

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,  
Peter Tom  
Troy K. Webber  
Marcy L. Kahn  
Cynthia S. Kern, Justices.

-----X  
Robert L. Pritsker,

Plaintiff-Appellant,

-against-

**M-17**

Index No. 155269/17

Oppenheimer Acquisition Corp.,  
Tremont Partners, Inc., and  
Tremont International Insurance  
Fund, L.P.,

Defendants-Respondents.  
-----X

Plaintiff-appellant having moved, pro se, pursuant to 22 NYCRR 1250.10(c), for an order vacating to vacate the automatic dismissal of his appeal and, upon vacatur, for an enlargement of time to perfect the appeal which was taken from an order of the Supreme Court, New York County, entered on or about May 8, 2018,

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 reinstating the appeal and enlarging the time to perfect said appeal to the September 2019 Term.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 20, 2019.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Peter Tom  
Troy K. Webber  
Marcy L. Kahn  
Cynthia S. Kern, Justices.

-----X

Ames Ray,  
Plaintiff-Appellant,

-against-

**M-6287**

Index No. 604381/98

Christina Ray,  
Defendant-Respondent.

-----X

Plaintiff-appellant having moved for a stay of a referee hearing on attorney fees, pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about October 12, 2018, and interim judgment of the same court, entered on or about November 9, 2018,

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.

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,  
Rosalyn H. Richter  
Angela M. Mazzarelli  
Troy K. Webber  
Cynthia S. Kern, Justices.

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

Respondent,

-against-

Demetrius Washington,

Defendant-Appellant.  
-----X

**M-6460**

Ind. No. 2607/16

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about June 28, 2018, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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, 28<sup>th</sup> 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 180 days from the date of receipt of the complete record.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,  
Sallie Manzanet-Daniels  
Angela M. Mazzarelli  
Jeffrey K. Oing  
Peter H. Moulton, Justices.

-----x  
Keshawna Vanderhorst,  
Plaintiff-Respondent,

-against-

Thomas Collins, Lacor Mechanical  
Systems, Inc.,  
Defendants-Appellants,

M-6774  
Index No. 150371/17

-and-

Robert Song, et al.,  
Defendants-Respondents.

-----x  
Defendant-respondent Robert Song having moved to dismiss the appeal taken from the order of the Supreme Court, New York County, entered on or about February 7, 2018,

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

It is ordered that the motion is denied as unnecessary, the appeal having been automatically dismissed pursuant to 22 NYCRR 1250.10(a).

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

Present - Hon. Rosalyn H. Richter, Justice Presiding,  
Sallie Manzanet-Daniels  
Peter Tom  
Marcy L. Kahn  
Anil C. Singh, Justices.

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

-against-

M-6554  
Ind. No. 2548/17

Paulino Camacho,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about May 10, 2018,

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

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

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,  
Judith J. Gische  
Cynthia S. Kern  
Peter H. Moulton, Justices.

-----X

Nakia Neely,  
Plaintiff-Respondent,

-against-

M-680  
Index No. 29170/17E

Scott A. Felicetti, The Felicetti Law Firm, P.C. and John Does 1-25,  
Defendants-Appellants.

-----X

Defendants-appellants having moved for leave to appeal a determination declining to sign an order to show cause and for an order staying the inquest scheduled for April 12, 2019, pending hearing and determination of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about January 24, 2019,

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 staying the inquest on condition that the aforementioned appeal from the order of the Supreme Court, Bronx County, entered on or about January 24, 2019, which denied defendants' motion to vacate the default judgment, is perfected on or before July 8, 2019 for the September 2019 Term. The motion is otherwise denied.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

PRESENT: Hon. Sallie Manzanet-Daniels, Justice Presiding,  
Judith J. Gische  
Ellen Gesmer  
Anil C. Singh  
Peter H. Moulton, Justices.

-----X

In the Matter of

Neal W.,  
Petitioner,

-against-

Jacklyn R.,  
Respondent,

-----X

Johnny R.,  
Petitioner,

-against-

Jacklyn R.  
Neal W.  
Respondents.

-----X

Petitioner having moved, pursuant to CPLR 5704(a), for ex parte relief denied by the Supreme Court, and for a protective order pursuant to CPLR 1303,

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.

