

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 12, 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-5274  
D.C. #6  
Ind. No. 183/11

Antoine G. Allen,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about January 24, 2012,

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

And a calendar call having been held by the Clerk of the Court on October 24, 2013, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the March 2014 Term and counsel is directed to so perfect.

ENTER:

  
CLERK

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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-5279  
D.C. #11  
Ind. No. 3553/10

Jose Basano, also known as Jose Bisono,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about August 9, 2011,

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

And a calendar call having been held by the Clerk of the Court on October 24, 2013, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David Friedman, Justices.

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

-against-

M-5297  
D.C. #28  
Ind. No. 196N/09

Dashawn Cassidy,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about March 9, 2011,

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

And a calendar call having been held by the Clerk of the Court on October 24, 2013, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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Peter Tom  
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Richard T. Andrias  
David Friedman, Justices.

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

-against-

M-5300  
D.C. #31  
Ind. No. 2422/11

Richard Cespedes,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about February 21, 2012,

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

And a calendar call having been held by the Clerk of the Court on October 24, 2013, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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Richard T. Andrias  
David Friedman, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-5302  
D.C. #33  
Ind. No. 1868/11

Davelle Conklin,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about November 2, 2011,

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

And a calendar call having been held by the Clerk of the Court on October 24, 2013, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David Friedman, Justices.

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

-against-

M-5303  
D.C. #34  
Ind. No. 121/11

Rahmel Craft,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about April 3, 2012,

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

And a calendar call having been held by the Clerk of the Court on October 24, 2013, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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Richard T. Andrias  
David Friedman, Justices.

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

-against-

M-5305  
D.C. #36  
Ind. No. 5925/08

Janethza Cruz,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about October 21, 2010,

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

And a calendar call having been held by the Clerk of the Court on October 24, 2013, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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Richard T. Andrias  
David Friedman, Justices.

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

-against-

M-5309  
D.C. #40  
Ind. No. 5692/08

Robert Davoren,  
Defendant-Appellant.

-----X

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

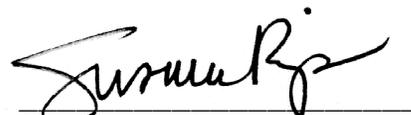
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Richard T. Andrias  
David Friedman, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-5311  
D.C. #42  
Ind. No. 2491/11

Rene Delgado,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the order of the Supreme Court, New York County, entered on or about February 24, 2012,

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

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Richard T. Andrias  
David Friedman, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-5314  
D.C. #45  
Ind. No. 3677/11

Kaubar Dobbins,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about November 22, 2011,

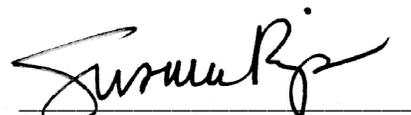
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Richard T. Andrias  
David Friedman, Justices.

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

-against-

M-5315  
D.C. #46  
Ind. No. 4558/04

Amir Douglas,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about May 24, 2007,

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

And a calendar call having been held by the Clerk of the Court on October 24, 2013, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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Richard T. Andrias  
David Friedman, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

Dan Evans,  
Defendant-Appellant.

M-5320  
D.C. #49  
Ind. Nos. 5747/09  
4382/09

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about July 19, 2011,

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

And a calendar call having been held by the Clerk of the Court on October 24, 2013, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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Richard T. Andrias  
David Friedman, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-5325  
D.C. #54  
Ind. No. 1411/99

Nelson Flores, also known as  
Tony Martinez,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the order of the Supreme Court, New York County, entered on or about April 5, 2010,

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

And a calendar call having been held by the Clerk of the Court on October 24, 2013, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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Richard T. Andrias  
David Friedman, Justices.

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

-against-

M-5328  
D.C. #57  
Ind. No. 4462/10

Edward Gantt,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about September 16, 2011,

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

And a calendar call having been held by the Clerk of the Court on October 24, 2013, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David Friedman, Justices.

