

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 17, 2014.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-238
Ind. No. 1894/97

Larry Rodriguez,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County (Seth L. Marvin, J.), entered on or about December 11, 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) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Marvin as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Robert S. Dean, Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed.

The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 17, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
John W. Sweeny, Jr.
Rosalyn H. Richter
Sallie Manzanet-Daniels
Darcel D. Clark, Justice.

-----X
In the Matter of the Application of
Wendy Suazo,
Petitioner,

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

M-170
Index No. 400634/13

-against-

New York City Department of Housing
Preservation and Development,
Respondent.

-----X

An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about August 2, 2013, to review a determination of respondent,

And petitioner having moved for leave to prosecute the proceeding as a poor person, upon the original record and reproduced petitioner's 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 permitting the proceeding to be heard on the original record and upon a reproduced petitioner's brief, on condition that petitioner serve one copy of such brief upon the attorney for the respondent and file 8 copies of such brief, together with the original record, with this Court. Petitioner is permitted to dispense with payment of the required fee for the subpoena and filing of the record.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in in the County of New York on April 17, 2014.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Rolando T. Acosta
David B. Saxe
Roselyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

71 Clinton Street Apartments LLC,
as assignee of People's United Bank,
as successor by Merger to Bank of
Smithtown,

Plaintiff-Respondent,

M-928

Index No. 382040/10

-against-

Ilana Industrial LLC, et al.,
Defendants-Appellants,

Park Avenue Funding, LLC, et al.,
Defendants.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about July 15, 2013,

And defendants-appellants having moved to stay enforcement of certain portions of the aforesaid order, and for related relief, pending hearing and determination of the appeal,

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

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 17, 2014.

Present: Hon. Peter Tom, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Leland G. DeGrasse
Helen E. Freedman, Justices.

-----X
Naima Dayan,
Plaintiff-Appellant,

-against-

M-1059

Index No. 151014/13

David H. Singer, et al.,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 6, 2013,

And plaintiff-appellant having moved for an enlargement of time to perfect the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties dated February 25, 2014, 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 2014 Term 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 April 17, 2014.

Present - Hon. Peter Tom, Justice Presiding,
Rolando T. Acosta
Helen E. Freedman
Barbara R. Kapnick, Justices.

-----x
Columbus Sponsorship, LLC,
Plaintiff-Appellant-Respondent, M-1355

-against- Index No. 110957/09

Millenia Partners, LLC, et al.,
Defendants-Respondents-Appellants.

- - - - -
A/R Retail LLC,
Plaintiff-Appellant-Respondent,

-against- Index No. 113412/09

Millenia Partners, LLC, et al.,
Defendants-Respondents-Appellants.

-----x

Appeals and cross appeals having been taken to this Court from the order of the Supreme Court, New York County, entered on or about October 26, 2012 (mot. seq. no. 006),

And plaintiffs-appellants-respondents having jointly moved for an enlargement of time to perfect the direct appeals,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties dated March 14, 2014, and due deliberation having been had thereon,

It is ordered that the time to perfect the appeals and cross appeals is enlarged to the September 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 April 17, 2014.

Present: Hon. Peter Tom, Justice Presiding,
Rolando T. Acosta
Helen E. Freedman
Barbara R. Kapnick, Justices.

-----X
Ike Essilfie-Obeng, an Infant by
his Mother and Natural Guardian,
Lydia Davies, and Lydia Davies,
Individually,
Plaintiff-Appellant,

M-1152
Index No. 8967/04

-against-

Godfried R. Ahyia, et al.,
Defendants-Respondents.

-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about May 31, 2013,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the October 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 April 17, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
Dianne T. Renwick
Leland DeGrasse
Judith J. Gische, Justices.

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

-against-

M-58
Ind. Nos. 1469/13
2832/11

Larry Davis,
Defendant-Appellant.

-----X

Defendant having renewed his motion for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about July 23, 2013, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 17, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
Dianne T. Renwick
Leland DeGrasse
Judith J. Gische, Justices.

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

-against-

M-59
Ind. No. 1533/12

Andrew M. Lessey,
Defendant-Appellant.

-----X

Defendant having renewed his motion for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about June 25, 2013, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 17, 2014.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Leland G. DeGrasse
Darcel D. Clark, Justices.

