

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 September 22, 2015.

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

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

-----  
Evgeny A. F., M-1778B  
Petitioner-Appellant-Respondent, Docket Nos. V-27137/09  
V-50162/09

-against-

Inessa B.,  
Respondent-Respondent-Appellant.

-----  
Steven N. Feinman, Esq.,  
Attorney for Subject Child.

-----X

Simon Turkel, Esq., Family Court attorney for the subject child, having moved on said child's behalf for leave to respond, as a poor person, to the appeal and cross appeal from the Final Order of the Family Court, New York County, entered on or about January 30, 2015, 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 appointing, pursuant to 22 NYCRR 36, Steven N. Feinman, Esq., One North Broadway, Suite #412, White Plains, NY 10601, Telephone No. (914)-949-8214, as counsel for the child for purposes of responding to the appeal and cross appeal, with said counsel to be compensated pursuant to the terms and conditions, and at the same rate of pay, as specified in the order of the Family Court, New York County, entered May 16, 2013. (The order of this Court entered on July 14, 2015 [M-1778A] is hereby recalled and 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 September 22, 2015.

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

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

-against-

M-2700  
Ind. No. 3228/07

Angel Beauchamp,  
Defendant-Appellant.

-----X

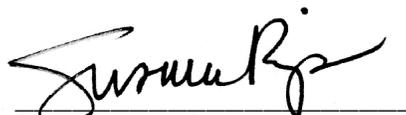
A decision and order of this Court having been entered on May 10, 2011 (Appeal No. 5026), unanimously affirming a judgment of the Supreme Court, Bronx County (Caesar Cirigliano, J.), rendered on May 19, 2009,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate counsel, and for related relief,

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

It is ordered that said application is denied.

ENTER:

  
CLERK

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 September 22, 2015.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Angela M. Mazzarelli  
Dianne T. Renwick  
Judith J. Gische, Justices.

-----X  
Dolores Connolly, et al.,  
Plaintiffs-Appellants,

-against-

129 East 69<sup>th</sup> Street Corporation,  
et al.,  
Defendants-Respondents.

M-2589  
M-2602  
Index No. 150016/10

-----X

Defendant-respondent 129 East 69<sup>th</sup> Street Corporation having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on April 28, 2015 (Appeal No. 14933) [M-2589],

And defendant-respondent Plaza Florist Too, Inc., doing business as Plaza Flowers having moved by separate motion for the aforesaid relief (M-2602),

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

It is ordered that the motions are denied.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 22, 2015.

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

-----X  
In re Yan Ping Xu,  
Petitioner-Appellant,

-against-

M-2830  
Index No. 109534/08

The New York City Department of  
Health and Mental Hygiene,  
Respondent-Respondent.

-----X

Petitioner-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on October 23, 2014 (Appeal No. 13313),

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 September 22, 2015.

PRESENT - Hon. Peter Tom, Justice Presiding,  
Rolando T. Acosta  
Richard T. Andrias  
Karla Moskowitz  
Barbara R. Kapnick, Justices.

-----X

Luis Carrion,  
Plaintiff-Appellant,

-against-

M-3426  
Index No. 18070/06

John Faulkner, etc., et al.,  
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on June 9, 2015 (Appeal No. 14539),

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 September 22, 2015.

PRESENT - Hon. Peter Tom, Justice Presiding,  
Dianne T. Renwick  
Richard T. Andrias  
Sallie Manzanet-Daniels  
Barbara R. Kapnick, Justices.

-----X  
Cambridge Petroleum Holdings, Inc.,  
Plaintiff-Respondent,

-against-

Lukoil Americas Corporation,  
Defendant-Appellant.  
-----X

M-3275  
Index No. 650081/12

Plaintiff-respondent having moved for reargument of the decision and order of this Court entered on June 11, 2015 (Appeal No. 15397),

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 September 22, 2015.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
David B. Saxe  
Sallie Manzanet-Daniels  
Darcel D. Clark, Justices.

-----X

The Argo Corporation,  
Plaintiff-Appellant,

-against-

M-2555  
Index No. 400166/11

Admiral Indemnity Company, et al.,  
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on May 19, 2015 (Appeal No. 15165),

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 September 22, 2015.

