

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 January 20, 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-24
Ind. No. 3558/12

Keith Campbell,
Defendant-Appellant.
-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about March 12, 2013,

Now, upon reading and filing the stipulation of the parties hereto, dated December 16, 2014, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 20, 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-6285
Ind. No. 4768/11

Darryl Green,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about April 24, 2012,

Now, upon reading and filing the stipulation of the parties hereto, dated December 15, 2014, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 20, 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,
Appellant,

-against-

M-6353
Ind. No. 2552/13

Justo Santos,
Defendant-Respondent.

-----X

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

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

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 20, 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,
Appellant,

-against-

M-6355
Ind. No. 1598/14

Miguel Moronta,
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about September 19, 2014,

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

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 20, 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-6378
Ind. No. 1723/09

Donald Pearson,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about March 23, 2010,

Now, upon reading and filing the stipulation of the parties hereto, dated December 29, 2014, and due deliberation having been had thereon,

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 20, 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-6382
Ind. No. 5151/10

Tony Gilchrist,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about April 6, 2011,

Now, upon reading and filing the stipulation of the parties hereto, dated December 29, 2014, and due deliberation having been had thereon,

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 20, 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-6120
Ind. No. 5144/11

Adrian Dumit,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 9, 2014, 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, 120 Wall Street, 28th Floor, New York, New York 10005, 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 January 20, 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-6121
Ind. No. 2883/13

Elizabeth Fagiolo,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about July 21, 2014, 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, 120 Wall Street, 28th Floor, New York, New York 10005, 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 January 20, 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-6122
Ind. No. 1073/13

Damique Fennell,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about September 9, 2014, 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, 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.

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. 212-402-4100, 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 January 20, 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-

Guadelupe Fernanand, also known as
Guadelupe Ferdinand,
Defendant-Appellant.

M-6123
Ind. Nos. 929/14
2543/12
Case No. 42009C/12

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about June 26, 2014, 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, 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., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 20, 2015.

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

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

-against-

M-6124
Ind. No. 3897/09

Luigi Jaquez,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about October 29, 2014, 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, 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.

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. 212-402-4100, 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 January 20, 2015.

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

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

-against-

M-6125
Ind. Nos. 1879/10

Darrell Joe,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about September 22, 2014, 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, 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., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 20, 2015.

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

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

-against-

M-6126
Ind. No. 5536/13

Jacob Lopez,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about October 10, 2014, 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, 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., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 20, 2015.

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

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

-against-

M-6127
Ind. No. 3853/12

Buddy Winston,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about October 27, 2014, 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, 120 Wall Street, 28th Floor, New York, New York 10005, 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 January 20, 2015.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzairelli
Richard T. Andrias
Leland G. DeGrasse
Darcel D. Clark, Justices.

-----X
In the Matter of a UIFSA Proceeding

Sally T. C.,
Petitioner-Respondent,

-against-

M-4809
Docket No. U-29293-10/12D

Emiliano M.,
Respondent-Appellant.

-----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 May 16, 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 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 **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.

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 January 20, 2015.

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

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

Nia Dara B.,
Petitioner-Appellant,

M-6073
Docket Nos. V-33589-11/13
V-33825-11/14

-against-

Jonathan B.,
Respondent-Respondent.

-----x

An appeal having been taken to this Court from the order of the Family Court, New York County, entered on or about August 7, 2014, and said appeal having been perfected,

And respondent-respondent having moved for a "stay" of the appeal pending hearing and determination of this motion, for leave to strike the record on appeal, and for an enlargement of time to file a respondent's brief in connection with the aforesaid appeal,

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

It is ordered that the motion is granted to the extent of adjourning the appeal to the March 2015 Term, and respondent is granted leave to file 8 copies of a supplemental record containing the July 2013 order to show cause in the form submitted as Exhibit A to the motion, at his own expense, if so advised. The motion, to the extent it seeks to strike the record on appeal, 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 January 20, 2015.

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

-----X
Richard Altman,

Plaintiff-Appellant-Respondent,

-against-

M-6038
Index No. 155942/14

285 West Fourth LLC,

Defendant-Respondent-Appellant.
-----X

An appeal and cross appeal having been taken to this Court from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about October 16, 2014, and said appeal and cross appeal having been perfected,

And defendant-respondent-appellant having moved for leave to supplement the record on appeal to include its notice of cross appeal, and for adjournment of said 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 granted to the extent of directing defendant-respondent-appellant to forthwith file 9 copies of a supplemental record to include its notice of cross appeal, and adjourning said appeal and cross appeal to the March 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 January 20, 2015.