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

-against-

M-5345  
D.C. #66  
Ind. No. 4069/07

Willie Harris,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about July 21, 2008,

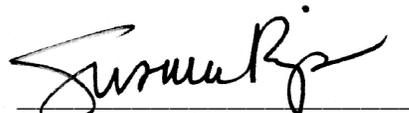
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Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David Friedman, Justices.

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

-against-

M-5350  
D.C. #71  
Ind. No. 1190/10

Eric Hood,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the order of the Supreme Court, New York County, entered on or about February 7, 2012,

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

And a calendar call having been held by the Clerk of the Court on October 24, 2013, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David Friedman, Justices.

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

-against-

M-5352  
D.C. #73  
Ind. No. 3806/10

Brian Hunt,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about April 27, 2011,

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

And a calendar call having been held by the Clerk of the Court on October 24, 2013, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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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-5354  
D.C. #75  
Ind. No. 2035/02

George Hyde,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the order of the Supreme Court, Bronx County, entered on or about December 23, 2009,

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

And a calendar call having been held by the Clerk of the Court on October 24, 2013, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David Friedman, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-5355  
D.C. #76  
Ind. No. 2810/10

Rafael Irizarry,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about July 14, 2010,

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

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Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David Friedman, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-5359  
D.C. #80  
Ind. No. 6527/10

Melvin Johnson,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about March 15, 2011,

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

And a calendar call having been held by the Clerk of the Court on October 24, 2013, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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Richard T. Andrias  
David Friedman, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-5360  
D.C. #81  
Ind. No. 3120/10

Ronel Joseph,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about January 13, 2011,

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

And a calendar call having been held by the Clerk of the Court on October 24, 2013, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

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Richard T. Andrias  
David Friedman, Justices.

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

-against-

M-5361  
D.C. #82  
Ind. No. 4171/11

Ronnie Killens,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about March 16, 2012,

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

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Peter Tom  
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Richard T. Andrias  
David Friedman, Justices.

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

-against-

M-5366  
D.C. #87  
Ind. No. 4193/11

Nigel Livingston,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about April 4, 2012,

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

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Richard T. Andrias  
David Friedman, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-5367  
D.C. #88  
Case No. 36362C/08

Pedro Lizaldo,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about May 1, 2009,

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

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Richard T. Andrias  
David Friedman, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

Benjamin Lizardi,  
Defendant-Appellant.

M-5368  
D.C. #89  
Ind. No. 3962N/09

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about November 10, 2011,

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

And a calendar call having been held by the Clerk of the Court on October 24, 2013, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the March 2014 Term and counsel is directed to so perfect.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 12, 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-5369  
D.C. #90  
Ind. No. 2329/11

Michael Lopez,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about February 28, 2012,

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

And a calendar call having been held by the Clerk of the Court on October 24, 2013, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the March 2014 Term and counsel is directed to so perfect.

ENTER:

  
CLERK

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

Donald Lopez,  
Defendant-Appellant.

M-5370  
D.C. #91  
Ind. No. 2439/11

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about September 28, 2012,

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

And a calendar call having been held by the Clerk of the Court on October 24, 2013, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the March 2014 Term and counsel is directed to so perfect.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 12, 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-5372  
D.C. #93  
Ind. No. 5104/97

John Lowe,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the order of the Supreme Court, New York County, rendered on or about June 16, 2010, **denying resentence,**

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

And a calendar call having been held by the Clerk of the Court on October 24, 2013, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the March 2014 Term and counsel is directed to so perfect.

ENTER:

  
CLERK

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

Walston Lucien,  
Defendant-Appellant.

M-5374  
D.C. #94  
Ind. No. 575/11  
Case No. 3389C/11

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about August 22, 2011,

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

And a calendar call having been held by the Clerk of the Court on October 24, 2013, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the March 2014 Term and counsel is directed to so perfect.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 12, 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-5375  
D.C. #95  
Ind. No. 643/10

Dimitri Marshall,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about December 3, 2010,

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

And a calendar call having been held by the Clerk of the Court on October 24, 2013, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the March 2014 Term and counsel is directed to so perfect.

ENTER:

  
CLERK

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

Silvino Martinez,  
Defendant-Appellant.

