

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 3, 2015.

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-

Rodney Harper,
Defendant.

M-4945
Docket No. 2001BX013808

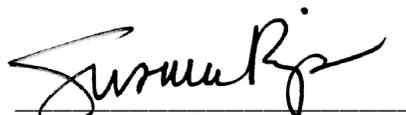
-----X
An appeal having been taken from the order of the Criminal Court, Bronx County, entered on or about July 23, 2014,

And defendant-appellant having moved for leave to prosecute, as a poor person, the aforesaid appeal, assignment of counsel, and related relief,

Now, upon reading and filing the papers with respect too the motion and the correspondence from the Center of Appellate Litigation (Abigail Everett, Esq. of counsel), counsel for defendant, dated December 3, 2014, and due deliberation having been had thereon,

It is ordered that the motion is withdrawn in accordance with the aforesaid correspondence.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 3, 2015.

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

-----X
In the Matter of the Application of
Debra Williams,
Plaintiff-Appellant,

M-4554
Index No. 401253/13

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

-against-

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

Respondent-respondent having moved for dismissal of the appeal taken from the order and judgment of the Supreme Court, New York County, entered on or about April 4, 2014,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties, dated September 24, 2014, and due deliberation having been had thereon,

It is ordered that the motion and appeal are deemed withdrawn in accordance with the aforesaid stipulation.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 3, 2015.

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-5931
Ind. No. 2595/12

Stephen C. Jackson,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about July 2, 2014,

Now, upon reading and filing the motion by defendant-appellant pro se, dated November 26, 2014, and due deliberation having been had thereon,

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 3, 2015.

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

-----X
Tower Insurance Company of New York,
Plaintiff-Appellant,

-against-

M-5200
Index No. 112516/10

Jamal Ahmad, et al.,
Defendants,

-and-

Walter Ward,
Defendant-Respondent.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about July 31, 2012,

Now, upon reading and filing the stipulation of the parties hereto, dated August 26, 2014, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the June 2014 Term, is withdrawn in accordance with the aforesaid stipulation.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 3, 2015.

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

-----X
Victor Trabazo,
Plaintiff-Respondent,

-against-

M-5627
Index No. 106926/10

The Port Authority of New York and
New Jersey,
Defendant-Appellant.

-----X

Appeals having been taken from orders of the Supreme Court, New York County, both entered on or about August 12, 2010, and said appeals having been perfected,

And defendant-appellant having moved to withdraw its appeals,

Now, upon reading and filing the stipulation of the parties hereto, filed November 5, 2014, and due deliberation having been had thereon,

It is ordered that the appeals, previously perfected for the September 2014 Term, is withdrawn in accordance with the aforesaid stipulation.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 3, 2015.

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

-----X
Arthur Muise, et al.,
Plaintiffs-Respondents,

-against-

M-5088
Index No. 190092/11

Air & Liquid Systems Corporation, etc.,
et al.,
Defendants,

Crane Co.,
Defendant-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about March 26, 2012,

Now, upon reading and filing the stipulation of the parties hereto, dated September 23, 2014, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the November 2014 Term, is withdrawn in accordance with the aforesaid stipulation.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 3, 2015.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick, Justices.

-----X
Magdalena Rivera,
Plaintiff-Appellant,

-against-

1325 Fifth Avenue LLC,
Defendant-Respondent.

M-5893
Index No. 109682/11

-----X

Defendant-respondent having moved to dismiss the appeal from the order of the Supreme Court, New York County, entered on or about January 17, 2014,

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 3, 2015.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick, Justices.

-----X
US Bank National Association, as Trustee
for Citigroup Mortgage Loan Trust, Inc.
2006-HE3, Asset-Backed Pass-Through
Certificates Series 2006-HE3,
Plaintiff-Respondent,

-against-

M-5898
Index No. 380440/12

Tanjy Davis,
Defendant-Appellant,

Robert Doar, etc., et al.,
Defendants.

-----X
Plaintiff-respondent having moved to dismiss the appeal from the order of the Supreme Court, Bronx County, entered on or about June 4, 2014, pursuant to CPLR 5511,

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, without prejudice to a motion in the Supreme Court to vacate the default.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 3, 2015.

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

-----X

In the Matter of

Eudbilio Andre R. and Melany R.,

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

M-1054A

Docket No. B-17945-46/11

Cardinal McCloskey Community Services
(Agency),
Petitioner-Respondent,

Andre R.,
Respondent-Appellant.

Frances Ferraro, Esq.,
Attorney for the Children.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about February 5, 2014 and March 24, 2014, **and the appeal from the order of the same Court entered on or about May 16, 2014**, for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Randall Carmel, Esq., 53 Jackson Avenue, Syosset, NY 11791, Telephone No. (516) 921-8800, as counsel for purposes of prosecuting the appeal; (2) directing the

Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor;¹ **within 30 days (FCS 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 the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** The order of this Court entered on July 10, 2014 (M-1054) is hereby recalled and vacated.

ENTER:



CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 3, 2015.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Dianne T. Renwick
Leland G. DeGrasse
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

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

-against-

M-5928
Ind. No. 274N/13

Joseph Luna,
Defendant.

-----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 April 17, 2013, and for leave to prosecute said appeal as a poor person, and assignment of counsel, and 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 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 February 3, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
David Friedman
Richard T. Andrias
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X

In the Matter of

Gabriel N. and Naomi N.,

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

M-6284
Docket Nos. NN-3075/12
NN-21860/12

- - - - -
Administration for Children's Services,
et al.,

Petitioners-Respondents,

Jacqueline T.,
Respondent-Appellant.

- - - - -
Seymour James, Jr., Esq., The Legal
Aid Society, Juvenile Rights Division,
Attorney for the Child.