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

-against-

M-230
Ind. No. 3682N/12

Patrick A. Fortune,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about October 2, 2013, and for leave to prosecute the appeal as a poor person on the original record and upon a reproduced appellant's brief, and for assignment of counsel,

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

It is ordered that the motion is granted to the extent of deeming the notice of appeal timely filed, and

It is ordered that the motion insofar as it seeks poor person relief, is denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, in compliance with CPLR 1101(a), setting forth the terms of defendant's retainer agreement with trial counsel, Anthony S. Chilliast, Esq., the amount and sources of monies for trial counsel's fee and an explanation as to why similar funds are not available to prosecute this appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 17, 2014.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Leland G. DeGrasse
Darcel D. Clark, Justices.

-----X
In the Matter of the Application of
Melissa T. Mitchner,
Petitioner,

For a Judgment Pursuant to Article 78 **M-443**
of the Civil Practice Law and Rules, Index No. 402099/12

-against-

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

An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about February 11, 2013, to review a determination of respondent,

And petitioner having moved for leave to prosecute the proceeding as a poor person, upon the original record and reproduced petitioner's 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 permitting the proceeding to be heard on the original record and upon a reproduced petitioner's brief, on condition that petitioner serves one copy of such brief upon the attorney for the respondent and file 8 copies of such brief, together with the original record, with this Court. Petitioner is permitted to dispense with payment of the required fee for the subpoena and filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 17, 2014.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Leland G. DeGrasse
Paul G. Feinman
Barbara R. Kapnick, Justices.

-----x
IN RE: New York City Asbestos Litigation

Ronald W. Bonfey and Leane Bonfey,
et al.,
Plaintiffs-Respondents,

-against-

M-1156
Index No. 107004/02

A.C. & S., Inc., et al.,
Defendants,

-and-

Crane Co.,
Defendant-Appellant.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about March 8, 2013 (mot. seq. no. 001),

And defendant-appellant having moved for an enlargement of time to perfect the appeal,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeals to the November 2014 Term, with leave to seek a further enlargement, if necessary. (See M-1158 and M-1159, decided simultaneously herewith.)

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 17, 2014.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Leland G. DeGrasse
Paul G. Feinman
Barbara R. Kapnick, Justices.

-----x
IN RE: New York City Asbestos Litigation

Diane London, as Administrator for the Estate of Louis C. Baker, et al.,
Plaintiffs-Respondents,

-against-

M-1158
Index No. 107169/02

A.C. & S., Inc., et al.,
Defendants,

-and-

Crane Co.,
Defendant-Appellant.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about March 7, 2013 (mot. seq. no. 002),

And defendant-appellant having moved for an enlargement of time to perfect the appeal,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeals to the November 2014 Term, with leave to seek a further enlargement, if necessary. (See M-1156 and M-1159, decided simultaneously herewith.)

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 17, 2014.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Leland G. DeGrasse
Paul G. Feinman
Barbara R. Kapnick, Justices.

-----x
IN RE: New York City Asbestos Litigation

Richard Ambis, et al.,
Plaintiffs-Respondents,

-against-

M-1159
Index No. 113567/02

A.C. & S., Inc., et al.,
Defendants,

-and-

Crane Co.,
Defendant-Appellant.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about March 6, 2013 (mot. seq. no. 001),

And defendant-appellant having moved for an enlargement of time to perfect the appeal,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeals to the November 2014 Term, with leave to seek a further enlargement, if necessary. (See M-1156 and M-1158, decided simultaneously herewith.)

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 17, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
Dianne T. Renwick
Leland DeGrasse
Judith J. Gische, Justices.

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

-against- M-69
Ind. No. 3101/12
SCI. No. 3676/13
Ramel Blount,
Defendant-Appellant.

-----X

An order of this Court having been entered on December 19, 2013 (M-5823), inter alia, granting defendant's motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about October 2, 2013, under Indictment No. 3010/12, and assigning counsel therefor,

And defendant having moved for an order amending the notice of appeal and aforementioned order of assignment of this Court to include an order of the Supreme Court, New York County, also entered on or about October 2, 2013, under SCI. No. 3676/13, 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 motion is granted to the extent of amending defendant's notice of appeal and the aforementioned order of assignment to include the order of the Supreme Court, New York County, entered on October 2, 2013 (under SCI. No. 3676/13), and extending the poor person relief previously granted to cover same.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 17, 2014.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Karla Moskowitz, Justices.