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

-----x
JPMCC 2005-CIB13 Complex 2070, LLC,
Plaintiff-Respondent,

-against-

M-5790
Index No. 35025/14E

KKP Arthur Avenue LLC,
Defendant-Appellant,

New York State Department of Taxation
and Finance, et al., etc.,
Defendants.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, Bronx County, entered on or about June 11, 2014, and said appeal having been perfected,

And plaintiff-respondent having moved for leave to strike defendant-appellant's Point III from the Appellant's brief as well as all related references elsewhere in the brief or, in the alternative, directing defendant-appellant to enlarge the record on appeal to include the first and second receiver order and all papers and exhibits upon which the orders were entered,

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

It is ordered that the motion is granted to the extent of striking Point III and all related references thereto, and directing defendant-appellant to file a corrected appellant's brief omitting Point III and related references on or before February 23, 2015 for the May 2015 Term, to which Term the appeal is adjourned. The injunction relief granted by the order of this Court (M-3997) entered September 30, 2014, as, clarified by the subsequent order entered December 9, 2014 (M-5043/M-5053) shall continue pending hearing and determination of the appeal.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 20, 2015.

Present: Hon. Peter Tom, Justice Presiding,
David Friedman
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick, Justices.

-----X
In the Matter of the Application of
Jonathan Jacobs,
Petitioner-Cross Respondent,

For an Order Pursuant to Article 78 M-6191
of the CPLR, Index No. 401303/13

-against-

New York State Division of Human Rights,
and Lillie Davis Staton,
Respondents-Cross Petitioners,

Jacobs RE LLC,
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 November 14, 2013, to review a determination of respondent,

And petitioner-cross respondent pro se having moved for an enlargement of time to perfect the aforesaid proceeding,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the proceeding (petition and cross petition) to on or before February 23, 2015 to the May 2015 Term. (See M-5779, entered December 30, 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 January 20, 2015.

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

-----X

Matthew Parrish, an Infant by his
parent and natural guardian
Gail P. Parrish, individually,
Plaintiffs-Respondents,

-against-

M-5106

M-5971

Index No. 116618/08

Consolidated Edison Of New York, Inc.,
Manetta Industries, Inc.,
Defendants-Appellants,

City of New York, et al.,
Defendants.

-----X

Defendant-appellant, Manetta Industries, Inc., having moved by separate motions for an enlargement of time to perfect the appeals from the order of the Supreme Court, New York County, entered on or about October 25, 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 motions are granted to the extent of enlarging the time to perfect the appeals 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 January 20, 2015.

PRESENT - Hon: Peter Tom, Justice Presiding,
David Friedman
Paul G. Feinman
Judith J. Gische
Barbara R. Kapnick, Justices.

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

-against-

M-4467
Ind. No. 2994/13

Bruce Washburn,
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of **resentence** of the Supreme Court, Bronx County, rendered on or about May 27, 2014,

And an order of this Court entered on January 9, 2014 (M-6053) granting defendant-appellant leave to prosecute, as a poor person, the appeal from the judgment of said Court rendered on or about October 25, 2013, and assigning successor Seymour W. James, Jr., Esq., as counsel for defendant-appellant for purposes of prosecuting the appeal,

And defendant-appellant having moved for an order deeming a notice of appeal filed from the judgment of said Court rendered on or about October 2015, 2013, a premature but timely filed notice of appeal from the judgment of **resentence** of the Supreme Court, Bronx County, rendered on or about May 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 deeming the moving papers as a timely filed notice of appeal from the judgment of **resentence** rendered May 27, 2014. Sua sponte, the order entered January 9, 2014 (M-6053) is amended to extend the poor person relief and the assignment of counsel to the aforesaid judgment of **resentence**.

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 January 20, 2015.

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

-----X
Portfolio Recovery Associates,
Plaintiff-Respondent,

-against-

M-6268

M-6267

Richard Lall,
Defendant-Appellant

Index No. 64902/11

- - - - -
Professor James Kainen and
Professor Michael J. Hutter,
Amici Curiae,

CAMBA Legal Services, Inc., DC 37
Municipal Employees Legal Services-
AFSCME AFL-CIO, Legal Services NYC,
Lincoln Square Legal Services, Inc.,
MFY Legal Services, Inc., New Economy
Project, Inc., Queens Volunteer
Lawyers Project, Inc., Schlanger
and Schlanger, LLP, St. Vincent
de Paul Legal Program, Inc., The
Bromberg Law Office, P.C., The
Financial Clinic, The Law Offices
of Ahmad Keshavarz, and The Legal
Aid Society,
Amici Curiae.

-----X

An order of this Court having been entered June 4, 2014 granting defendant-appellant leave to appeal to this Court from the order of the Appellate Term, First Department, entered on or about October 15, 2013 (M-690), and said appeal having been perfected,

And Professors James Kainen and Michael J. Hutter, having moved for leave to file a brief amicus curiae in connection with the aforesaid appeal (M-6268),

And CAMBA Legal Services, Inc., et al., having moved for leave to file a brief amicus curiae in connection with the aforesaid appeal (M-6267),

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 directing movants to forthwith file nine copies of an amicus curiae brief(s) with the Clerk of the Court.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 20, 2015.