-----X

Respondent-appellant Jacqueline T. having moved for leave to prosecute, as a poor person, the appeal from orders of the Family Court, Bronx County, entered on or about July 1, 2014, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of
(1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, George E. Reed, Jr., Esq., 222 Mamaroneck Avenue, White Plains, NY 10605, Telephone No. (914) 946-5000, as counsel for purposes of prosecuting the appeal;
(2) directing the Clerk of said Family Court to have transcribed

the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor;¹ **within 30 days (FCS 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 the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** The Clerk of the Court is directed to calendar this appeal to be heard together with respondent-appellant Delroy N.'s related appeal from the orders entered July 1, 2014 and April 15, 2013, respectively.

ENTER:



CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 3, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
David Friedman
Richard T. Andrias
Judith J. Gische
Barbara R. Kapnick, Justices.

-----x
OTR Media Group, Inc.,
Petitioner-Appellant,

-against-

M-6260
Index No. 151531/14

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

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about June 30, 2014,

And petitioner-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 due deliberation having been had thereon,

It is ordered that the motion is denied, with leave to renew after March 23, 2015, 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 February 3, 2015.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick, Justices.

-----X
BLDG. Management Co., Inc.,
Plaintiff-Appellant-Respondent,

-against-

M-6105
Index No. 570012/14

Joseph Halabi,
Defendant-Respondent-Appellant.

-----X

Plaintiff-appellant-respondent 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 August 12, 2014,

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

It is ordered that the motion is denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 3, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick, Justices.

-----X
In Re: 91st Street Crane Collapse Index No. 771000/10
Litigation

- - - - -
Simeon Alexis and Kathlyn Moore,
Plaintiffs,

-against-

M-5963
Action No. 1
Index No. 105221/09

The City of New York and 1765 First
Associates, LLC,
Defendants,

New York City Department of Education,
New York City Education Construction Fund,
Leon D. DeMatteis Construction Corporation,
the DeMatteis Organizations and New York
Crane and Equipment Corp.,
Defendants.

-----X
(And Additional Third-Party Actions)

-----X
In Re: 91st Street Crane Collapse
Litigation

- - - - -
Daniel Oddo,
Plaintiff,

-against-

Action No. 2
Index No. 111626/08

The City of New York, and 1765 First
Associates, LLC,
Defendants,

Mattone Construction, Co., Ltd.,
DeMatteis Construction Corporation,
and New York Crane and Equipment Corp.,
Defendants.

-----X

-----X
 In Re: 91st Street Crane Collapse
 Litigation

- - - - -
 Jack Rizzocasio,
 Plaintiff,

-against-

Action No. 3
 Index No. 108088/09

The City of New York, and 1765 First
 Associates, LLC,
 Defendants,

Mattone Construction, Co., Ltd.,
 DeMatteis Construction Corporation,
 and New York Crane and Equipment Corp.,
 Defendants.

-----X
 (And Additional Third-Party Actions)
 -----X

Separate appeals having been taken by defendants, The City of New York and The New York City Department of Buildings, and by third-party defendant-appellant, Sorbara Construction Corp. in the above-captioned actions from orders of the Supreme Court, New York County, entered on or about March 12, 2014 (mot. seq. no. 11 - Action No. 1/mot. seq. no. 17 - Action No. 2/ mot. seq. no. 13 - Action No. 3)

And third-party defendant-appellant, Sorbara Construction Corp., having moved to consolidate the aforesaid appeals and for an enlargement of time to perfect same,

Now, upon reading and filing the papers with respect to the motion, including the stipulation of the parties dated November 24, 2014, and due deliberation having been had thereon,

It is ordered that the motion is granted, to the extent of consolidating the aforesaid appeals, and permitting the respective appellants to prosecute the appeals upon 9 copies of one record and one set each of appellant's points covering said appeals. The time to perfect the consolidated appeals is enlarged to on or before March 23, 2015 for the June 2015 Term.

The Clerk is directed to calendar the aforesaid consolidated appeals for hearing together with the appeals separately consolidated in motion M-5964, 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 February 3, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick, Justices.

-----X
In Re: 91st Street Crane Collapse Index No. 771000/10
Litigation

- - - - -
Simeon Alexis and Kathlyn Moore,
Plaintiffs,

-against-

M-5964
Action No. 1
Index No. 105221/09

The City of New York and 1765 First
Associates, LLC,
Defendants,

New York City Department of Education,
New York City Education Construction Fund,
Leon D. DeMatteis Construction Corporation,
the DeMatteis Organizations and New York
Crane and Equipment Corp.,
Defendants.

-----X
(And Additional Third-Party Actions)

-----X
In Re: 91st Street Crane Collapse
Litigation

- - - - -
Daniel Oddo,
Plaintiff,

-against-

Action No. 2
Index No. 111626/08

The City of New York, and 1765 First
Associates, LLC,
Defendants,

Mattone Construction, Co., Ltd.,
DeMatteis Construction Corporation,
and New York Crane and Equipment Corp.,
Defendants.

-----X

-----X
 In Re: 91st Street Crane Collapse
 Litigation

- - - - -
 Jack Rizzocasio,
 Plaintiff,

-against-

Action No. 3
 Index No. 108088/09

The City of New York, and 1765 First
 Associates, LLC,
 Defendants,

Mattone Construction, Co., Ltd.,
 DeMatteis Construction Corporation,
 and New York Crane and Equipment Corp.,
 Defendants.