M-5377  
D.C. #97  
Ind. No. 4266/08

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about December 20, 2010,

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

And a calendar call having been held by the Clerk of the Court on October 24, 2013, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the March 2014 Term and counsel is directed to so perfect.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 12, 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-5397  
D.C. #106  
Ind. No. 4454/07

Jonathan Narvaez,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about July 30, 2009,

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

And a calendar call having been held by the Clerk of the Court on October 24, 2013, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the March 2014 Term and counsel is directed to so perfect.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 12, 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-5398  
D.C. #107  
Ind. No. 3769/07

Charles Nelson,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about December 12, 2011,

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

And a calendar call having been held by the Clerk of the Court on October 24, 2013, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the March 2014 Term and counsel is directed to so perfect.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 12, 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-5400  
D.C. #109  
Ind. No. 514/08

Mark Nonni,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about November 23, 2010,

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

And a calendar call having been held by the Clerk of the Court on October 24, 2013, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the March 2014 Term and counsel is directed to so perfect.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 12, 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-5405  
D.C. #114  
Ind. No. 328N/09

Carlos Ortiz,  
Defendant-Appellant.

-----X

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

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

And a calendar call having been held by the Clerk of the Court on October 24, 2013, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the March 2014 Term and counsel is directed to so perfect.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 12, 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-5409  
D.C. #115  
Ind. No. 545/07

Ricky Owens,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about August 16, 2010,

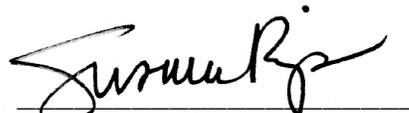
And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on October 24, 2013, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the March 2014 Term and counsel is directed to so perfect.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 12, 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-4897  
Ind. No. 461/08

Bernard Gumbs, also known as  
Thomas Williams,  
Defendant-Appellant.

-----X

Defendant having renewed his motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about April 9, 2013, 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 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 reproduced 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 November 12, 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-4882  
Ind. No. 360/09

Fernando Ramos,

Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about July 23, 2010,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the March 2014 Term.

ENTER:

  
CLERK

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

Andrew Hanson,

Defendant-Appellant.  
-----X

M-4933  
Ind. No. 4667/11

Defendant having moved for an enlargement of time to perfect the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about April 11, 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 March 2014 Term.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 12, 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-4876  
Ind. No. 2667/07

Michael Brizan, also known as  
Michael Brizen,

Defendant-Appellant.  
-----X

Defendant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, New York County, rendered on or about December 18, 2007,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the March 2014 Term.

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 12, 2013.

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

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

-against-

M-4816  
Ind. No. 4916/08

Quadire Crews,  
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 (Wittner, J.) entered on or about September 18, 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 Wittner 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 November 12, 2013.

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

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

-against-

M-4842  
SCID No. 30149/13

Raymond Sanford,  
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 (Mandelbaum, J.) entered on or about September 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 Mandelbaum 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 November 12, 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-4893  
Ind. No. 30114/13

Eddie Shellman,  
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 (Hon. Anthony Ferrara, J.) entered on or about August 20, 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 Ferrara 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 November 12, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
David Friedman  
Karla Moskowitz  
Paul G. Feinman, Justices.

-----X

Leonel Antonio Pinto,  
Plaintiff-Respondent,

-against-

Andrew Gormally, et al.,  
Defendants,

M-4826  
Index No. 6172/07

1432 Doris Street, LLC, etc.,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on August 20, 2013 (Appeal No. 10173), 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 November 12, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Angela M. Mazzairelli  
Richard T. Andrias  
Leland G. DeGrasse, Justices.

-----X  
Philip Alessi,  
Plaintiff-Respondent,

-against-

M-4444  
Index No. 310770/11

New Haven Distribution Services,  
Inc. and James J. Gallenagh,  
Defendants-Cross-Appellants-Respondents.

-----X  
Gregory Alessi,  
Plaintiff-Appellant-Respondent,

-against-

Index No. 311099/11

New Haven Distribution Services, Inc.  
and James J. Gallenagh,  
Defendant-Cross-Appellants-Respondents,

-and-

Philip Alessi and Teresa Alessi,  
Defendants.