-----X

Koya Abe,
Plaintiff-Appellant,

-against-

M-173

Index No. 113150/10

Nancy Barton, et al.,
Defendants-Respondents.

-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about January 25, 2013 and on or about April 11, 2013, respectively,

And plaintiff-appellant having moved for an order enlarging the time to perfect the appeal from the order entered on or about April 11, 2013, and consolidating said appeal with the appeal from the order entered on or about January 25, 2013, 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, on consent, to the extent of consolidating the appeal from the order entered on or about April 11, 2013 with the appeal from the order entered on or about January 25, 2013. Plaintiff-appellant is permitted to prosecute the consolidated appeals upon 9 copies of one record and of one set of appellant's points covering the aforesaid appeals, and the time to perfect the consolidated appeals is enlarged to on or before July 7, 2014 for the September 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 April 17, 2014.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Richard T. Andrias
Sallie Manzanet-Daniels
Barbara R. Kapnick, Justices.

-----X
Danielle Lerman,

Plaintiff-Respondent,

M-886

Index No. 150605/12

-against-

The City of New York,

Defendant-Appellant.
-----X

Defendant-appellant having moved for an order staying the trial in the above-entitled action pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about September 5, 2013,

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 April 17, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
Karla Moskowitz
Leland G. DeGrasse
Judith J. Gische, Justices.

-----X

In the Matter of the Application of
Gerald Douglas,
Petitioner-Appellant,

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

-against-

M-61
Index No. 250544/13

DMV Board of Appeals,
Defendant-Respondent.

-----X

An order of this Court having been entered on December 5, 2013 (M-5487) denying petitioner-appellant's motion for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County, entered on or about September 13, 2013, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

And petitioner-appellant having moved for reconsideration of the aforesaid order of this Court entered on December 5, 2013 (M-5487),

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 April 17, 2014.

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

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

-against-

M-133
Ind. No. 4872/11

Jomo Williams,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about November 26, 2013, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, for an investigator on the appeal, 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, to the extent it seeks poor person relief, is denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth the amount and sources of funds post the \$10,000 bail in the Supreme Court, the disposition thereof, and an explanation as to why similar funds are not available to prosecute the appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

The motion, to the extent it seeks, inter alia, a stay of execution of sentence and the assignment of an investigator, is otherwise denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 17, 2014.

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

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

-against-

M-209
Ind. No. 4034/12

Ferdinand Bonilla,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about February 6, 2013, for leave to prosecute the appeal as a poor person, on the original record and upon a reproduced appellant's brief, and for related relief,

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

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 17, 2014.

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

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

-against-

Jose Alvarado,
Defendant-Appellant.

M-57
Ind. Nos. 255/04
217/04
3049/03

-----x

An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, rendered on or about July 21, 2004,

And defendant-appellant having moved for an order remanding the matter to the Supreme Court, New York County, for a reconstruction of the proceedings held on March 26, 2004 and March 27, 2004 before Hon. Ronald Zweibel, inclusive of minutes of the summation, jury charge, deliberations and defendant's trial, and for an enlargement of time to perfect the aforesaid appeal,

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

It is ordered that the motion is granted to the extent of remanding the matter to Supreme Court, New York County, for reconstruction of the aforesaid proceedings as expeditiously as possible. Defendant's counsel is directed to serve a copy of this order upon the Clerk and its chief court reporter of said Court within 10 days from the date of entry hereof, and the Clerk is directed to have the minutes of the proceedings transcribed and delivered to defendant's counsel for inclusion in the record within 30 days of the conclusion of said reconstruction hearing.

The time to perfect the aforesaid appeal is enlarged to the November 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 April 17, 2014.

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

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

-against-

Robert Camarano,
Defendant-Appellant.

M-6608
Ind. Nos. 3914/08
2918/08

-----x

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

And defendant-appellant having moved for an order remanding the matter to the Supreme Court, New York County, for a reconstruction of the proceedings held on May 27, 2010 before Hon. Berkman, inclusive of minutes of the summation, jury charge and deliberations, and for an enlargement of time to perfect the appeal,

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

It is ordered that the motion is granted to the extent of remanding the matter to Supreme Court, New York County, for reconstruction of the aforesaid proceedings as expeditiously as possible. Defendant's counsel is directed to serve a copy of this order upon the Clerk and its chief court reporter of said Court within 10 days from the date of entry hereof, and the Clerk is directed to have the minutes of the proceedings transcribed and delivered to defendant's counsel for inclusion in the record within 30 days of the conclusion of said reconstruction hearing.