-----X
 (And Additional Third-Party Actions)
 -----X

Separate appeals having been taken by defendants, The City of New York and The New York City Department of Buildings, and by third-party defendant, Sorbara Construction Corp. in the above-captioned actions from orders of the Supreme Court, New York County, entered on or about March 12, 2014 (mot. seq. no. 9 - Action No.1 /mot. seq. no. 11 - Action No. 2) and from an order of the same Court and Justice entered on or about March 11, 2014 (mot. seq. no. 7 - Action No. 3), respectively

And third-party defendant-appellant, Sorbara Construction Corp., having moved to consolidate the aforesaid appeals and for an enlargement of time to perfect same,

Now, upon reading and filing the papers with respect to the motion, including the stipulation of the parties dated November 24, 2014, and due deliberation having been had thereon,

It is ordered that the motion is granted, to the extent of consolidating the aforesaid appeals, and permitting the appellant to prosecute the appeals upon 9 copies of one record and one set each of appellant's points each covering said appeals. The time to perfect the consolidated appeals is enlarged to on or before

March 23, 2015 for the June 2015 Term. The Clerk is directed to calendar the aforesaid consolidated appeals for hearing together with the appeals separately consolidated in motion M-5963 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 February 3, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick, Justices.

-----X
In Re: 91st Street Crane Collapse Index No. 771000/10
Litigation

- - - - -
Jamie Taylor and Wojtek Scott Krol,
Plaintiffs,

-against-

M-5965
Action No. 1
Index No. 114564/09

1765 First Associates, LLC, Leon D.
DeMatteis Construction Corporation, New York
Crane and Equipment Corp. and Sorbara
Construction Corp.,
Defendants.

-----X
(And Additional Third-Party Actions)

-----X
In Re: 91st Street Crane Collapse
Litigation

- - - - -
Richard S. Burch, Shannon Toohey Burch and
Stuart Flynn Burch,
Plaintiffs,

-against-

Action No. 2
Index No. 112144/09

1765 First Associates, LLC, Leon D.
DeMatteis Construction Corporation, New York
Crane and Equipment Corp. and Sorbara
Construction Corp., The City of New York,
and the City of New York Department of
Buildings,
Defendants.

-----X
(And Additional Third-Party Actions)

-----X

-----X
 In Re: 91st Street Crane Collapse
 Litigation

- - - - -
 Vincent Podlaski,
 Plaintiff,

-against-

Action No. 3
 Index No. 150166/09

1765 First Associates, LLC, Leon D. DeMatteis
 Construction Corporation, James F. Lomma,
 New York Crane and Equipment Corp., The City
 of New York, New York City Department of
 Buildings, Mattone Group, LLC, Mattone Group
 Construction Co. Ltd., Brady Marine Repair
 Co., Howard I. Shapiro, Howard I. Shapiro &
 Associates Consulting Engineers, P.C., New
 York Rigging Corp., Branch Radiographic Labs,
 Inc., Testwell, Include, Crane Inspection
 Services, Ltd., Lucius Pitkin, Inc., Total
 Safety Consulting, LLC.,
 Defendants.

-----X
 (And Additional Third-Party Actions)

-----X
 In Re: 91st Street Crane Collapse
 Litigation

- - - - -
 Jennifer Kling,
 Plaintiff,

-against-

Action No. 4
 Index No. 111967/09

The City of New York, New York Crane &
 Equipment Corp., Sorbara Construction Corp.,
 1765 First Associates LLC and Leon D.
 DeMatteis Construction Corporation,
 Defendants.

-----X
 (And Additional Third-Party Actions)

-----X

-----X

In Re: 91st Street Crane Collapse
Litigation

Marina Harss, Marco Nistico, Ruby Akin,
Oguz Akin, Philip Schiffman, Linda McIntyre,
Michael Fiorentino, Terence Scroope, Travis
Lull, Renay Loures and George Loures,
Plaintiffs,

-against-

Action No. 5
Index No. 150152/09

1765 First Associates, LLC, Leon D. DeMatteis
Construction Corporation, James F. Lomma,
New York Crane and Equipment Corp., Sorbara
Construction Corp., The City of New York,
New York City Department of Buildings,
Mattone Group, LLC, Mattone Group
Construction Co. Ltd., Brady Marine Repair
Co., Howard I. Shapiro, Howard I. Shapiro &
Associates Consulting Engineers, P.C., New
York Rigging Corp., Branch Radiographic Labs,
Inc., Testwell, Include, Crane Inspection
Services, Ltd., Lucius Pitkin, Inc., Total
Safety Consulting, LLC.,
Defendants.

-----X

(And Additional Third-Party Actions)

-----X

Separate appeals having been taken by defendants, The City
of New York and The New York City Department of Buildings, and by
third-party defendant-appellant, Sorbara Construction Corp., in
the above-captioned actions from orders of the Supreme Court, New
York County, entered on or about March 12, 2014 (mot. seq. no. 6
- Action No. 2/ mot. seq. no. 12 - Action No. 5) and from orders
of the same Court and Justice entered on or about March 14, 2014
(mot. seq. no. 3 - Action No. 1/ mot. seq. no. 13 - Action No. 3/
mot. seq. no. 4 - Action No. 4), respectively

And third-party defendant-appellant, Sorbara Construction
Corp., having moved to consolidate its appeals in aforesaid
actions and for an enlargement of time to perfect same,

Now, upon reading and filing the papers with respect to the motion, including the stipulation of the parties dated November 24, 2014, and due deliberation having been had thereon,

It is ordered that the motion is granted, to the extent of consolidating the aforesaid appeals and, permitting the appellants to prosecute the appeals upon 9 copies of one record and one set each of appellant's points covering said appeals. The time to perfect the consolidated appeals is enlarged to on or before March 23, 2015 for the June 2015 Term.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 3, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick, Justices.