-----X

Defendants-cross-appellants-respondents having moved for an enlargement of time to perfect the purported appeal from a decision of the Supreme Court, Bronx County, entered on or about September 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 denied, without prejudice to an appeal from an appealable paper (CPLR 5512[a]).

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 12, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
David B. Saxe  
Sallie Manzanet-Daniels  
Judith J. Gische, Justices.

-----X  
The People of the State of New York,  
ex rel. Bella Zelenaya,  
Petitioner-Appellant,

-against-

M-4469  
Index No. 101110/13

Cyrus R. Vance, et al.,  
Respondents-Respondents.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, entered on or about August 9, 2013, which denied and dismissed appellant's application for a writ of habeas corpus,

And petitioner-appellant having moved for a bail reduction and for related relief, pending hearing and determination of 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 denied.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 12, 2013.

Present: Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
David Friedman  
Helen E. Freedman  
Darcel D. Clark, Justices.

-----X

Maria A. Karpov,  
Plaintiff-Appellant,

**M-5122**

-against-

Index No. 307487/09

Andrei Shiryaev,  
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about October 24, 2012, and said appeal having been perfected,

And defendant-respondent having moved for an adjournment of the perfected appeal, and for leave to respond to the appeal as a poor person, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, for an award of legal fees, and for related relief,

And an order of a Justice of this Court dated October 8, 2013, granting an adjournment of the aforesaid appeal to the February 2014 Term,

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

It is ordered that the relief granted by the aforesaid order of a Justice of the this Court dated October 8, 2013 adjourning the aforesaid appeal to the February 2014 Term, is confirmed and the motion is otherwise denied.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 12, 2013.

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

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

-against-

M-5029  
Ind. No. 5654/09

Gerardo Sanchez,  
Defendant-Appellant.  
-----X

An order of this Court having been entered on May 28, 2013 (M-1861), inter alia, granting defendant leave to file a pro se supplemental brief in connection with an appeal from a judgment of the Supreme Court, New York County, rendered on or about October 18, 2011,

And an order of this Court having been entered on August 27, 2013 (M-3722), inter alia, granting defendant an enlargement of time to file a pro se brief for the January 2014 Term, to which Term the appeal was adjourned,

And defendant-appellant pro se having moved to be provided with transcripts of "all court appearances below" and "any other relevant transcripts" for use in preparing his pro se supplemental brief,

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

It is ordered that the motion is denied; sua sponte, the time to file a pro se supplemental brief is enlarged, and defendant is directed to serve and file 8 copies of his pro se supplemental brief on or before January 27, 2014 for the April 2014 Term, to which Term the appeal is adjourned. 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 November 12, 2013.

Present: Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
David Friedman  
Helen E. Freedman  
Darcel D. Clark, Justices.

-----X  
Lisa Best,  
Plaintiff,

-against-

Tishman Construction Corporation  
of New York, et al.,  
Defendants.

-----X  
Tishman Construction Corporation  
of New York, et al.,  
Third-Party Plaintiffs-  
Respondents-Appellants,

-against-

Solar Electric Systems, Inc.,  
Third-Party Defendant-  
Appellant-respondent,

West-Fair Electrical,  
Third-Party Defendant.

-----X  
(And a Second Third-Party Action)

**M-5066**

Index No. 16191/07

Third-Party  
Index No. 86121/07

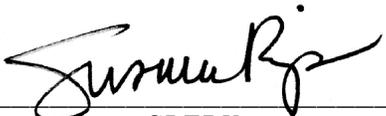
An appeal and cross appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about June 25, 2012, and the appeal and cross appeal having been perfected,

And appellant, Solar Electric Systems, Inc., having moved for an order striking Points II and III in third-party plaintiffs-respondents-appellants' reply brief,

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

Ordered that the motion is granted to the extent of striking Point III in the aforesaid reply brief and otherwise denied, without prejudice to presenting oral argument on the issue.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 12, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
David B. Saxe  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----X  
David Rebibo, et al.,  
Plaintiffs-Respondents,

-against-

Axton Owner LLC,  
Defendant-Appellant.  
-----X

M-4883  
Index No. 105995/10

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 October 17, 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 April 2014 Term.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 12, 2013.