PRESENT - Hon. David Friedman, Justice Presiding,  
David B. Saxe  
Judith J. Gische  
Barbara R. Kapnick, Justices.

-----X  
Deyanira Gomez,  
Plaintiff-Appellant,

-against-

M-2977  
Index No. 113201/08

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

Defendants-respondents having moved to dismiss the appeal from the order of the Supreme Court, New York County, entered on or about January 28, 2014 (mot. seq. no. 006),

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 September 22, 2015.

PRESENT - Hon. David Friedman, Justice Presiding,  
David B. Saxe  
Judith J. Gische  
Barbara R. Kapnick, Justices.

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

Respondent,

-against-

Pedro Montanez,

Defendant-Appellant.

M-3127  
Ind. Nos. 769/12  
52/12  
4974/12  
5656/11

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about February 18, 2015, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth the amount and sources of funds to pay trial counsel's fee, to post the bail in the Supreme Court, the disposition thereof, and an explanation as to why similar funds are not available to prosecute this appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 22, 2015.

Present: Hon. David Friedman, Justice Presiding,  
David B. Saxe  
Judith J. Gische  
Barbara R. Kapnick, Justices.

-----X  
In the Matter of the Application of  
Mary Ann Velazquez,  
Petitioner-Appellant,

For a Judgment Pursuant to Article 78 **M-3316**  
of the Civil Practice Law and Rules, Index No. 400507/13

-against-

New York City Housing Authority,  
Pelham Parkway Houses,  
Respondent-Respondent.  
-----X

Petitioner-appellant 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 January 15, 2015,

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 dismissed as moot, with instructions that petitioner has, pursuant to 22 NYCRR 600.11(a)(3), until November 10, 2015 to perfect 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 September 22, 2015.

PRESENT - Hon. David Friedman, Justice Presiding,  
David B. Saxe  
Judith J. Gische  
Barbara R. Kapnick, Justices.

-----X  
Consuelo Rodriguez,  
Plaintiff-Appellant,

-against-

Mohammed Hossain, et al.,  
Defendants-Respondents.

M-3357  
Index Nos. 107098/11  
590718/11

-----  
(And another action)  
-----X

Defendants-respondents having moved to dismiss the appeal from the order of the Supreme Court, New York County, entered on or about July 22, 2014 (mot. seq. no. 002),

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

It is ordered that the motion is granted 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 September 22, 2015.

PRESENT - Hon. Rolando T. Acosta, Justice Presiding,  
Dianne T. Renwick  
Karla Moskowitz  
Sallie Manzanet-Daniels  
Paul G. Feinman, Justices.

-----X  
Annabelle Sarah Bond,  
Plaintiff-Respondent,

-against-

M-3068  
Index No. 152960/14

Warren Lichtenstein,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on June 16, 2015 (Appeal No. 15442-44),

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 September 22, 2015.

PRESENT - Hon. Karla Moskowitz, Justice Presiding,  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Paul G. Feinman  
Darcel D. Clark, Justices.

-----X  
Irene Snitkoff, as the Executrix of the  
Estate of Morris Snitkoff,  
Plaintiff-Appellant,

-against-

M-3271  
Index No 309323/08

Lawrence S. Ross, M.D., etc., et al.,  
Defendants-Respondents.

-----X

Defendants-respondents having moved to dismiss the appeal from the judgment of the Supreme Court, Bronx County, entered on or about June 9, 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 September 22, 2015.

Present - Hon. Karla Moskowitz, Justice Presiding,  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Paul G. Feinman  
Darcel D. Clark, Justices.

-----x

In the Matter of the Application of  
Paula Giddings,  
Petitioner,

For a Judgment Pursuant to Article 78  
of the CPLR,

M-4074  
Index No. 100013/13

-against-

New York City Department of Housing  
Preservation and Development, et al.,  
Respondents.

-----x

An Article 78 proceeding to review a determination of respondents having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about April 23, 2013,

And petitioner 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 to the December 2015 Term, with no further enlargements to be granted. Sua sponte, the proceeding is dismissed unless perfected for said December 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 September 22, 2015.

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

-----X  
James Feeney,  
Plaintiff-Respondent,

-against-

M-3242  
Index No. 103542/10

SDS Williams Street, LLC, et al.,  
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about August 14, 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 January 2016 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 September 22, 2015.