-----X
In Re: 91st Street Crane Collapse Index No. 771000/10
Litigation

Maria Leo, Administratrix of the Estate of
Her Son, Donald Christopher Leo, Deceased
May 30, 2008,
Plaintiff,

-against-

M-5966
Action No. 1
Index No. 117294/08

The City of New York, New York City
Department of Buildings,
Defendants-Respondents,

Michael Carbone, Patricia J. Lancaster,
Robert Limandri, New York Crane and
Equipment Corp., James F. Lomma, Lomma
Trucking & Rigging, J.F. Lomma Rigging, Inc.,
Tes, Inc., J F Lomma Trucking & Riggin, JF
Lomma Tucking & Rigging and Specialized
Services, Brady Marine Repair Co., Testwell,
Inc., Branch Radiographic Laboratories Inc.,
Crane Inspection Services, Ltd., Sorbara
Construction Corp.,
Defendants,

1765 First Associates, LLC,
Defendant-Appellant,

Leon D. DeMatteis Construction Corporation,
Mattone Group Construction Co. Ltd., Mattone
Group, LLC., City of New York Construction
Authority, City of New York School Construction
Fund, Howard I. Shapiro & Associates Consulting
Engineers, P.C., New York Rigging Corp.,
Tower Rigging Consultants, Inc., Tower Rigging,
Inc., Unique Rigging Corp., Lucius Pitkin, Inc.,
McLaren Engineering Group, M.G. McLaren, P.C.
and John/Jane Does "1" through "10".
Defendants.

-----X

-----X
(And Additional Third-Party Actions)

-----X
In Re: 91st Street Crane Collapse
Litigation

- - - - -
Xhevahire Sinanaj and Selvi Sinanovic, as
Co-Administrators of the Estate of Ramadan
Kurtaj, Deceased & Selvi Sinanovic,
Individually,
Plaintiffs,

-against-

Action No. 2

Index No. 117469/08

The City of New York, New York City
Department of Buildings,
Defendants,

Michael Carbone, Patricia J. Lancaster,
Robert Limandri, City of New York School
Construction Authority, New York City
Educational Construction Fund, City of
New York School Construction Fund,
New York Crane & Equipment Corp, J.F.
Lomma, Inc., Tes, Inc., J F Lomma Trucking &
Rigging, JF Lomma Brady Marine Repair Co.,
Testwell, Inc., Branch Radiographic
Laboratories Inc., Crane Inspections
Services, Ltd.,

Sorbara Construction Corp., 1765 First
Associates, LLC,
Defendants,

Leon D. DeMatteis Construction Corporation,
Mattone Group Construction Co. Ltd., Mattone
Gruppo Ltd., Mattone Group, LLC., Howard I.
Shapiro & Associates Consulting Engineers,
P.C., New York Rigging Corp., Tower Rigging
Consultants, Inc., Tower Rigging, Inc., Unique
Rigging Corp., Lucius Pitkin, Inc., McLaren
Engineering Group, M.G. McLaren, P.C.
and John/Jane Does "1" through "10".
Defendants.

-----X
(And Additional Third-Party Actions)
-----X

-----X
In Re: 91st Street Crane Collapse
Litigation

- - - - -
John Odermatt, Noel Allum, Mary Allum,
Vered Ohayon, Crystal Brisbane, William
Dodson, Ania Kucharski, Jonathan Urband
and David Leichter,
Plaintiffs,

-against-

Action No. 3
Index No. 102943/09

1765 First Associates, LLC, Leon D. DeMatteis
Construction Corporation, New York Crane and
Equipment Corp., Sorbara Construction
Corporation and The City of New York,
Defendants.

-----X
(And Additional Third-Party Actions)

-----X
In Re: 91st Street Crane Collapse
Litigation

- - - - -
First & 91, LLC,
Plaintiff,

-against-

Action No. 4
Index No. 108543/08

1765 First Associates, LLC, Leon D. DeMatteis
Construction Corporation, New York Crane and
Equipment Corp., Sorbara Construction
Corporation and The City of New York,
Defendants.

-----X
(And Additional Third-Party Actions)

-----X
In Re: 91st Street Crane Collapse
Litigation

- - - - -
Guiseppe Calabro,
Plaintiff,

-against-

Action No. 5
Index No. 108543/08

The City of New York, 1765 First Associates,
LLC, Mattone Group Construction Co., Ltd.,
DeMatteis Construction, Leon D. Matteis
Construction Corporation and New York Crane &
Equipment Corp.,
Defendants.

-----X

-----X
(And Additional Third-Party Actions)

-----X

In Re: 91st Street Crane Collapse
Litigation

- - - - -

Christopher Doran,
Plaintiff,

-against-

Action No. 6
Index No. 108543/08

The City of New York, 1765 First Associates,
LLC, Mattone Group Construction Co., Ltd.,
DeMatteis Construction, Leon D. Matteis
Construction Corporation and New York Crane &
Equipment Corp.,
Defendants.

-----X

(And Additional Third-Party Actions)

-----X

Separate appeals having been taken by defendants, The City of New York and The New York City Department of Buildings, and by third-party defendant-appellant, Sorbara Construction Corp., and by defendant 1765 First Associates, LLC from orders of the Supreme Court, New York County, entered on or about March 3, 2014 (mot. seq. no. 88 - Action No. 1), March 5, 2014 (mot. seq. no. 63 - Action No. 2), March 12, 2014 (mot. seq. no. 24 - Action No. 5), March 13, 2014 (mot. seq. no. 11 - Action No. 4/ mot. seq. no. 13 - Action No. 6), and March 14, 2014 (mot. seq. no. 10 - Action No. 3), respectively

And third-party defendant-appellant, Sorbara Construction Corp., having moved to consolidate the appeals in aforesaid actions and for an enlargement of time to perfect same,

Now, upon reading and filing the papers with respect to the motion, including the stipulation of the parties dated November 21, 2014, and due deliberation having been had thereon,

It is ordered that the motion is granted, to the extent of consolidating aforesaid appeals, and permitting the appellants to prosecute the appeals upon 9 copies of one record and one set each of appellant's points covering said appeals. The time to perfect the consolidated appeals is enlarged to on or before March 23, 2015 for the June 2015 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 3, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick, Justices.