The time to perfect the appeal is enlarged to the November 2014 Term, with leave to seek further enlargements, if necessary.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 17, 2014.

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

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

-against-

Rayson Perez,
Defendant-Appellant.

M-280
Ind. Nos. 2129/10
897/11

-----X

An order of this Court having been entered on July 16, 2013 (M-2035), inter alia, granting defendant's motion for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about January 24, 2013, under Indictment No. 2129/10, and assigning counsel therefor,

And defendant-appellant having moved for an order amending the notice of appeal and the aforementioned order to include Indictment No. 897/11,

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

It is ordered that said motion is granted to the extent of amending defendant's notice of appeal and the aforementioned order to include Indictment No. 897/11, and extending the poor person relief previously granted to cover same.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 17, 2014.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Richard T. Andrias
Helen E. Freedman
Rosalyn H. Richter
Darcel D. Clark, Justices.

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

-against- M-38
Ind. Nos. 4374/10
Rodney Henderson, 3232/11
Defendant-Appellant.

-----X

An order of this Court having been entered on September 26, 2013 (M-3797), inter alia, granting defendant's motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about June 7, 2013 under Indictment No. 4374/10, and assigning counsel therefor,

And defendant having moved for an order amending the notice of appeal and aforementioned order of assignment of this Court to include an order of the Supreme Court, New York County, also entered on or about June 7, 2013, under Ind. No. 3232/11, 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 motion is granted to the extent of amending defendant's notice of appeal and the aforementioned order of assignment to include the order of the Supreme Court, New York County, entered on June 7, 2013 (under Ind. No. 3232/11), and extending the poor person relief previously granted to cover same.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 17, 2014.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Karla Moskowitz
Rosalyn H. Richter
Judith J. Gische, Justices.

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

-against-

Lawrence G. Beatty,
Defendant-Appellant.

M-303
Ind. No. 1483/11
Case No. 5227C/11

-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, rendered on or about June 14, 2013,

And an order by a Justice of this Court having been entered on July 11, 2013 (M-3621), staying execution of the sentence in the aforesaid appeal, pending hearing and determination of said appeal,

And an order of this Court having been entered on November 26, 2013 (M-5505), continuing the stay of execution of sentence on condition the appeal be perfected for the April 2014 Term,

And defendant-appellant having moved to continue the stay previously granted by the order of a Justice of this Court on July 11, 2013 (M-3621), and continued in the order of this Court entered November 26, 2013 (M-5505),

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 stay of execution of sentence previously granted (M-3621 entered July 11, 2013) is reinstated and continued, upon the same terms and conditions, and on further condition that the appeal be perfected on or before July 7, 2014 for the September 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 April 17, 2014.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Karla Moskowitz
Rosalyn H. Richter
Judith J. Gische, Justices.

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

Respondent,

-against-

M-186
Ind. No. 1832/08

Michael Wells,

Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to file a pro se supplemental brief in connection with the appeal from an order of the Supreme Court, Bronx County, entered on or about August 11, 2011,

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

It is ordered that the motion is denied, as premature, the appeal not having yet been perfected.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 17, 2014.

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

-----X

The People of the State of New York,

Respondent,

-against-

M-129
Ind. No. 5223/10

Joseph Brevard,

Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to file a pro se supplemental brief in connection with the appeal from an order of the Supreme Court, New York County, entered on or about November 27, 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, as premature, the appeal not having yet been perfected.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 17, 2014.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Karla Moskowitz
Helen E. Freedman
Paul G. Feinman, Justice.

-----X
Jeffrey Johnson,
Plaintiff-Appellant,

-against-

M-795
Index No. 102034/12

S.W. Management, LLC, et al.,
Defendants-Respondents.

-----X

Plaintiff-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 May 20, 2013 (mot. seq. no. 003),

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the September 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 April 17, 2014.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Karla Moskowitz
Helen E. Freedman
Paul G. Feinman, Justices.

-----X
Bruce Schwarz,
Plaintiff-Appellant,

-against-

Boom Batta, Inc., et al.,
Defendants-Respondents.