ENTERED:

  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

-----X

Melanie Maldonado,  
Plaintiff-Appellant,

-against-

M-150X  
Index No. 303617/16

Deivys I. Espinal Matos,  
Jose Torres and Joseph Torres,  
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about June 26, 2018,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" January 4, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

-----X  
Dominic Hennessy,

Plaintiff-Respondent,

-against-

M-237  
Index No. 20902/14E

2100 Anthony Realty Corp., et al.,

Defendants-Appellants.  
-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about February 20, 2018,

Now, upon reading and filing the stipulation of the parties hereto, dated July 19, 2018, and due deliberation having been had thereon,

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

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

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

Respondent,

-against-

M-274  
Ind. No. 2587/17

James Moorer,

Defendant-Appellant.  
-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about September 14, 2017,

Now, upon reading and filing the stipulation of the parties hereto, dated December 31, 2018, and due deliberation having been had thereon,

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

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

-----X  
Maria Rodriguez,  
Plaintiff-Respondent,

-against-

M-379X  
Index No. 307142/13

River View Redevelopment Company,  
et al.,  
Defendants-Appellants,

-and-

Joy Construction Corporation,  
Defendant-Appellant.

-----X

Appeals having been taken from an order of the Supreme Court, Bronx County, entered on or about July 31, 2018,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" January 17, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

-----X  
Shenal Brandigampola and Marcia Joseph,  
Plaintiffs-Respondents,

-against-

M-385X  
Index No. 305045/12

301-303 West 125<sup>th</sup> Street LLC,  
Defendant-Appellant,

-and-

Harco Consultants,  
Defendant-Respondent,

Disano Demolition Co., Inc. and  
Empire Scaffolding,  
Defendants.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about August 17, 2018,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" January 23, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

-----X  
Sandra Gelpi,  
Plaintiff-Respondent,

-against-

M-387X  
Index No. 304011/12

3105 Decatur Associates, LLC,  
Defendant-Appellant.

- - - - -

[And a third-party action.]

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about May 18, 2018,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" January 14, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

-----X

Patrick Pogan and Jacqueline Pogan,  
Plaintiffs-Appellants,

M-497  
Index No. 153887/16

-against-

NYU Langone Medical Center, NYU Hospital  
Center and Turner Construction Co.,  
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about April 5, 2018,

Now, upon reading and filing the stipulation of discontinuance of the parties hereto, dated January 24, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

-----X

Keyfa Gumbs, as Administrator of the  
Estate of Taquan Williams, Infant,  
Deceased and Keyfa Gumbs,  
Plaintiffs-Appellants,

M-546  
Index No. 24804/13E

-against-

Roshma Gulani, M.D., et al.,  
Defendants-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about May 10, 2018,

Now, upon reading and filing the correspondence from counsel for plaintiffs-appellants, dated January 30, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
\_\_\_\_\_  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

-----X  
Hugo Guzman,

Plaintiff-Respondent,

-against-

M-548

Index No. 25808/14E

Reginald G. Blanchett, et al.,

Defendants-Appellants.  
-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about April 5, 2018,

Now, upon reading and filing the stipulation of the parties hereto, dated January 24, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

-----X

NYCTL 1998-2 Trust, et al.,  
Plaintiffs-Respondents,

M-551  
Index No. 153796/15

-against-

127 West 138 Street NBA LLC,  
Proposed Intervenor-Appellant,

127 W. 138 Street, LLC, Seedco Financial  
Services, Inc., Wachovia Bank, National  
Association, Sustained Excellence Alliance  
Corporation,  
Defendants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 21, 2018,

Now, upon reading and filing of the correspondence from proposed-intervenor-appellant's counsel, dated January 10, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

-----X

Doosan Power Systems India Private Limited,

Petitioner-Respondent,

M-557

Index No. 656479/16

-against-

GMR Infrastructure Limited, et al.,  
Respondents-Appellants.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about March 7, 2018,

Now, upon reading and filing the correspondence from the attorneys for respondents-appellants dated January 10, 2019, and the stipulation of discontinuance, dated January 8, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

-----X  
Charles Sawyer, as Administrator of the  
Estate of Denise Sawyer, and Charles  
Sawyer, individually,  
Plaintiffs-Respondents,