-----X
In Re: 91st Street Crane Collapse Index No. 771000/10
Litigation

- - - - -
Kevin Mahoney and Carolyn Ryan,
Plaintiffs,

-against-

M-5967
Action No. 1
Index No. 104543/09

1765 First Associates, LLC, DeMatteis
Construction Corporation, New York Crane &
Equipment Corp.,
Defendants.

-----X
(And Additional Third-Party Actions)

-----X
In Re: 91st Street Crane Collapse
Litigation

- - - - -
Robert G. Leino, Louise M. Leino and
Bridget E. Leino,
Plaintiffs,

-against-

Action No. 2
Index No. 101871/09

James Lomma, individually and doing
business as New York Crane & Equipment Corp.,
Sorbara Construction Corp., Leon D. Matteis
Construction Corp., Mattone Group, LLC,
1765 First Associates, LLC and Total Safety
Consulting, LLC,
Defendants.

-----X
(And Additional Third-Party Actions)

-----X

Separate appeals having been taken by defendants, The City of New York and The New York City Department of Buildings, and by third-party defendant, Sorbara Construction Corp., and by defendant 1765 First Associates, LLC from orders of the Supreme Court, New York County, entered on or about, entered on or about March 12, 2014 (mot. seq. no. 11 - Action No. 2), and from an order of the same Court and Justice entered on or about March 14, 2014 (mot. seq. no. 7 - Action No. 1),

And third-party defendant-appellant, Sorbara Construction Corp., having moved to consolidate the appeals in aforesaid actions and for an enlargement of time to perfect same,

Now, upon reading and filing the papers with respect to the motion, including the stipulation of the parties dated November 24, 2014, and due deliberation having been had thereon,

It is ordered that the motion is granted, to the extent of consolidating the aforesaid appeals, and permitting the appellants to prosecute the appeals upon 9 copies of one record and one set each of appellant's points covering said appeals. The time to perfect the consolidated appeals is enlarged to on or before March 23, 2015 for the June 2015 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 3, 2015.

Present: Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Leland G. DeGrasse
Paul G. Feinman
Judith J. Gische, Justices.

-----X

Nancy Ullman-Schneider, Jeremy Michael Ullman and Cynthia Sutherland, in their capacities as Co-Personal Representatives of the Estate of Leonard P. Ullman under his Last Will and Testament,
Plaintiffs-Respondents,

M-5456
Index No. 653533/11

-against-

Lacher & Lovell-Taylor PC and Michael A. Lacher,
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about October 28, 2014,

And defendants-appellants having moved for a stay of the aforesaid order,

Now, upon reading and filing the stipulation of the parties hereto, dated November 24, 2014, and due deliberation having been had thereon,

It is ordered that defendants' motion and appeal are deemed withdrawn in accordance with the aforesaid stipulation.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 3, 2015.

Present: Hon. Peter Tom, Justice Presiding,
Karla Moskowitz
Leland G. DeGrasse
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

-----X
Richard Peddle,
Plaintiff-Respondent,

-against-

M-2484

M-2556

Index No. 112378/09

LIC Site B2 Owner, L.L.C., and Bovis
Lend Lease LMB, Inc.,
Defendants-Appellants.

-----X
LIC Site B2 Owner, L.L.C., and Bovis
Lend Lease LMB, Inc.,
Third-Party Plaintiffs-Appellants,

-against-

American Stair Corporation, Inc.,
Third-Party Defendant-Respondent.

-----X
LIC Site B2 Owner, L.L.C., and Bovis
Lend Lease LMB, Inc.,
Second Third-Party Plaintiffs-
Appellants,

-against-

Packard Transport, Inc.,
Second Third-Party Defendant-
Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 24, 2013,

And appellants having moved, by separate motions, for an enlargement of time to perfect their appeal (M-2484/M-2556),

Now, upon reading and filing the papers with respect to the motions, and the correspondence submitted by counsel for appellants, dated May 30, 2014, and due deliberation having been had thereon,

It is ordered that the motions and the appeal are deemed withdrawn in accordance with the aforesaid correspondence.

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 February 3, 2015.

PRESENT - Hon. Peter Tom, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Karla Moskowitz
Paul G. Feinman, Justices.

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

Edward Holihan,
Petitioner-Appellant,

-against-

M-6027
Index No. 103986/12

Robert D. Limandri, etc. et al.,
Respondents-Respondents.

-----X

Respondents having moved to dismiss the appeals from the judgments of the Supreme Court, New York County, entered on or about July 17, 2013 and November 19, 2013, respectively, or in the alternative, for an enlargement of time to file their respondents' 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 and the appeals are dismissed.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 3, 2015.

PRESENT - Hon. Peter Tom, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Karla Moskowitz
Paul G. Feinman, Justices.

-----X
Lance E. Herbert and Teresa G. D'Aversa,
Plaintiffs-Appellants-Respondents,

-against-

M-6082
Index No. 21691/06

Javier Olivares,
Defendant-Respondent,

Magdamari Marcano,
Defendant-Respondent-Appellant.