M-842
Index No. 100524/08

-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about April 2, 2013 (mot. seq. no. 007),

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 November 2014 Term, with leave to seek further enlargements, if necessary.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 17, 2014.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Karla Moskowitz
Helen E. Freedman, Justice.

-----X
Dorothy Singer, et al.,
Plaintiffs-Respondents,

-against-

M-853

Index No. 602568/08

Robert W. Seavey, and BNA Realty
Company, LLC,
Defendants-Appellants,

Phyllis Seavey and Dalton Management
Co. LLC,
Defendants.

-----X

Defendants-appellants 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 April 12, 2013 (mot. seq. no. 012),

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 November 2014 Term, with leave to seek further enlargements, if necessary.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 17, 2014.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Richard T. Andrias
David B. Saxe
Helen E. Freedman
Paul G. Feinman, Justice.

-----x
The People of the State of New York
ex rel. Kenley Stanislas,
Petitioner-Appellant,

-against-

M-139
Index. No. 401714/13

Lisa Cooper, Warden, NYC Department
of Corrections,
Respondent.

-----x

A purported appeal having been taken from the judgment of the Supreme Court, New York County, entered on or about October 15, 2013,

And petitioner-appellant, pro se, having moved for leave to prosecute said purported appeal as a poor person, for the assignment of 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 the motion is denied, with leave to renew, upon submission of a properly and timely filed notice of appeal.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 17, 2014.

Present: Hon. Diane T. Renwick, Justice Presiding,
Karla Moskowitz
Leland G. DeGrasse
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

-----X
Suzanne Cavaluzzo,
Plaintiff-Respondent,

-against-

Raymond Cavaluzzo,
Defendant-Appellant.
-----X

M-1295
M-1483
Index No. 76117/09

An appeal having been taken to this Court from an order of the Supreme Court, Bronx County, entered on or about November 18, 2013,

And an order of this Court having been entered on January 9, 2014 (M-6292), granting defendant a stay on condition the appeal is perfected for the May 2014 Term,

And plaintiff-respondent having moved for an order vacating the aforesaid stay and dismissing the appeal (M-1295),

And defendant-appellant having cross-moved for an order enlarging the time to perfect the aforesaid appeal and preserving the stay (M-1483),

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 stay afforded defendant-appellant by the order of this Court entered on January 9, 2013 (M-6292) is continued on condition the appeal is perfected on or before July 7, 2014 for the September 2014 Term (M-1483). Plaintiff-respondent's motion is denied (M-1295).

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 17, 2014.

Present: Hon. Diane T. Renwick, Justice Presiding,
Karla Moskowitz
Leland G. DeGrasse
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

-----X
Indigo Secured High Income Note, Ltd.,
Plaintiff-Respondent,

-against-

M-1223

Index No. 650487/13

HCI Secured Medical Receivables Special
Purpose Corporation, a New York
Corporation, et al.,
Defendants-Appellants.

-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about May 15, 2013 and June 5, 2013, respectively,

And defendants-appellants having moved for an enlargement of time to perfect the aforesaid appeals,

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

It is ordered that, sua sponte the appeals are consolidated, and the motion is granted to the extent of enlarging the time to perfect the consolidated appeals to the October 2014 Term. Defendants-appellants are permitted to prosecute said appeals upon 9 copies of one record and of one set of appellants' points covering the appeals.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 17, 2014.

Present: Hon. Diane T. Renwick, Justice Presiding,
Karla Moskowitz
Leland G. DeGrasse
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

-----X
New York Marine and General Insurance
Company, et al.,
Plaintiffs-Respondents,

-against-

M-1178

M-1191

Index No. 309507/08

Illinois Union Insurance Company,
Defendant-Appellant,

Joy Construction Corp.,
Defendant-Appellant,

Arch Insurance Group, et al.,
Defendants.

-----X

Separate appeals having been taken to this Court by the above-named defendants-appellants from an order of the Supreme Court, Bronx County, entered on or about May 9, 2013,

And said defendants-appellants having moved by separate motions for an enlargement of time to perfect their respective appeals,

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

It is ordered that the motions are granted to the extent of, sua sponte, consolidating the aforesaid appeals as indicated, infra, and enlarging the time to perfect the consolidated appeals to the October 2014 Term. Defendants-appellants are permitted to prosecute the consolidated appeals upon 9 copies of one record and one set each of appellants' points covering the appeals.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 17, 2014.