PRESENT - Hon. Peter Tom, Justice Presiding,  
John W. Sweeny, Jr.  
David B. Saxe  
Helen E. Freedman  
Darcel D. Clark, Justices.

-----X  
In the Matter of a Custody/Visitation  
Proceeding

Dede L.,  
Petitioner-Appellant,

-against-

M-4554  
Docket No. V-14418/12

Eden P.,  
Respondent-Respondent.

-----X

Respondent-respondent having moved for dismissal of the appeal taken from the order of the Family Court, New York County, entered on or about June 15, 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 and the appeal is dismissed.

ENTER:



\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 12, 2013.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
David B. Saxe  
Rosalyn H. Richter  
Paul G. Feinman, Justices.

-----X

Tamara Holmes,

Plaintiff-Respondent,

-against-

Bronx-Lebanon Hospital Center,

Defendant-Appellant.

-----X

**M-4991**

Index No. 305387/08

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about May 16, 2013,

And defendant-appellant having moved to stay trial pending hearing and determination of the aforesaid appeal,

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

Ordered that the motion is denied.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 12, 2013.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
John W. Sweeny, Jr.  
David B. Saxe  
Karla Moskowitz, Justices.

-----X  
450-454 West 152<sup>nd</sup> Street, HDFC,  
Petitioner-Landlord-Respondent,

-against-

M-4686  
Index No. 570015/12

Everett Stenbridge,  
Respondent-Tenant-Appellant,

-and-

"John Doe" and "Jane Doe",  
Respondents (Undertenants).

-----X

Respondent-tenant-appellant Everett Stenbridge having moved for reargument of the order of this Court entered on August 20, 2013 (M-3150),

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

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 12, 2013.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
Helen E. Freedman  
Judith J. Gische, Justices.

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

-against-

M-4383  
Ind. No. 934/10

Pedro Reyes,  
Defendant-Appellant.

-----X

The respondent People having moved to dismiss the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about July 1, 2010,

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

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

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 12, 2013.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Karla Moskowitz  
Sallie Manzanet-Daniels  
Judith J. Gische, Justices.

-----X

Elizabeth Berardi,  
Plaintiff-Respondent-Appellant,

-against-

M-4029  
Index No. 651207/10

Eugene Berardi, et al.,  
Defendants-Appellants-Respondents.

-----X

Plaintiff-respondent-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 July 2, 2013 (Appeal No. 10325), 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 November 12, 2013.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Helen E. Freedman  
Judith J. Gische, Justices.

-----X

In re Luther Dempsey,  
Petitioner-Respondent,

-against-

M-4354  
Index No. 401935/11

The New York City Department of  
Education, et al.,  
Respondents-Appellants.

-----X

Petitioner-respondent having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on July 16, 2013 (Appeal No. 10130),

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 the this Court, which reversed the judgment of the Supreme Court, properly made?"

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 12, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Dianne T. Renwick  
Leland G. DeGrasse  
Helen E. Freedman  
Paul G. Feinman, Justices.

-----X  
Delores Covington,  
Plaintiff-Appellant,

-against-

M-4294  
Index No. 17576/05

The City of New York and Bronx  
Lebanon Hospital Center,  
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about November 13, 2012,

Now, upon reading and filing the papers with respect to the motion including the stipulation between the parties dated August 12, 2013, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the March 2014 Term.

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 12, 2013.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,  
Dianne T. Renwick  
Leland G. DeGrasse  
Paul G. Feinman  
Judith J. Gische, Justices.

-----X

HSBC Bank, USA, et al.,  
Plaintiffs-Respondents,

-against-

M-4950  
Index No. 381904/09

Betty Lugo,  
Defendant-Appellant,

New Century Mortgage Corporation,  
et al.,  
Defendants.

-----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 July 17, 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 on or before January 27, 2014 for the April 2014 Term.

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 12, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Dianne T. Renwick  
Leland G. DeGrasse  
Paul G. Feinman  
Judith J. Gische, Justices.

-----X  
Anthony Jackson,  
Claimant,

-against-

State of New York,  
Respondent.