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

Defendant-respondent Javier Olivares having moved to dismiss the separate appeals taken by plaintiffs, and defendant Magdamari Marcano, respectively, from the order of the Supreme Court, Bronx County, entered on or about April 16, 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 and the respective appeals are dismissed.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the first Judicial Department in the County of New York on February 3, 2015.

Present: Hon. Peter Tom, Justice Presiding,
Karla Moskowitz
Leland G. DeGrasse
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

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

-against-

M-2587
Docket No. 2011NY014326

Timothy Kennedy,
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, on or about December 17, 2012,

And defendant having moved for leave to prosecute the aforesaid appeal in this Court as a poor person, 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 in this Court on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Seymour W. James, Jr., Esq., Legal Aid Society, 199 Water Street, 5th Floor, New York, New York 10004, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 3, 2015.

PRESENT: Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Richard T. Andrias
Karla Moskowitz
Judith J. Gische, Justices.

-----X

Georgette D. W.,
Petitioner-Respondent,

-against-

M-4492
Docket No. F-1422-13/13A

Gary N. R.,
Respondent-Appellant.

-----X

Respondent-appellant having moved for a stay of the trial of the Family Court proceedings for the purpose of determining child support *de novo* pending hearing and determination of the appeal from the order of the Family Court, Bronx County, entered on or about July 25, 2014,

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 deemed one seeking leave to appeal to this Court from the aforesaid order of Family Court in addition to the stay of proceedings and, as such is granted, with the stay granted on condition the appeal is perfected on or before March 23, 2015 for the June 2015 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 3, 2015.

Present: Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Diane T. Renwick
Richard T. Andrias
Darcel D. Clark, Justices.

-----X
Del Savio Masonry Corp.,
Plaintiff-Appellant,

Action No. 1

M-4775

-against-

Index No. 308774/10

American Empire Surplus Lines
Insurance Company,
Defendant-Respondent,

American Guarantee & Liability
Insurance Company, et al.,
Defendants.

-----X
American Empire Surplus Lines
Insurance Company,
Third-Party Plaintiff-Respondent,

-against-

Third-Party
Index No. 83766/11

Avalon WP I, LLC, et al.,
Third-Party Defendants-Appellants,

Paul Singleton, et al.,
Third-Party Defendants.

-----X
Avalon WP I, LLC, et al.,
Plaintiff-Appellant,

-against-

Action No. 2
Index No. 308774/10

American Empire Insurance Company,
Defendant-Respondent,

Del Savio Masonry Corp.,
Defendant-Appellant.

-----X

Separate appeals having been taken by Del Savio Masonry Corp. (plaintiff-appellant in Action No. 1) and by Avalon WP I, LLC, et al. (third-party defendants-appellants in Action No. 1 /plaintiffs-appellants in Action No. 2) from the order of the Supreme Court, Bronx County, entered on or about October 30, 2013 (Actions No. 1 and No. 2),

And the Avalon appellants having perfected their appeal upon a joint record,

And plaintiff-appellant, Del Savio Masonry Corp., having moved for an enlargement of time to perfect its appeal from the same order of the Supreme Court, Bronx County, entered on or about October 30, 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 plaintiff-appellant Del Savio Masonry Corp.'s time to perfect its appeal to the June 2015 Term; sua sponte, the "Del Savio" appeal is consolidated with the appeal perfected by the Avalon appellants, and said perfected appeal is adjourned to said June 2015 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 3, 2015.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
Richard T. Andrias
Leland G. DeGrasse
Judith J. Gische, Justices.

-----X
Stephanie Gottlieb,
Plaintiff-Respondent,

-against-

M-6248
Index No. 300739/13

Steven Gottlieb,
Defendant-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about March 10, 2014,

And defendant-appellant having moved for an enlargement of time to perfect the aforesaid appeal and for reinstatement of the stay previously granted by this Court by order entered May 15, 2014 [M-1507], and for other relief,

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

It is ordered that the motion is denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 3, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Dianne T. Renwick
Leland G. DeGrasse
Rosalyn H. Richter
Darcel D. Clark, Justices.

-----X
Prime Properties USA 2011, LLC,
Plaintiff-Appellant,

-against-

M-6203
Index No. 651891/13

Laura Richardson, Roland Richardson,
and Rubin Associates, International Law,
P.C.,
Defendants-Respondents.

-----X

Defendants-respondents having moved for dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about September 12, 2014 (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 unless the appeal is perfected for the June 2015 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 3, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Leland G. DeGrasse
Sallie Manzanet-Daniels, Justices.

-----X
Susan Crawford and Anjali Dalal,
Petitioners-Appellant,

-against-

M-6278
Index No. 104275/12

New York City Department of
Information Technology and
Telecommunications,
Respondents-Respondents.
-----X

Petitioners-appellants having moved for an enlargement of time to perfect the appeal from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about March 27, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the June 2015 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 3, 2015.

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

-----X
In the Matter of the Application of
People Care Incorporated, doing
business as Assisted Care,
Petitioner-Appellant,

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

M-6171
Index No. 111467/11

-against-

City of New York Human Resources
Administration Department of
Social Services,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for an enlargement of time to perfect the appeals taken from a judgment of the Supreme Court, New York County, entered on or about February 24, 2014, and from an order of the same Court and Justice entered on or about June 13, 2014,

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 September 2015 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 3, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Dianne T. Renwick
Leland G. DeGrasse
Rosalyn H. Richter
Darcel D. Clark, Justices.

-----X
Antonia Pirraglia, Individually
and as the Administratrix of
Giovanni Pirraglia, Deceased,
Plaintiff-Appellant,

-against-

M-6204
Index No. 24088/03

Lewis W. Teeperman, M.D. and NYU
Hospitals Center,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from a judgment of the Supreme Court, Bronx County, entered on or about March 18, 2014,

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 2015 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 3, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Leland G. DeGrasse
Sallie Manzanet-Daniels, Justices.