Present: Hon. Diane T. Renwick, Justice Presiding,
Karla Moskowitz
Leland G. DeGrasse
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

-----X

Val Karan and Annette Karan,
Plaintiffs-Appellants,

M-1244

-against-

Index No. 16736/07

The First Paradise Theaters Corp.,
et al.,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about April 22, 2013, and said appeal having been perfected,

And defendants-respondents having moved for an order striking certain portions of defendant-respondent Riverdale Jewish Center's respondent's brief or, in the alternative, to submit a brief in response to "Riverdale's" brief, and to adjourn the appeal,

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

Ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 17, 2014.

Present: Hon. Diane T. Renwick, Justice Presiding,
Karla Moskowitz
Leland G. DeGrasse
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

-----X

Salim Diarrassouba as Administrator,
of the Estate of Massira Diarrassouba,
Deceased, and Salim Diarrassouba,
individually and as the Mother of
Massira Diarrassouba,
Plaintiffs-Appellants,

M-1202
Index No. 101862/07

-against-

Consolidated Edison Co. of New York,
Inc.,
Defendant,

-and-

Harrjoy Realty Inc.,
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about July 10, 2013, and said appeal having been perfected,

And defendant-respondent having moved to dismiss the aforesaid appeal on the ground that plaintiffs' appendix and brief refer to matters dehors the record or, in the alternative, to strike said appendix and brief with leave granted to plaintiff to file a brief and appendix in compliance with CPLR 5528(a)(5) and 22 NYCRR 600.10(c)(1) and to adjourn the appeal,

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

Ordered that the motion is granted to the extent of striking pages A. 444 through A. 468 of plaintiffs' appendix, and directing plaintiffs to physically excise said pages from all copies of the appendix filed, and striking plaintiffs' brief without prejudice to submitting a revised brief which omits

all references to material de hors the record on appeal, on or before July 7, 2014 for the September 2014 Term, and 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 April 17, 2014.

PRESENT: Hon. David B. Saxe, Justice Presiding,
Karla Moskowitz
Leland DeGrasse
Paul G. Feinman
Darcel D. Clark, Justices.

-----x
Alexandre Angé,

Plaintiff-Appellant,

-against-

M-358

M-585

Index No. 108196/08

Sandra Holley-Angé, Individually and
as Administratrix of the Estate of
Jean-Paul Angé,
Defendant-Respondent.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about April 26, 2013,

And plaintiff-appellant having moved for an enlargement of time to perfect the aforesaid appeal (M-358),

And defendant-respondent having cross-moved to dismiss the appeal and to impose certain sanctions and costs for this motion and appeal (M-585),

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the October 2014 Term (M-358). The cross motion to dismiss the appeal and for other relief is denied in its entirety (M-585).

ENTER:


CLERK

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

BEFORE: Hon. Dianne T. Renwick
Justice of the Appellate Division

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

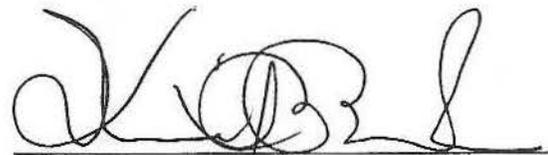
M-619
Ind. No. 6201/08;
5968/09

-against-

CERTIFICATE
DENYING LEAVE

Anthony Lindsey,
Defendant.

-----X
I, Hon. Dianne T. Renwick, 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 October 18, 2013 is hereby denied.



Associate Justice

Dated: *February 24*, 2014
New York, New York

ENTERED: **APR 17 2014**

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

BEFORE: Hon. Richard T. Andrias
Justice of the Appellate Division

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

Respondent,

-against-

Kyle Jenkins,

Defendant-Appellant.

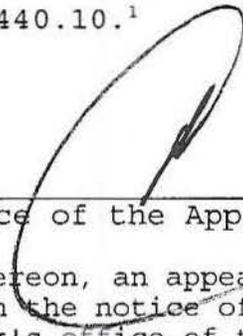
-----X

M-4364
Ind. No.6606/03

CERTIFICATE
GRANTING LEAVE

I, Richard T. Andrias, 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 (Daniel McCullough, J.), entered on or about July 31, 2013, denying his motion pursuant to CPL 440.10.¹

Dated: New York, New York
March 18, 2014



Justice of the Appellate Division

ENTERED

APR 17 2014

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.