M-558  
Index No. 23179/04

-against-

Meyer M. Ganem, M.D. and Montefiore  
Medical Center,  
Defendants-Appellants,  
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about June 5, 2018,

Now, upon reading and filing of the correspondence from defendants-appellants' counsel, dated January 10, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

-----X

N.P., an Infant by his Mother and Natural Guardian, Suso Pinzolo, and Suso Pinzolo Individually,  
Plaintiffs-Appellants,

M-560  
Index No. 101529/11

-against-

West 8 Street Associates LLC, West 8 Street Managers LLC, Manhattan Property Investors Group LLC, and Stanley Picheny,  
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about February 7, 2018,

Now, upon reading and filing the correspondence of plaintiffs-appellants' counsel, dated December 26, 2018, and due deliberation having been had thereon,

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

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

-----X  
Islam Pali,

Plaintiff-Appellant-Respondent,

-against-

M-578X

Index No. 308168/12

330 West 34<sup>th</sup> SPE LLC and Century  
Elevator Maintenance Corporation,  
Defendants-Respondents-Appellants.

-----X

Appeals having been taken from an order of the Supreme Court, Bronx County, entered on or about May 11, 2018,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" January 18, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

-----X  
Osman Ramos,  
Plaintiff-Respondent,

-against-

M-579X  
Index No.304539/11

Berkowners, Inc.,  
Defendant-Appellant.

-----X  
Berkowners, Inc.,  
Third-Party Plaintiff-Appellant,

-against-

Street Site, LLC,  
Third-Party Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about September 28, 2018,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" January 22, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

-----X  
Karina Nicolakis,  
Plaintiff,

-against-

M-580X  
Index No. 24208/15E

Ryder Truck Rental Inc., Flour City  
Bagels LLC, and Larry Ingram,  
Defendants.

-----X  
Ryder Truck Rental Inc., Flour City  
Bagels LLC and Larry Ingram,  
Third-Party Plaintiffs-Respondents,

Index No. 43272/15E

-against-

Sherman Avenue Eight, Inc.,  
Third-Party Defendant-Appellant.

- - - - -  
[And Another Action].

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about June 15, 2018,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" January 17, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

-----X

Alex Nogueira and Katia Amaral,  
Plaintiffs-Appellants,

M-590  
Index No. 159535/16

-against-

B&H Foto and Electronics Corp.,  
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 14, 2018,

Now, upon reading and filing of the correspondence from plaintiffs-appellants' counsel, dated January 11, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

-----X

Daniel Mayo, as Administrator of the  
Estate of Annette Mayo, Deceased,  
Plaintiffs-Respondents,

M-592  
Index No. 805036/12

-against-

NYU Hospitals Center, sued here as,  
NYU Langone Medical Center,  
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 15, 2018,

Now, upon reading and filing of the correspondence from defendant-appellant's counsel, dated January 22, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Rosalyn H. Richter, Justices.

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

Respondent,

-against-

M-432  
Ind. No. 3160/15

Hugo Rodriguez,

Defendant-Appellant.  
-----X

An appeal having been taken from the judgment of the Supreme Court, Bronx County, rendered on or about November 29, 2016,

Now, upon reading and filing the stipulation of the parties hereto, dated January 4, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

-----X  
In the Matter of

Cemi A.,

A Child under Eighteen Years of Age  
Alleged to be Neglected by.

Rayna A.,  
Respondents-Appellant,  
-----

**Confidential**

**M-230**

Docket No. NN-15036/17

Hal Silbermas, Esq., Lawyers  
for Children, Inc.,  
Attorney for the Child.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from two orders of the Family Court, New York County, entered on or about December 11, 2018 and December 19, 2018, 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 the certification of Karen A. Webb, Esq., dated December 26, 2018, due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of  
(1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Steven P. Forbes, Esq., 155-03 Jamaica Avenue, Jamaica, New York, 11432, Telephone No. 718-791-8444, as counsel for purposes of prosecuting the appeal;  
(2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor<sup>1</sup> **within 30 days (FCA**

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

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 Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

-----X  
In the Matter of

Jermaine K. R.  
Justin R.  
Delilah C. S.  
Jessica S.  
Justina M.R.