-----X
City of New York,
Plaintiff-Appellant,

-against-

M-6359
Index No. 400078/07

Child Development Support Corp.,
Defendant-Respondent.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the orders of the Supreme Court, New York County, entered on or about October 18, 2012 (mot. seq. no. 003) and July 29, 2013 (mot. seq. no. 004),

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the September 2015 Term, with no further enlargements to be granted.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the first Judicial Department in the County of New York on February 3, 2015.

Present: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Richard T. Andrias
David B. Saxe, Justices.

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

-against-

M-3115
Docket Nos. 2011BX001/09
58689C/11

Antoine J. Jones,
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, Bronx County, on or about March 13, 2012,

And defendant having moved for leave to prosecute the aforesaid appeal in this Court as a poor person, 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 in this Court on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Seymour W. James, Jr., Esq., Legal Aid Society, 199 Water Street, 5th Floor, New York, New York 10004, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 3, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
Richard T. Andrias
David B. Saxe
Rosalyn H. Richter
Judith J. Gische, Justices.

-----x
In the Matter of the Application of
Isaiah Labato,
Petitioner-Appellant,

For an Order pursuant to Article 78
of the CPLR,

-against-

M-6074
Ind. No. 400456/14

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

An appeal having been taken to this Court by petitioner from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about November 5, 2014,

And petitioner-appellant having moved for leave to prosecute said 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 in its entirety. The interim relief granted by an order of a Justice of this Court dated December 8, 2014, is vacated.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 3, 2015.

Present: Hon. David Friedman, Justice Presiding,
Karla Moskowitz
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York
ex rel. Roy Taylor,
Petitioner-Appellant,

M-5315

-against-

Index No. 341016/13

Warden, Rikers Island Correctional
Facility, et al.,
Respondents-Respondents.

-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, entered on or about April 14, 2014,

And an order of this Court having been entered on September 4, 2014 (M-2519), inter alia, granting petitioner leave to prosecute his appeal on the original record, and directing the Clerk of Supreme Court, Bronx County to have transcribed the minutes of all proceedings therein, for inclusion in the record on appeal and providing a copy of said proceedings to petitioner and/or petitioner's counsel,

And petitioner having moved for an order providing him with a copy of the original record on 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, as unnecessary, the requested copy of the record on appeal having been provided to petitioner pursuant to the order of this Court entered on September 4, 2014 (M-2519).

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 3, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
Richard T. Andrias
David B. Saxe
Rosalyn H. Richter
Judith J. Gische, Justices.

-----X

Alphonse Fletcher, Jr. and Fletcher
Asset Management,
Plaintiffs-Appellants,

-against-

M-6231

Index No. 101289/11

The Dakota, Inc., 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 29, 2014, and said appeal having been perfected,

And defendants-respondents having moved for an order unsealing Volume II of the record on appeal and respondent'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 and the appeal is adjourned to the April 2015 Term.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 3, 2015.

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

-----X
Joseph Rakofsky and Rakofsky Law Firm,
P.C.,
Plaintiffs-Appellants,

M-4359
Index No. 105573/11

-against-

The Washington Post Company, et al.,
Defendants-Respondents.

-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect their appeal from an order of the Supreme Court, New York County, entered on or about July 23, 2013,

Now, upon reading and filing the papers with respect to the motion, and the correspondence of counsel for plaintiffs-appellants, dated September 16, 2014, and due deliberation having been had thereon,

It is ordered that the motion and the appeal are deemed withdrawn in accordance with the aforesaid correspondence.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 3, 2015.

PRESENT - Hon. John W. Sweeny, Jr., Justice Presiding,
Richard T. Andrias
David B. Saxe
Rosalynd H. Richter
Paul G. Feinman, Justices.

-----X

Jamie Vidal,
Plaintiff-Respondent,

-against-

M-6046
Index No. 302583/10

City of New York,
Defendant,

New York City Housing Authority,
Defendant-Appellant.

-----X

Plaintiff-respondent 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 November 6, 2014 (Appeal No. 13418),

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

It is ordered that the motion is denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 3, 2015.

PRESENT - Hon. John W. Sweeny, Jr., Justice Presiding,
Richard T. Andrias
David B. Saxe
Rosalyn H. Richter
Paul G. Feinman, Justices.

-----X

Anthony Hill,
Plaintiff-Appellant,

-against-

M-6032

M-6178

Acies Group, LLC, et al.,
Defendants-Respondents,

Index No. 305287/08

Stoneledge Scaffolding Corp.,
Defendant.

[And a third-party action]

-----X

Defendants-respondents Acies Group LLC, et al. and CS Melrose Site D, LLC. 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 November 6, 2014 (Appeal No. 13437) (M-6032),

And defendant-respondent Skye Construction, LLC having cross-moved for the same relief (M-6178),

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

It is ordered that the motion and cross motion are denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 3, 2015.

Present - Hon. Rolando T. Acosta, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

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

-against-

M-3917

Ind. No. 2270/10

Keith Fair,
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 (Marvin, J.), entered on or about October 9, 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 the correspondence submitted by counsel for defendant-appellant, and due deliberation having been had thereon, it is

Ordered that the motion is deemed withdrawn in accordance with the aforesaid correspondence. (See M-1777, entered August 7, 2014.)

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 3, 2015.

Present: Hon. Diane T. Renwick, Justice Presiding,
David B. Saxe
Karla Moskowitz
Leland G. DeGrasse
Rosalyn H. Richter, Justices.