¹In 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 JUDICIAL DEPARTMENT

BEFORE: Hon. KARLA MOSKOWITZ
Justice of the Appellate Division

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

-against-

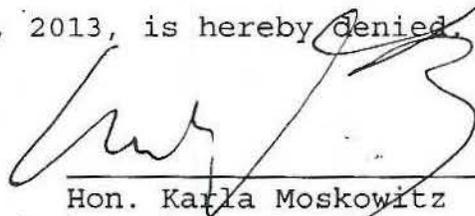
Emiliano Adon

Defendant.

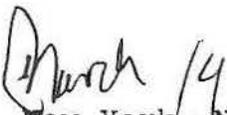
M-347
Ind. No. 2841/96

CERTIFICATE
DENYING LEAVE

-----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 December 19, 2013, is hereby denied.



Hon. Karla Moskowitz
Associate Justice

Dated: , 2014
New York, New York

ENTERED: APR 17 2014

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

BEFORE: Hon. Sallie Manzanet-Daniels
Justice of the Appellate Division

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

M-626
Ind. No. 5193/97

-against-

CERTIFICATE
DENYING LEAVE

Anthony Albert,

Defendant.
-----X

I, Sallie Manzanet-Daniels, 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 orders of the Supreme Court, Bronx County, entered on or about September 25, 2013, and December 20, 2013, is hereby denied.


Associate Justice

Dated: March 6, 2014
New York, New York

ENTERED: **APR 17 2014**

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

BEFORE: Hon. Barbara R. Kapnick
Justice of the Appellate Division

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

M-721
Ind. No. 1573-03

-against-

CERTIFICATE
DENYING LEAVE

Jamal Grant,

Defendant.
-----X

I, Barbara R. Kapnick, 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 October 18, 2013, is hereby denied.



Hon. Barbara R. Kapnick

Dated: March 13, 2014
New York, New York

ENTERED: APR 17 2014

P.M ORDERS
FOR APRIL
17, 2014

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 17, 2014.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
Leland G. DeGrasse
Helen E. Freedman
Barbara R. Kapnick, Justices.

-----X
Ambac Assurance Corporation, et al.,

Plaintiffs-Respondents,

-against-

Countrywide Home Loans, Inc., et al.,
Defendants-Appellants,

Bank of America Corp.,
Defendant.

-----X

SEALED

M-1326

M-1491

M-1526

Index No. 651612/10

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 17, 2013, and said appeal having been perfected,

And defendants-appellants having moved for leave to supplement the record on appeal to include certain material from a related matter (M-1326),

And plaintiffs-respondents having cross-moved to strike defendants-appellants brief (M-1491),

And plaintiffs-respondents having separately moved to adjourn the appeal pending resolution of said motion (M-1326) and cross motion (M-1491),

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

Ordered that plaintiffs-respondents' cross motion is granted to the extent of striking those portions of defendants-appellants' brief which refer to the 2008 Board of Presentation (M-1326). Defendants-appellants' motion to supplement the

record on appeal is denied (M-1326). Plaintiffs-respondents' motion to adjourn the appeal is denied (M-1526).

ENTER:

A handwritten signature in black ink, appearing to read "Susan R.", written over a horizontal line.

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 17, 2014.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Leland G. DeGrasse
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----X

In the Matter of the Guardianship of
the Person and Custody of

Jaylen Derrick Jermaine A.,
also known as Jaylen A.,

A Child Under 18 Years of Age
Pursuant to §384-b of the Social
Services Law of the State of New York
and/or Article 6 of the Family
Court Act.

- - - - -
Graham Windham Services to Families
and Children, et al.,
Petitioners-Respondents,

M-625
Docket No. B-26134/12

Samuel K., also known as
Samuel K., III,
Respondent-Appellant.

- - - - -
Lawyers for Children, Inc.,
Attorney for the Child.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about November 18, 2013, and for assignment of counsel, a free copy of the transcript, for a stay of enforcement of the aforesaid order appealed, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Geoffrey P. Berman, Esq., 2005 Palmer Avenue, #176, Larchmont, NY 10538, Telephone No. 914-834-3053, as counsel for purposes of prosecuting the appeal;

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

ENTER:



CLERK

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