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

**CONFIDENTIAL**

M-240

Docket Nos. NN-22200-16  
NN-22201-16  
NN-22202-16  
NN-22203-16  
NN-22204-16

-----  
Administration for Children's Services,  
Petitioner-Respondent,

-against-

Jermaine R.,  
Respondent-Appellant,

Taerae S.,  
Respondent,

-----  
Steven P. Forbes, Esq.,  
Attorney for the Subject Children.

-----X

Respondent-appellant father, Jermaine R., having moved for leave to prosecute, as a poor person, the appeal taken from two orders of the Family Court, Bronx County, entered on or about December 7, 2018 and October 30, 2018, 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 the certification of Harold Meyerson, Esq., dated December 19, 2018, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Steven N. Feiman, Esq., One North Broadway - Suite 412, White Plains, New York 10601, Telephone No. 914-949-8214, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor<sup>1</sup> **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 Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** (See M-241, dated April 2, 2019 released simultaneously herewith.)

ENTERED:

  
CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

-----X  
In the Matter of

Jermaine K. R.  
Justin R.  
Delilah C. S.  
Jessica S.  
Justina M. R.

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

**CONFIDENTIAL**

M-241

Docket Nos. NN-22200-16  
NN-22201-16  
NN-22202-16  
NN-22203-16  
NN-22204-16

-----  
Administration for Children's Services,  
Petitioner-Respondent,

-against-

Jermaine R.,  
Respondent-Respondent,

Taerae S.,  
Respondent,

-----  
Steven P. Forbes, Esq., Attorney  
for Subject Appellant-Children.

-----X

Lisa M. Licata, Esq., court attorney for the subject children, having moved on said children's behalf, for leave to respond, as poor persons, to the appeal taken from two orders of the Family Court, Bronx County, entered on or about December 7, 2018 and October 30, 2018, 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 the certification of Lisa M. Licata, Esq., dated December 27, 2018, and due deliberation having been had thereon,



It is ordered that the motion is granted to the extent of (1) assigning, pursuant to §1120 of the Family Court Act, Steven P. Forbes, Esq., 155-03 Jamaica Avenue, Jamaica, New York 11432, Telephone No. 718-791-8444, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for each party to the appeal, and an original and five hard copies, and if represented by counsel, one digital copy of such brief, are filed with this court, pursuant to 22 NYCRR Section 1250.9. (See M-240, dated April 2, 2019 released simultaneously herewith.)

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

-----x

In the Matter of Commitment of the Guardianship and Custody of

Navaeh W.

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

**CONFIDENTIAL**

M-347

Docket Nos. B-16280/14

V-1390/16

- - - - -  
Heartshare St. Vincent's Services and Commissioner of Social Services of the City of New York,  
Petitioners-Respondents,

Richard W.,  
Respondent-Respondent,

Shaniece F.,  
Respondent-Appellant,

- - - - -  
Kenneth M. Tuccillo, Esq.,  
Attorney for the Child.

-----x

Respondent-appellant mother, Shaniece F., having moved for leave to prosecute, as a poor person, her appeal from an order of the Family Court, Bronx County, entered on or about October 17, 2018, 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 the certification of Crystal Baker-Burr, Esq., dated November 20, 2018, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Lewis S. Calderon, Esq., 155-03 Jamaica Avenue, Jamaica, New York 11432, Telephone No. 718-883-1560, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor<sup>1</sup> **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 Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** (See M-6628, dated April 2, 2019 released simultaneously herewith.)

ENTERED:

  
CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

-----x

In the Matter of Commitment of the Guardianship and Custody of

Navaeh W.

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

**CONFIDENTIAL**

M-6628

Docket Nos. B-16280/14

V-1390/16

- - - - -  
Heartshare St. Vincent's Services and Commissioner of Social Services of the City of New York,  
Petitioners-Respondents,

Richard W.,  
Shaniece F.,  
Respondents-Appellants,

- - - - -  
Kenneth M. Tuccillo, Esq.,  
Attorney for the Child.