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

-----x

Virginia Mathieson,
Plaintiff-Respondent,

M-6198

-against-

Index No. 302437/10

Century 21 Department Stores, LLC,
et al.,
Defendants-Respondents.

- - - - -

Century 21 Department Stores, LLC,
et al.,
Third-Party Plaintiffs-Respondents,

-against-

Index No. 83899/11

JMR Concrete Corp.,
Third-Party Defendant-Appellant.

-----x

Third-party defendant-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about January 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 May 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 January 20, 2015.

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

-----X
Carlos Rodriguez,

Plaintiff-Respondent,

-against-

M-6140
Index No. 109444/11

The City of New York,

Defendant-Appellant.
-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about November 12, 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 on or before February 23, 2015 for the May 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 January 20, 2015.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
David B. Saxe
Sallie Manzanet-Daniels, Justices.

-----x
Georgi Eremeyev,
Plaintiff-Appellant,

-and-

Olga Eremeyev,
Plaintiff,

M-6170
Index No. 13107/03

-against-

Sergei Dolgopolov, M.D., et al.,
Defendants-Respondents.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, Bronx County, entered on or about May 13, 2013,

And plaintiff-appellant having moved for an enlargement of time to perfect the appeal, for leave to file an oversized brief, and for other relief,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal on or before March 23, 2015 for the June 2015 Term, with no further enlargements to be granted. The motion, to the extent it seeks leave to file an oversized brief, is denied, without prejudice to a letter application for such relief to the Clerk of the Court. The motion is otherwise denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 20, 2015.

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

-----X

Shia Saide LaBeouf and Shayna Saide,

Plaintiffs-Respondents,

-against-

M-6246

Index No. 651878/13

Barry Saide,

Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about February 28, 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 January 20, 2015.

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

-----X
Northeast Restoration Corp.,
Plaintiff-Respondent,

-against-

M-6236
Index No. 20679/10

T.A. Ahern Contractors, Corp. and
Safeco Insurance Company,
Defendants-Appellants,

New York City School Construction
Authority, et al.,
Defendants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal from a judgment of the Supreme Court, Bronx County, entered on or about April 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 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 January 20, 2015.

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

-----X
Elsia Vasquez,
Plaintiff-Appellant,

-and-

Soledad Dominguez, et al.,
Plaintiffs,

M-6162
M-6258
Index No. 116709/06

-against-

Ilan Zinnar, et al.,
Defendants,

Chase Group Alliance LLC, et al.,
Defendants-Intervenors.

-----X

An appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about March 25, 2014,

And Grimble & LooGuidice, LLC, former attorneys for plaintiffs Soledad Dominguez, et al., having moved for dismissal of the appeal or, in the alternative, for dismissal of the appeal if not perfected for a Term certain (M-6162),

And plaintiff-appellant having cross-moved for an enlargement of time to perfect the appeal (M-6258),

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 to dismiss the appeal is denied, the cross motion is granted to the extent of enlarging the time to perfect the aforesaid 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 January 20, 2015.

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

-----X

Shekhar K. Basu,

Plaintiff-Respondent-Appellant,

-against-

M-6039

Index No. 651340/10

Alphabet Management LLC, et al.,

Defendants-Appellants-Respondents.

-----X

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 July 10, 2014, and the direct appeal having been perfected,

And defendants-appellants-respondents having moved for a stay of trial 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 January 20, 2015.

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

-----x

Herb Mauthner,
Plaintiff-Respondent,

-against-

M-6036
Index No. 302289/09

Dena Ray Mauthner,
Defendant-Appellant.

-----x

An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, rendered on or about January 24, 2013, and said appeal having been perfected,

And defendant-appellant having moved for leave to supplement the record on 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 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 January 20, 2015.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Leland G. DeGrasse
Sallie Manzanet-Daniels, Justices.

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

-against-

M-4614
Ind. No. 1781/10

Euniya Morales,
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, Bronx County, rendered on or about May 13, 2013,

And defendant-appellant having moved for an order enlarging the record on appeal to include, as set forth in detail in the moving papers, minutes of September 20, 2012, October 4, 2012 and October 24, 2012, under Ind. No. 1781/10,

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.

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 January 20, 2014.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Leland G. DeGrasse
Sallie Manzanet-Daniels, Justices.

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

-against-

M-4685
Ind. No. 1494/13

Rafael Flores,
Defendant-Appellant.