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

-----x

Kateri Residence, etc., et al.,  
Plaintiffs-Respondents,

-against-

M-3415  
M-3416  
Index No. 102836/06

Antonia C. Novello, M.D., etc.,  
et al.,  
Defendants-Appellants.

-----x

Defendants-appellants having moved for an enlargement of time to perfect the appeals taken from an order of the Supreme Court, New York County, entered on or about June 3, 2014 (mot. seq. no. 003), and from an order of the same Court and Justice entered on or about September 24, 2014, respectively

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 enlarging the time to perfect the appeals to the January 2016 Term (M-3415/M-3416).

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 September 22, 2015.

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

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

-----  
Margaret Rhee K.,  
Petitioner-Appellant,

M-3425  
Docket Nos. V-15307/10  
V-16387/10

-against-

Kenneth P. K.,  
Respondent-Respondent.

-----  
Randall Carmel, Esq.,  
Attorney for the Child.

-----x  
An appeal having been taken to this Court from the order of the Family Court, New York County, entered on or about October 15, 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 granted to the extent of enlarging the time to perfect the appeal to on or before November 9, 2015 for the January 2016 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 September 22, 2015.

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

-----X  
George Rivera,  
Plaintiff-Appellant,

-against-

2285 Sedgwick Realty Corp., et al.,  
Defendants-Respondents.

M-3437  
Index No. 308689/09

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from an appeal of the Supreme Court, Bronx County, entered on or about August 7, 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 January 2016 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 September 22, 2015.

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

-----X  
John Milone and Jennifer Milone,  
Plaintiffs-Appellants,

-against-

M-3455  
Index No. 100093/12

Scottsdale Insurance Company,  
Defendants-Respondents.

-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about November 8, 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 January 2016 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 September 22, 2015.

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

-----X  
Margie Revels,  
Plaintiff-Appellant,

-against-

Ronald W. Schoeps, et al.,  
Defendants-Respondents.

M-3492  
Index No. 305491/12

-----X

Plaintiff-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 October 9, 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 January 2016 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 September 22, 2015.

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

-----X  
In the Matter of the Application of  
Leslie Taylor,  
Petitioner-Appellant,

For an order Pursuant to Article 78  
of the Civil Practice Law and Rules,

-against-

M-3568  
Index No. 100383/14

City of New York; New York City  
Department of Education; and Carmen  
Farina, Chancellor of New York City  
Department of Education,  
Respondents-Respondents.

-----X

Petitioner-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about September 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 to the extent of enlarging the time to perfect the appeal to the January 2016 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 September 22, 2015.

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

-----X  
Jimmy Katz and Dena Katz,  
Plaintiffs-Respondents,

-against-

M-3594  
Index No. 653592/13

1700 North Main Associates, LLC, and  
Daniel G. Miller,  
Defendants-Appellants.  
-----X

Defendants-appellants 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 September 16, 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 January 2016 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 September 22, 2015.

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

-----X  
Maria Balog,  
Plaintiff-Appellant,

-against-

M-3627  
Index No. 304432/10

Aquila Realty Co., et al.,  
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about October 22, 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 January 2016 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 September 22, 2015.

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

-----X  
Blanca Viruet,  
Plaintiff-Appellant,

-against-

M-3630  
Index No. 104158/09

The Mount Sinai Medical Center, Inc.,  
et al.,  
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about September 5, 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 January 2016 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 September 22, 2015.

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

-----X  
Information Clearinghouse Inc., et al.,  
Plaintiffs-Appellants,

-against-

M-3703  
Index No. 152694/13

Ronald J. Meltzer,  
Defendant-Respondent.  
-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about October 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 enlarging the time to perfect the appeal to the January 2016 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 September 22, 2015.

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

-----X  
National Union Fire Insurance Company  
of Pittsburgh, PA.,  
Plaintiff-Appellant,

-against-

M-3722  
Index No. 107838/09

Compaction Systems Corporation of  
New Jersey and Compaction Systems  
Corporation of Connecticut,  
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about August 8, 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 January 2016 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 September 22, 2015.

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

-----X  
B Mex Corp. and Ninemex Corp.,  
Plaintiffs-Appellants,

-against-

Fast March Investments, LLC, et al.,  
Defendants-Respondents.