-----x

Separate appeals having been taken by respondent-appellant father, Richard W., and by respondent-appellant mother, Shaniece F., from orders of the Family Court, Bronx County, entered on or about August 6, 2018 and on or about October 17, 2018, and

Carole M. Levy, Esq., court attorney for the subject child, having moved on said child's behalf, for leave to respond, as a poor person, to the aforesaid appeals, 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 the certifications of Carole M. Levy, Esq., dated December 19, 2018, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to §1120 of the Family Court Act, Kenneth M. Tuccillo, Esq., 591 Warburton Avenue, No. 576, Hastings on Hudson, New York 10701, Telephone No. 914-439-4843, as counsel for purposes of responding to the appeals; (2) permitting movant to respond to the appeals upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for each party to the appeals, and an original and five hard copies, and if represented by counsel, one digital copy of such brief, are filed with this court, pursuant to 22 NYCRR Section 1250.9. (See M-347, dated April 2, 2019 released simultaneously herewith.)

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

-----X  
In the Matter of

Greysen G.,  
Prince G.,  
Amar G.,

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

**CONFIDENTIAL**  
M-348  
Docket Nos. NA-8032-17  
NA-8033-17  
NA-8034-17

-----  
The Administration for Children's Services,  
Petitioner-Respondent,

Liz C.,  
Respondent-Appellant,

Patrick G.,  
Respondent,

-----  
Janet E. Sabel, Esq., The Legal Aid Society, Attorney for the Children.

-----X

Respondent-appellant, mother, having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, Bronx County, entered on or about October 12, 2018, 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 the certification of Joseph W. Murray, Esq., dated November 13, 2018, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Carol L. Kahn, Esq., 225 Broadway, Suite 1510, New York, New York 10007, Telephone No. 212-227-0206,

as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor<sup>1</sup> **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 Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing of of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:

  
CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

-----X

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

**CONFIDENTIAL**

M-362

Sean B.,  
Petitioner-Respondent,

Docket No. V-18138-17

Erica C.,  
Respondent-Appellant,

Administration for Children's Services,  
Respondent.

-----  
Janet E. Sabel, Esq., The Legal Aid Society, Attorney for the Child.

-----X

Respondent-appellant, mother, having moved for leave to prosecute, as a poor person, the appeal taken from a Final Order on Petition of Custody of the Family Court, Bronx County, entered on or about November 7, 2018, 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 the certification of Kara S. Wallis, Esq., of The Bronx Defenders, dated December 5, 2018, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Leslie S. Lowenstein, Esq., 567 Sunset Drive, Woodmere, New York 11598, Telephone No. 516-374-1962, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City



of New York from funds available therefor<sup>1</sup> **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 Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:

  
CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

-----x

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

Gisele Helen G., also known as  
Gisele G.,  
Dionne Ariel G., also known as  
Dionne G.,  
Diavonni Daishaya G., also known as  
Diavonni G., also known as  
Diavonne G.,  
Charisma Viva D., also known as  
Charisma D.

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

**CONFIDENTIAL**

M-365

Docket Nos. B-30391/16  
B-30392/16  
B-30393/16  
B-30394/16  
N-2537-08

- - - - -  
The New York Foundling Hospital, et al.,  
Petitioners-Respondents,

Vanessa G.,  
Respondent-Appellant,  
- - - - -

Lewis S. Calderon, Esq.,  
Attorney for the Child Charisma D.  
- - - - -

Larry S. Bachner, Esq., P.C.,  
Attorney for the Child Dionne G.,  
Andrew J. Baer, Esq.,  
Attorney for the Child Gisele G.,  
Nicole Riordan, Esq.,  
Attorney for the Child Diavonni G.,  
-----x

Yusuf A. El Ashmawy, Esq., court attorney for the subject child, Charisma D., having moved on said child's behalf, for leave to respond, as a poor person, to the appeal taken from an order of the Family Court, New York County, entered on or about September 11, 2017, 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 the certification of Yusuf A. El Ashmawy, Esq., dated October 18, 2018, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to §1120 of the Family Court Act, Lewis S. Calderon, Esq., 155-03 Jamaica Avenue, Jamaica, New York 11432, Telephone No.: 718-883-1560, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for each party to the appeal, and an original and five hard copies, and if represented by counsel, one digital copy of such brief, are filed with this court, pursuant to 22 NYCRR Section 1250.9.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

-----x

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

Gisele Helen G., also known as  
Gisele G.,  
Dionne Ariel G., also known as  
Dionne G.,  
Diavonni Daishaya G., also known as  
Diavonni G., also known as  
Diavonne G.,  
Charisma Viva D., also known as  
Charisma D.