-----x

An order of this Court having been entered on September 4, 2014 (M-2065), inter alia, granting defendant leave to prosecute the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about May 22, 2013 as a poor person, and assigning counsel therefor,

And defendant having moved for an enlargement of time to file a notice of appeal from the judgment of **resentence** of said Court rendered on or about January 10, 2014, and 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 to the extent of deeming the moving papers a timely filed notice of appeal from the judgment of **resentence** rendered on or about January 10, 2014, and the poor person relief and the assignment of counsel previously afforded defendant by the order of this Court entered September 4, 2014 (M-2065) is extended to cover both 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 January 20, 2015.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Leland G. DeGrasse
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

-----X

The People of the State of New York,
ex rel. Harold B. Ramsey, Jr., on Behalf
of Nathaniel Green, N.Y.S.I.D. #456040011,
Petitioner-Appellant,

M-4746

Index No. 159188/14

-against-

Joseph Aponte, Commissioner of Corrections,
New York City Department of Corrections,
Warden, Rikers Island Detention Facility,
Respondent-Respondent..

-----X

The above-named petitioner-appellant, in connection with his appeal taken from the judgment of the Supreme Court, New York County, entered September 17, 2014, which denied petitioner's petition and dismissed a writ of habeas corpus, having moved for an order granting bail pending hearing and determination of the appeal,

And an order of a Justice of this Court having been entered September 19, 2014 granting petitioner-appellant interim bail pending hearing and determination of the instant motion for bail pending hearing and determination of the aforesaid appeal,

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

Ordered that the motion is granted to the extent of continuing the interim bail granted by an order of a Justice of this Court, on September 19, 2014, pending hearing and determination of the aforesaid appeal on the same terms and conditions and on further condition that the appeal be 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 January 20, 2015.

PRESENT - Hon. David Friedman, Justice Presiding,
Karla Moskowitz
Paul G. Feinman
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
Anthony Jackson,

Plaintiff,

-against-

M-4474
Claim No. 120316

The State of New York.
-----X

Plaintiff having moved for leave to prosecute, as a poor person, the purported appeal from Court of Claims, entered on or about November 6, 2013, for leave to have the purported appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied, with leave to renew upon submission of a valid notice of appeal with the proper order being appealed.

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 January 20, 2015.

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

-----X
Princes Point LLC, a New York Limited
Liability Company,
Plaintiff-Appellant,

-against-

M-3965
Index No. 601849/08

Muss Development L.L.C., et al.,
Defendants-Respondents,

AKRF Engineering, P.C., et al.,
Defendants.

-----X

Appeals having been taken from the order of the Supreme Court, New York County, entered on or about February 4, 2014 (mot. seq. no. 005) and from the judgment of said Court entered on or about June 3, 2014,

Defendants-respondents having moved to dismiss the aforesaid appeals for failure to timely perfect, or in the alternative, to dismiss the appeal from the order of the Supreme Court, New York County, entered on or about February 4, 2014 (mot. seq. no. 005) as subsumed in the appeal from the judgment of said Court entered on or about June 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 to the extent of deeming the appeal from the order entered on or about February 4, 2014 (mot. seq. no. 005) subsumed in the appeal from the judgment of said Court entered on or about June 3, 2014, and dismissing said appeal from the judgment unless it is perfected on or before March 23, 2015 for the June 2015 Term. Upon failure to so perfect defendants-respondents may move on notice for dismissal of the aforesaid 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 January 20, 2015.

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

-----X

61 Fifth Ave. LLC,

Plaintiff-Respondent,

-against-

Wilshire Limited, et al.,

Defendants-Appellants.

-----X

M-6368
Index No. 101995/12

Defendant-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about June 18, 2012,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the June 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 January 20, 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
the State of New York,
Petitioner-Respondent,

-against-

Rasheem Salley,
Respondent-Appellant.

SEALED
M-6149
Index No. 300114/08

- - - - -
For Civil Management Pursuant to
Article 10 of the Mental Hygiene Law.

-----X
Respondent-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about May 11, 2012,

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

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

ENTER:



CLERK

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

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

-----X
Amy Wilensky,

Plaintiff,

-against-

M-5328
Index No. 309228/10

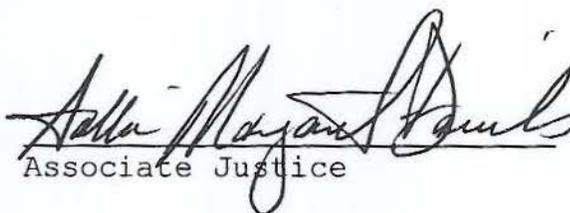
Ben Hohn,

Defendant.
-----X

Plaintiff-respondent, pro se, having moved for "emergency reversal" of a temporary custody order of the Supreme Court, New York County, dated October 14, 2014,

Now, upon reading and filing the papers with respect to the motion, which is deemed to be one for leave to appeal and for related relief,

It is ordered that the motion is denied.


Associate Justice

Dated: January 5, 2015
New York, New York

ENTERED: **JAN 20 2015**