M-3816  
Index No. 650255/14

-----X

Plaintiffs-appellants 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 July 24, 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 January 2016 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 September 22, 2015.

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

-----X  
316 Second Avenue NH, LLC, et al.,  
Plaintiff-Respondent,

-against-

M-3822  
Index No. 600217/10

316 Second Avenue, LLC, et al.,  
Defendants-Appellants.

-----X

Defendant-appellant 316 Second Avenue, 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 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 enlarging the time to perfect the appeal to the January 2016 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 September 22, 2015.

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

-----X  
OORAH, Inc., doing business as  
Cucumber Communications,  
Plaintiff-Appellant,

-against-

M-3846  
Index No. 652316/11

Covista Communications, Inc., et al.,  
Defendants.  
-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about September 26, 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 January 2016 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 September 22, 2015.

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

-----X  
Bryan Pope, Jr., an infant by his  
parent and natural guardian, Bryan Pope,  
and Bryan Pope, individually,  
Plaintiffs-Appellants,

-against-

M-3654  
Index No. 310509/10

American United Transportation II  
Inc., et al.,  
Defendants-Respondents.  
-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about June 4, 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 February 2016 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 September 22, 2015.

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

-----X  
Peter Paul Biro,  
Plaintiff-Appellant,

-against-

M-3694  
Index No. 154556/14

Canadian Broadcasting Corporation,  
et al.,  
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from separate orders of the Supreme Court, New York County, entered on or about November 7, 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 February 2016 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 September 22, 2015.

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

-----X  
In the Matter of the Application of  
Sharon Mahn,  
Petitioner-Appellant,

-against-

Major Lindsey and Africa, LLC.,  
Respondents-Respondents.

M-3580  
Index Nos. 653048/14  
155645/14

-----X

Petitioner-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about October 2, 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 2016 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 September 22, 2015.

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

-----X  
Margaret Lesley Marshall and Kim Neil  
Marshall,  
Plaintiffs-Respondents,

M-3848  
Index No. 651067/13

-against-

Francis G. Fleming, et al.,  
Defendants-Appellants.

-----X

Defendants-appellants 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 8, 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 2016 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 September 22, 2015.

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

-----X  
Briarpatch Limited, L.P., and Gerard  
F. Rubin,  
Plaintiffs-Respondents,

-against-

M-3459  
Index No. 603364/01

D.M. Thomas, D.M. Thomas Ltd.,  
Briarpatch Film Corp., Robert M.  
Geisler, Verner Simon, P.C., Paul W.  
Verner and Night Hawk Limited,  
Defendants-Appellants.

-----X

Defendants-appellants Verner Simon, P.C. and Paul W. Vener 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 October 9, 2014, and from a judgment of the same Court and Justice entered on or about November 17, 2014, respectively,

Now, upon reading and filing the stipulation dated August 20, 2015 with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion and the appeal from the October 9, 2014 and November 17, 2014 orders and judgment are all withdrawn.

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 September 22, 2015.

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

-----X  
In Re East 51<sup>st</sup> Street Crane Collapse  
Litigation: Index No. 769000/08

-----  
Eleni Popaioannou and Demetrios  
Popaioannou, M-3248  
Plaintiffs, Index No. 104777/09

-against-

Reliance Construction Group, et al.,  
Defendants,

-and-

East 51<sup>st</sup> Street Development Company,  
LLC,  
Defendant Third-Party Plaintiff-  
Appellant,

-against-

Consolidated Edison Company of New York,  
Inc.,  
Third-Party Defendants.

-----  
(And four other actions)  
-----X

An appeal having been taken by the above-named defendant third-party plaintiff-appellant, East 51<sup>st</sup> Street Development Company, LLC, from an order of the Supreme Court, New York County, entered on or about December 10, 2013 in the above-captioned action; and four additional appeals having been taken by defendant third-party plaintiff-appellant, East 51<sup>st</sup> Street Development Company, LLC, from four additional orders of said

Court entered on or about December 12, 2013 in the actions: *American Bankers Insurance Company of Florida, etc., et al., v Reliance Construction Ltd., etc., et al., (Index No. 100754/09); East 51<sup>st</sup> Street Development Company, LLC, et al., v The City of New York, et al., (Index No. 650658/11); Lexington Insurance Company, etc., et al., v Reliance Construction Ltd., etc., et al., (Index No. 100205/09); and In Re East 51<sup>st</sup> Street Crane Collapse Litigation (Index No. 769000/08),*

And an order of this Court having been entered on November 13, 2014 (M-4687), consolidating the aforesaid appeals,

And defendant third-party plaintiff-appellant having moved for an enlargement of time to perfect the aforesaid consolidated appeals,

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

It is ordered that the time to perfect the aforesaid consolidated appeals is enlarged to the March 2016 Term.