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

**CONFIDENTIAL**

M-565

Docket Nos. B-30391/16  
B-30392/16  
B-30393/16  
B-30394/16  
N-2537-08

- - - - -  
The New York Foundling Hospital, et al.,  
Petitioners-Respondents,

Vanessa G.,  
Respondent-Appellant,  
-----

Kenneth M. Tuccillo, Esq.,  
Attorney for the Child Diavonni G.  
-----

Lewis S. Calderon, Esq.,  
Attorney for the Child Charisma D.

Larry S. Bachner, Esq., P.C.,  
Attorney for the Child Dionne G.,

Andrew J. Baer, Esq.,  
Attorney for the Child Gisele G.

-----x

Nicole Riordan, Esq., court attorney for the subject child, Diavonni G., having moved on said child's behalf, for leave to respond, as a poor person, to the appeal taken from an order of the Family Court, New York County, entered on or about September 11, 2017, 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 the certification of Nicole Riordan, Esq., dated November 9, 2018, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to §1120 of the Family Court Act, Kenneth M. Tuccillo, Esq., 591 Warburton Avenue, No. 576, Hastings on Hudson, New York 10701, Telephone No.: 914-439-4843, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for each party to the appeal, and an original and five hard copies, and if represented by counsel, one digital copy of such brief, are filed with this court, pursuant to 22 NYCRR Section 1250.9.

ENTERED:



CLERK

At a Term of the Appellate Division of the  
Supreme Court held in and for the First Judicial  
Department in the County of New York on April 2, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,  
Respondent,

**CONFIDENTIAL**

M-188

-against-

Ind. No. 553/18

Jamel C.,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, Bronx County (Fabrizio, J.), entered on or about December 14, 2018, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

The Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other

proceedings before Justice Fabrizio as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Robert S. Dean, Esq., Center for Appellate Litigation, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-396

Ind. No. 428/18

Mark Simmons,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about October 9, 2018, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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.



Janet E. Sabel, Esq., The Legal Aid Society, 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 180 days from the date of receipt of the complete record.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-399

Ind. No. 2217/18

Guy McGill,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about October 11, 2018, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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.

Janet E. Sabel, Esq., The Legal Aid Society, 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 180 days from the date of receipt of the complete record.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,  
Respondent,

**CONFIDENTIAL**

M-404

-against-

Ind. Nos. 3540/15  
3158/15

Fernando Sandel,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about October 17, 2018, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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.

Janet E. Sabel, Esq., The Legal Aid Society, 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 180 days from the date of receipt of the complete record.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-451

Ind. No. 787/18

Darnell Williams,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about October 25, 2018, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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.

Janet E. Sabel, Esq., The Legal Aid Society, 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 180 days from the date of receipt of the complete record.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-538

Ind. No. 856/16

Terrance Johnson,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about November 9, 2018, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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.



Janet E. Sabel, Esq., The Legal Aid Society, 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 180 days from the date of receipt of the complete record.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-704  
SCI. No. 3617N/17

Cesar Gomez,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about January 10, 2018, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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.

Janet E. Sabel, Esq., The Legal Aid Society, 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 180 days from the date of receipt of the complete record.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-770

Ind. No. 3927/16

Andy Lopez,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about December 18, 2018, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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.

Janet E. Sabel, Esq., The Legal Aid Society, 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 180 days from the date of receipt of the complete record.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-929  
Ind. No. 3882/16

Akram Joudeh,  
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about December 5, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about December 6, 2018,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and the notice of appeal filed on defendant's behalf,

It is ordered that the appeal is permitted 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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.

Janet E. Sabel, Esq., The Legal Aid Society, 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 180 days from the date of receipt of the complete record.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-941  
Ind. No. 503/18

Kevin McLean,  
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about January 8, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about January 8, 2019,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and the notice of appeal filed on defendant's behalf,

It is ordered that the appeal is permitted 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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.



