hon. DAVID FRIEDMAN  
Justice of the Appellate Division

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

M-4624  
Ind. No. 832/03

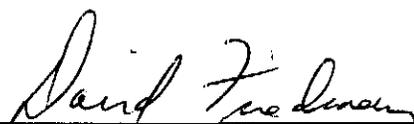
-against-

CERTIFICATE  
DENYING LEAVE

Joseph McNeil,  
Defendant.

-----X  
I, DAVID FRIEDMAN, a Justice of the Appellate Division,  
First Judicial Department, do hereby certify that, upon  
application timely made by the above-named defendant for a  
certificate pursuant to Criminal Procedure Law, section 460.15,  
and upon the record and proceedings herein, there is no question  
of law or fact presented which ought to be reviewed by the  
Appellate Division, First Judicial Department, and permission to  
appeal from the Order of the Supreme Court, New York County,  
entered on or about November 30, 2011, is hereby denied.

Dated: New York, New York  
February 4, 2013

  
\_\_\_\_\_  
DAVID FRIEDMAN  
Justice of the Appellate Division

**ENTERED** FEB 28 2013

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

BEFORE: Hon. DAVID FRIEDMAN  
Justice of the Appellate Division

-----X

The People of the State of New York,

M-2433  
Ind. No. 2001BX008788

-against-

CERTIFICATE  
DENYING LEAVE

Sean Finlayson,  
Defendant

-----X

I, DAVID FRIEDMAN, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, section 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the Order of the Supreme Court, Bronx County, entered on or about March 29, 2012, is hereby denied.

Dated: New York, New York  
February 4, 2013



DAVID FRIEDMAN  
Justice of the Appellate Division

**ENTERED**

FEB 28 2013

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

BEFORE: Hon. Rolando T. Acosta  
Justice of the Appellate Division

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

M-5762

Respondent,

Ind. No. 3581/09

-against-

ORDER GRANTING A STAY  
OF EXECUTION OF  
RESTITUTION

Leigh Morse,

Defendant-Appellant.

-----X

An appeal having been taken to this Court by the above-named defendant from the judgement of the Supreme Court, New York County, rendered on July 19, 2011, and defendant having moved, pursuant to CPL 460.50 for a stay of execution of that portion of the judgment that imposed restitution pending hearing and determination of the aforesaid appeal,

Now, upon reading and filing the notice of motion, with proof of due service thereof, and the papers filed in support and opposition with respect to said motion; and due deliberation having been had thereon,

It is ordered that the motion be granted to the extent that execution of that portion of the judgment imposing restitution be, and hereby is, stayed pending hearing and determination of the appeal.

Dated: February 14, 2013  
New York, New York



Hon. Rolando T. Acosta  
Associate Justice

**ENTERED**

**FEB 28 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-6029  
Ind. No. 0724/2006

-against-

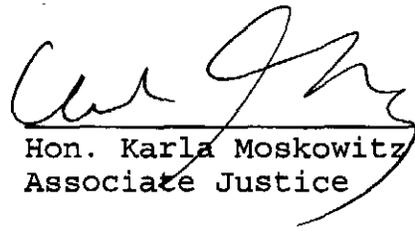
CERTIFICATE  
DENYING LEAVE

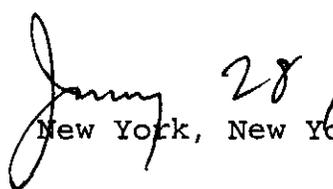
Sharmecka Evans

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 November 30, 2011, is hereby denied.

  
Hon. Karla Moskowitz  
Associate Justice

Dated:  2013  
New York, New York

ENTERED: FEB 28 2013

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

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

-----X  
Joanna Cutler,

Plaintiff-Respondent,

-against-

M-4830  
M-5186  
Index No. 800115/10

Emanuel Layliev, D.D.S., and  
Jeffrey Golub-Evans, D.D.S.,

Defendants-Appellants.  
-----X

Defendants-Appellants, having moved by separate motions for leave to appeal to this Court from so much of the order of the Supreme Court, New York County, entered on or about August 15, 2012, as denied their motions to strike certain language from the pleadings,

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

It is ordered that the motions are denied, and defendants' requests for consolidation are denied as moot.

  
\_\_\_\_\_  
Leland G. DeGrasse  
Associate Justice

Dated: January 31, 2013  
New York, New York

Entered: FEB 28 2013

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

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

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

M - 692  
Ind. No. 7181/00

-against-

CERTIFICATE  
DENYING LEAVE

RAFAEL REYNOSO ADAMES,

Defendant.

-----X

I, Helen E. Freedman, 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 the Criminal Procedure Law §§ 450.15 & 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about August 30, 2012 is hereby denied.

  
\_\_\_\_\_  
Hon. Helen E. Freedman  
Associate Justice

Dated: February 15, 2013  
New York, New York

ENTERED: FEB 28 2013

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

BEFORE: Hon. Sheila Abdus-Salaam  
Justice of the Appellate Division

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

M - 424

Respondent,

Ind. No.7551/99

-against-

CERTIFICATE  
GRANTING LEAVE

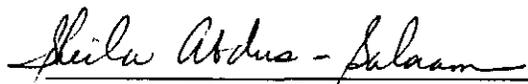
Juan Dilone

Defendant-Appellant.

-----X

I, Sheila Abdus-Salaam, 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 October 25, 2012.<sup>1</sup>

Dated: February 14, 2013  
New York, New York

  
\_\_\_\_\_  
Hon. Sheila Abdus-Salaam  
Associate Justice

**ENTERED**

FEB 28 2013

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.

<sup>1</sup> In the event defendant has an existing (direct) appeal from a judgment, such appeal shall be consolidated with the appeal from the aforesaid order; and any poor person relief granted with respect to the appeal from the judgment shall be extended to cover the appeals so consolidated.

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

BEFORE: Hon. Sheila Abdus-Salaam  
Justice of the Appellate Division

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

M-5577  
Ind. No.3190/08

-against-

CERTIFICATE  
GRANTING LEAVE TO APPEAL  
TO THE COURT OF APPEALS

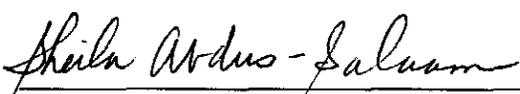
Sharmelle Johnson,

Defendant.

-----x

I, Sheila Abdus-Salaam, 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: February 13, 2013  
New York, New York

ENTERED: FEB 28 2013

\*Description of Order:

Supreme Court, New York County, entered on September 8, 2010, App.Div., First Dept., Appeal Nos.7928-7930, Affd on October 23, 2012

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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. Darcel D. Clark  
Justice of the Appellate Division

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

M - 5662  
Ind. No. 2636/83

-against-

CERTIFICATE  
DENYING LEAVE

Allen Hodge,

Defendant.

-----X

I, Darcel D. Clark, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about March 11, 2011 is denied.

  
\_\_\_\_\_  
Hon. Darcel D. Clark  
Associate Justice

Dated: February 1, 2013  
New York, New York

ENTERED: **FEB 28 2013**