M-4955  
Claim No. 118532

-----X

Claimant, pro se, having moved for leave to prosecute, as a poor person, the appeal from a decision of the Court of Claims, New York County, entered on or about May 21, 2013, 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.

ENTER:



\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 12, 2013.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,  
Dianne T. Renwick  
Leland G. DeGrasse  
Paul G. Feinman  
Judith J. Gische, Justices.

-----X  
Calcedo Construction Corporation,  
Plaintiff-Appellant,

-against-

M-4970  
Index No. 112185/09

Hartford Casualty Insurance Company,  
et al.,  
Defendants-Respondents/Appellants,

TDX Construction Corporation, et al.,  
Defendants-Respondents.

-----X  
Hartford Casualty Insurance Company,  
et al.,  
Third-Party Plaintiffs-Respondents/  
Appellants,

-against-

Index No. 590376/10

QBE Insurance Corporation,  
Third-Party Defendant-Appellant,

Travelers Property Casualty Company of  
America, et al.,  
Third-Party Defendants.

-----X

An order of this Court having been entered on September 26, 2013 (M-4235), granting plaintiff-appellant's Calcedo Construction Corporation and third-party defendant-appellant QBE Insurance Corporation motion for an enlargement of time to perfect their appeal from order of the Supreme Court, New York County, entered on or about November 27, 2012,

And defendants/third-party plaintiffs Hartford Casualty Insurance Company and Glassolutions Unlimited Corporation having moved for an enlargement of time to perfect their appeal from the aforesaid order, and from additional orders of said Court and Justice entered on or about November 27, 2012 (mot. seq. nos. 001-003),

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 and, sua sponte, the appeals are consolidated to the extent of permitting appellants to prosecute the consolidated appeals upon 9 copies of one record and one set each of respective appellants' points covering the consolidated appeals. The attention of the parties is directed to 22 NYCRR § 600.11. The time to perfect the consolidated appeals is enlarged to the March 2014 Term.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 12, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
Karla Moskowitz  
Paul G. Feinman, Justices.

-----X  
Syncora Guarantee Inc., formerly  
known as XL Capital Assurance Inc.,  
Plaintiff-Respondent,

-against-

M-4694  
Index No. 651566/11

J.P. Morgan Securities LLC,  
formerly know as Bear,  
Sterns & Co., Inc.,  
Defendant-Appellant.

-----X

Plaintiff-respondent having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on August 13, 2013 (Appeal No. 9471),

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

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 12, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rosalyn H. Richter  
Paul G. Feinman  
Judith J. Gische, Justices.

-----X  
Bari Yunis Schorr,  
Plaintiff-Respondent,

-against-

M-4497  
Index No. 305587/11

David Evan Schorr,  
Defendant-Appellant.  
-----X

Defendant-appellant, pro se, 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 January 30, 2013 (mot. seq. no. 015),

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the March 2014 Term.

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 12, 2013.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,  
Karla Moskowitz  
Dianne T. Renwick  
Leland G. DeGrasse  
Judith J. Gische, Justices.

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

-----  
Marisela N., Docket No. O-4261/10  
Petitioner-Respondent,

-against-

Lacy M.S.,  
Respondent-Appellant.  
-----X

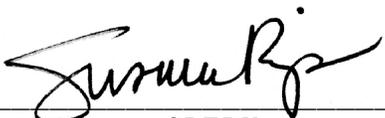
An appeal having been taken from an order of the Family Court, Bronx County, entered on or about November 9, 2012,

And respondent-appellant having moved to enlarge the record on appeal to include the material attached as Exhibit 6 to the affirmation of Randall S. Carmel, Esq., submitted in support of the motion or alternatively for a reconstruction hearing to determine what documents are missing from the trial record,

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 record on appeal as previously indicated to include the aforesaid Exhibit 6 and, sua sponte, enlarging the time to perfect the appeal to the May 2014 Term.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 12, 2013.

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

-----X  
In the Matter of

Jamal S.,  
A Person Alleged to be  
A Juvenile Delinquent,  
Appellant.