ENTER:

  
CLERK

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

BEFORE: Hon. Paul G. Feinman  
Justice of the Appellate Division

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

M-2310  
Ind. No. 312/2013

-against-

CERTIFICATE  
GRANTING LEAVE

Kyle Harleston  
Defendant-Appellant.

-----X

I, Paul G. Feinman, a Justice of the Appellate Division, First Judicial Department, do hereby certify that in the proceedings herein questions of law or fact are involved which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is hereby granted to the above-named defendant to appeal to the Appellate Division, First Judicial Department, from the order of the Supreme Court, New York County (James M. Burke, J.), entered on or about April 17, 2015.<sup>1</sup>

Dated: August 3, 2015  
New York, New York

Entered: September 22, 2015

  
\_\_\_\_\_  
Hon. Paul G. Feinman  
Associate Justice

NOTICE: Within 15 days from the date hereon, an appeal must be taken, and this certificate must be filed with the notice of appeal. An appeal is taken by filing, in the Clerk's office of the criminal court in which the order sought to be appealed was rendered, a written notice in duplicate that appellant appeals to the Appellate Division, First Judicial Department (Section 460.10, subd. 4, CPL), together with proof that another copy of the notice of appeal has been served upon opposing counsel. The appeal (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.

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

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

BEFORE: Hon. Darcel D. Clark  
Justice of the Appellate Division

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

M - 3185  
Ind. No. 1623/02

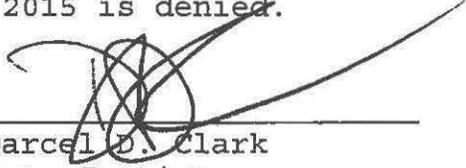
-against-

CERTIFICATE  
DENYING LEAVE

Hafiz Hayes,

Defendant.  
-----X

I, Darcel D. Clark, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about May 15, 2015 is denied.

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

Dated: August 12, 2015  
New York, New York

ENTERED: September 22, 2015

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



BEFORE: Hon. Darcel D. Clark  
Justice of the Appellate Division

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

-against-

M-3501  
Ind. No.1286/14

Marceulus McMurray, also known as  
Marcellus McMurray

ORDER DENYING ROR OR  
BAIL PENDING APPEAL

Defendant.

-----X

An appeal having been taken to this Court by the above-named defendant from a judgment of the Supreme Court, New York County, rendered on February 11, 2015, and defendant having moved, pursuant to CPL 460.50 and 530.50 for an order of recognizance or to be admitted to bail pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion be and the same hereby is denied.

Dated: August 12, 2015  
New York, New York

Justice of the Appellate Division

ENTERED: September 22, 2015

P.M. ORDERS  
FOR  
SEPTEMBER 22,  
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 September 22, 2015.

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

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

-against-

**M-3966**  
Ind. No. 89/11

Jeffrey Brown,  
Defendant-Appellant.  
-----X

Defendant-appellant, in connection with an appeal taken from the judgment of the Supreme Court, New York County, rendered on or about November 29, 2011, having moved for leave to file a pro se supplemental 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 directing defendant to serve and file 8 copies of his pro se supplemental brief on or before December 7, 2015 for the February 2016 Term, to which Term the appeal is adjourned. The Clerk of the Court is directed to forward to the Warden at the State correctional facility wherein defendant is incarcerated a transcript of the minutes relating to defendant's appeal, said transcript to be made available to appellant and returned by appellant to this Court when submitting the pro se supplemental brief hereto. The appeal will not be heard unless and until all material furnished to appellant has been returned. Sua sponte, it is directed that the perfected appeal in *People v Habyib Mohammed* be adjourned to said February 2016 Term, and that the two appeals be placed on the same day calendar for said February 2016 Term.

ENTER:

  
CLERK