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

-against-

M-5233
Ind. No. 5037N/10

Hector Castillo,
Defendant-Appellant.

-----X

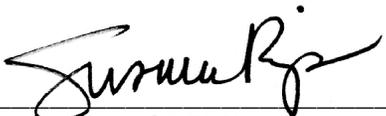
An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about April 17, 2014,

And defendant-appellant pro se having moved for an order withdrawing 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, with leave to renew upon defendant's submission of a notarized affidavit stating his desire to withdraw his 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 February 3, 2015.

PRESENT - Hon. Leland G. DeGrasse, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

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

Rogelio Arzon,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78
of the CPLR,

-against-

M-6227
Index No. 400080/14

New York City Housing Authority,
Respondent-Respondent.

-----X

Respondent-respondent having moved to dismiss the appeal from the order of the Supreme Court, New York County, entered on or about August 25, 2014,

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 3, 2015.

PRESENT - Hon. Leland G. DeGrasse, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

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

Neil Borden,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78
of the CPLR,

-against-

New York City Housing Authority,
Respondent-Respondent.

M-6212
Index No. 401857/13

-----X

Respondent having moved to dismiss the appeal from the order of the Supreme Court, New York County, entered on or about February 3, 2014,

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 3, 2015.

PRESENT: Hon. Leland G. DeGrasse, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

-----X
Mieczyslaw Godlewski,
Plaintiff-Respondent,

-against-

M-5975
Index No. 106822/10

Williamsburg Terrace, LLC and
Board of Managers of Williamsburg
Terrace, a Condominium,
Defendants-Appellants.

-----X
Williamsburg Terrace, LLC and
Board of Managers of Williamsburg
Terrace, a Condominium,
Third-Party Plaintiffs-Appellants,

-against-

Index No. 590244/11

Tri-Rail Construction, Inc., individually
and as joint venture with Janbar, Inc.,
Janbar, Inc., individually and as joint
venture with Tri-Rail Construction, Inc.
and Williamsburgh Tri-Rail/Janbar I, LLC,
Third-Party Defendants.

-----X

Defendants/third-party plaintiff-appellants Williamsburg Terrace, LLC, 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 27, 2014 (mot. seq. nos. 001/002/003),

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 June 2015 Term.

ENTER:


CLERK

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

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

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

M-4200
Ind. No. 7806/91

-against-

CERTIFICATE
DENYING LEAVE

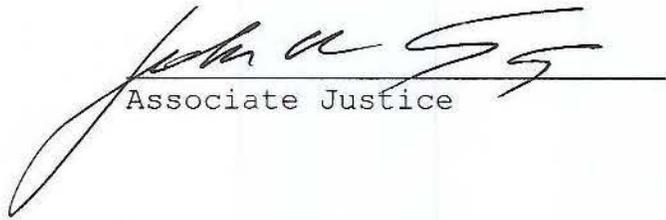
Shane Watson,

Defendant.

-----X

I, John W. Sweeny, Jr., a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County, dated on or about June 13, 2014 (Richard Lee Price, J.) is hereby denied.

Dated: January 23, 2015
New York, New York


Associate Justice

ENTERED: FEB 03 2015

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

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

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

M-5024
Ind. No. 3219/2006

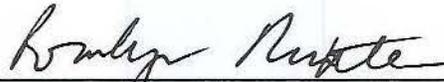
-against-

CERTIFICATE
GRANTING LEAVE

Jamaar Fowler,
Defendant-Appellant.
-----X

I, Rosalyn H. Richter, a Justice of the Appellate Division, First Judicial Department, do hereby certify that in the proceedings herein questions of law or fact are involved which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is hereby granted to the above-named defendant to appeal to the Appellate Division, First Judicial Department, from the order of the Supreme Court, Bronx County, dated September 2, 2014.¹

Dated: January 21, 2015
New York, New York



Hon. Rosalyn H. Richter
Associate Justice

ENTERED FEB 03 2015

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.

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

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

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

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

M-5383
Ind. No. 9730/98

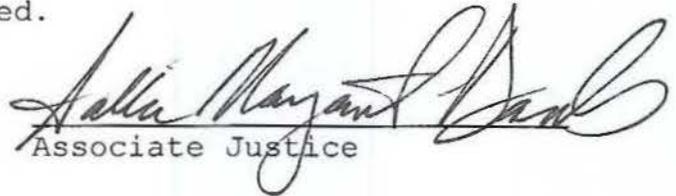
-against-

CERTIFICATE
DENYING LEAVE
UPON REARGUMENT

Taiwu Jenkins,

Defendant.
-----X

I, Sallie Manzanet-Daniels, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application made by the above-named defendant for reargument of the order of a Justice of this Court (M-3190), entered on October 7, 2014, which denied his application for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and no question of law or fact having been misapprehended or overlooked, permission to reargue the denial of leave to appeal from the order of the Supreme Court, New York County, entered on or about November 15, 2013, is hereby denied.


Associate Justice

Dated: January 20, 2015
New York, New York

ENTERED: FEB 03 2015

P.M ORDERS
FOR
FEBRUARY 3,
2015

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 3, 2015.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Rolando T. Acosta
David B. Saxe
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

-----x
Alessandro Calastri,

Plaintiff-Appellant-Respondent,

-against-

Hannah Overlock,

Defendant-Respondent-Appellant.
-----x

M-6112
Index No. 152851/12

An appeal and cross appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about April 29, 2014 (mot. seq. no. 002), and said appeal and cross appeal having been perfected and fully briefed,

And defendant-respondent-appellant having moved to strike certain portions of plaintiff-appellant-respondent's reply brief in connection with the aforesaid appeal and cross appeal,

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

It is ordered that the motion is denied.

ENTER:


CLERK