M-4740  
Docket No. D-17968/12

-----X

Respondent-appellant having moved for an enlargement of time to perfect the appeal from the order of the Family Court, Bronx County, entered on or about November 19, 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 March 2014 Term.

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 12, 2013.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,  
Karla Moskowitz  
Dianne T. Renwick  
Leland G. DeGrasse  
Judith J. Gische, Justices.

-----X

George Eremeyev,  
Plaintiff-Appellant,

-and-

Olga Eremeyev,  
Plaintiff,

M-4968  
Index No. 250078/12

-against-

Mount Sinai Hospital, et al.,  
Defendants-Respondents.

-----X

An appeal having been taken to this Court from the order of the Supreme Court, Bronx County, entered on or about September 1, 2012,

And an order of this Court having been entered on August 6, 2013 (M-3343), granting plaintiff-appellant an enlargement of time to perfect the appeal to the December 2013 Term, and otherwise denying the motion,

And plaintiff-appellant pro se having moved for an enlargement of time to perfect the appeal, for reconsideration of the order of this Court entered on August 6, 2013 (M-3343) with respect to the denial of poor person relief, and for related relief,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the March 2014 Term, with no further enlargements to be granted. Upon failure to so perfect, an order dismissing the appeal May be entered ex parte, provided respondents serve a copy of this order upon appellant

(M-4968)

-2-

November 12, 2013

within 10 days after the date of entry hereof. The motion is otherwise denied.

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 November 12, 2013.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Karla Moskowitz  
Dianne T. Renwick  
Leland G. DeGrasse  
Judith J. Gische, Justices.

-----X  
Steven E. Rosenbaum,  
Plaintiff-Appellant,

-against-

M-5079  
Index No. 114129/11

Ronald C. Burke, et al.,  
Defendants-Respondents.  
-----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 January 15, 2013 (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 April 2014 Term.

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 12, 2013.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,  
Karla Moskowitz  
Dianne T. Renwick  
Leland G. DeGrasse  
Judith J. Gische, Justices.

-----X  
Ivo J. Peraica,  
Plaintiff-Respondent,

-against-

**M-5015**

Index No. 190339/11

A.O. Smith Water Products, et al.,  
Defendants,

Crane Co.,  
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about November 21, 2012, and said appeal having been perfected,

And plaintiff-respondent having moved for an order holding the appeal in abeyance pending determination by Supreme Court of plaintiff's pending post-trial proceedings or, in the alternative, to adjourn 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 appeal is adjourned to the April 2014 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 November 12, 2013.

PRESENT - Hon. Rolando T. Acosta, Justice Presiding,  
David B. Saxe  
Dianne T. Renwick  
Leland G. DeGrasse  
Rosalyn H. Richter, Justices.

-----X  
MH Residential 1, LLC,  
Petitioner-Landlord-Respondent,

-against-

M-4733  
Index No. 570493/11

Ronald D. Peterson,  
Respondent-Tenant-Appellant,

-and-

Kathleen Peterson, Kate Peterson,  
R.J. Peterson, "John Doe", and  
"Jane Doe",  
Respondents-Undertenants.

-----X

Respondent-tenant-appellant having moved for leave to appeal to this Court from the decision and order of the Appellate Term, entered in the office of the Clerk of the Supreme Court, New York County on or about July 29, 2013, and for a stay of eviction,

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

It is ordered that the motion is denied in its entirety.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 12, 2013.

Present - Hon. Rolando T. Acosta, Justice Presiding,  
David B. Saxe  
Leland G. DeGrasse  
Rosaly H. Richter, Justices.

-----X  
The People of the State of New York  
ex rel. Wayne James,

Petitioner-Appellant/Respondent,

**M-4642**

-against-

**M-4649**

Index No. 341089/11

Warden, Rikers Island,

Respondent-Respondent/Appellant.

-----X

An appeal having been taken by petitioner-appellant/ respondent from a judgment of the Supreme Court, Bronx County, entered on or about June 8, 2012, which dismissed a habeas corpus proceeding,

And the respondent-respondent/appellant Warden having taken an appeal from the order of the same Court and Justice entered on or about August 24, 2012,

And petitioner-appellant-respondent Wayne James having moved for reargument/reconsideration of the order of this Court, entered on or about June 13, 2012 (M-1371), insofar as it denied petitioner's motion for the assignment of counsel [M-4642],

And petitioner-appellant-respondent having moved for leave to respond as a poor person and for the assignment of counsel on the aforesaid appeal taken by respondent-respondent-appellant Warden from an order of said Supreme Court, entered on or about August 24, 2012 (M-4649),

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

It is ordered that petitioner-appellant-respondent's motion for reargument of the order of this Court, entered on or about June 13, 2012 (M-1371) is granted and upon reargument said petitioner-appellant-respondent is granted leave to prosecute his appeal and respond to the Warden's appeal on the original record and upon a reproduced petitioner-appellant's/ respondent-respondent's brief, on condition that appellant serves one copy of such brief upon the Attorney General of the State of New York and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court. Sua sponte the appeals are consolidated.

Pursuant to Section 35 of the Judiciary Law, Larry J. Sheehan, Esq., 840 Grand Concourse, Suite 1BB, Bronx, NY 10451 (Telephone No. (718) 401-7724, is assigned as counsel for appellant for purposes of prosecuting and responding to the appeal and cross appeal. Counsel is directed to perfect the appeal in accordance with Rule 600.18 of this Court.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 12, 2013.

Present - Hon. Rolando T. Acosta, Justice Presiding,  
David B. Saxe  
Dianne T. Renwick  
Leland G. DeGrasse  
Rosalyn H. Richter, Justices.

-----X  
In the Matter of the Application of  
Frances Perkins and Donald Soares,  
Petitioners-Appellants,

For a Judgment Pursuant to Article 78 M-4491  
of the CPLR, Index No. 402199/12

-against-

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

Petitioners-appellants having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, entered on or about February 6, 2013, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, for a stay of eviction pending hearing and determination of the aforesaid relief, and for related 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 in its entirety, and the interim relief granted by the order of a Justice of this Court dated August 30, 2013, is vacated insofar as any such relief remains extant.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 12, 2013.

PRESENT - Hon. Dianne T. Renwick, Justice Presiding,  
Sallie Manzanet-Daniels  
Judith J. Gische  
Darcel D. Clark, Justices.

-----X  
In re Michael O'Dette,  
Petitioner,

-against-

New York State Unified Court System,  
Respondent.

M-3559  
Index No. 103174/12

-----X

Petitioner having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on June 20, 2013 (Appeal No. 10425),

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

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

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

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

M-4643  
Ind. No. 4589/07

-against-

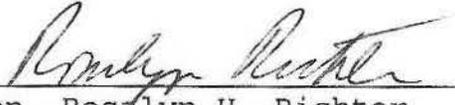
CERTIFICATE  
DENYING LEAVE

Nouchie Vellon,

Defendant.

-----X

I, Rosalyn H. Richter, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon the 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 June 5, 2013, is hereby denied.

  
\_\_\_\_\_  
Hon. Rosalyn H. Richter

Dated: October 15, 2013  
New York, New York

ENTERED:

NOV 12 2013

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

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

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

M-3777  
Ind. No. 2048/03

-against-

CERTIFICATE  
DENYING LEAVE

Mourad Baraket,  
Defendant.

-----X

I, Hon. Leland G. DeGrasse, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about March 6, 2013, is hereby denied.

Dated: New York, New York  
October 16, 2013



**ENTERED** NOV 12 2013

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Hon. Leland G. DeGrasse  
Justice of the Appellate Division

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

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

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The People of the State of New York,

M - 4783  
Ind. No. 5258/08

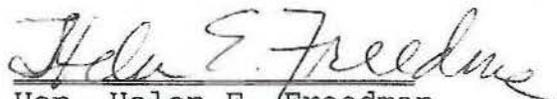
-against-

CERTIFICATE  
DENYING LEAVE

RAYNELL BURGESS,

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 9, 2013 is hereby denied.

  
Hon. Helen E. Freedman  
Associate Justice

Dated: October 11, 2013  
New York, New York

ENTERED: NOV 12 2013