Janet E. Sabel, Esq., The Legal Aid Society, 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 180 days from the date of receipt of the complete record.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-943  
Ind. No. 1061/17

Robert Hammond,  
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about January 8, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about December 20, 2018,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and the notice of appeal filed on defendant's behalf,

It is ordered that the appeal is permitted 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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.

Janet E. Sabel, Esq., The Legal Aid Society, 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 180 days from the date of receipt of the complete record.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-944  
Ind. No. 2880/18

Harold Paulino,  
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about January 3, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about January 3, 2019,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and the notice of appeal filed on defendant's behalf,

It is ordered that the appeal is permitted 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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.

Janet E. Sabel, Esq., The Legal Aid Society, 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 180 days from the date of receipt of the complete record.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Peter Tom  
Peter H. Moulton, Justices.

-----X  
Suttongate Holdings Limited,  
Plaintiff-Appellant,

-against-

M-195  
Index No. 652393/15

Laconm Management N.V., Samir Andrawos,  
Virginia Iglesias, Kashmire Investments,  
Ltd., Immo Kashmire Development Inc.,  
Sedna Group Ltd., Kuiper Group Ltd.,  
and Ourista N.V.  
Defendants-Respondents.

-----X  
Laconm Management N.V., et al.,  
Counterclaim Plaintiffs-Respondents,

-against-

Suttongate Holdings Ltd. and  
Arie E. David,  
Counterclaim Defendants-Appellants,

-----X  
Laconm Management N.V., Barbery Group,  
Ltd., and Pledge Group Holdings, Inc.,  
et al.,  
Third Party Plaintiffs-Respondents,

-against-

Waverly Investments, Ltd. and  
Arie E. David,  
Third Party Defendants-Appellants.

-----X

An appeal taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about December 21, 2018,

And appellants Suttongate Holdings, Ltd., Arie E. David and Waverly Investments, Ltd. having moved for an order staying, pending

the hearing and determination of the aforesaid appeal (1) their obligations to comply with the order and judgment, to the extent it requires them to cancel, transfer, assign or encumber all or any of the mortgages referenced therein, to assist in the foregoing or in the sale, pledge or financing of the real property encumbered by the mortgages, or in any other real property, or to otherwise impair any collateral or rights now held by Suttongate Holdings, Ltd. in the mortgages; (2) any effort by respondents to enforce the order and judgment; (3) the obligation of Waverly Investments Ltd. to comply with the assignment, transfer and/or cancellation of stock referenced in the order and judgment, to the extent any such obligation may exist in light of Waverly's deposit of instruments and property with the Clerk of the Supreme Court, New York County, and (4) all proceedings to enforce the order and judgment,

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

It is ordered that the motion is granted on condition that appellants perfect their appeal for the September 2019 Term.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Sallie Manzanet-Daniels  
Troy K. Webber  
Anil C. Singh, Justices.

-----X  
American Home Assurance Company,  
Plaintiff-Appellant-Respondent,

-against-

The Port Authority of New York and  
New Jersey,  
Defendant-Respondent,

**SEALED**  
M-6537  
Index No. 651096/12

Alcoa Inc., et al.,  
Defendants-Respondents-Appellants,

Mario & DiBono Plastering Co., Inc.,  
et al.,  
Defendants.

-----X

Plaintiff-appellant-respondent having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on November 15, 2018 (Appeal Nos. 7628-7628A),

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.

ENTERED:

  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
Troy K. Webber  
Marcy L. Kahn  
Cynthia S. Kern, Justices.

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

Respondent,

-against-

Junior Guzman,

Defendant-Appellant.  
-----X

**M-84**

Ind. No. 729/15

Defendant having renewed his application for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about December 6, 2017, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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, 28<sup>th</sup> 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 180 days from the date of receipt of the complete record.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,  
Dianne T. Renwick  
Troy K. Webber  
Marcy L. Kahn  
Cynthia S. Kern, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-747  
Ind. No. 3559/16

Jose Acosta,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about June 8, 2018, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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, 28<sup>th</sup> 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 180 days from the date of receipt of the complete record.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

Present - Hon. David Friedman, Justice Presiding,  
Judith J. Gische  
Peter Tom  
Ellen Gesmer  
Peter H. Moulton, Justices.

-----X

J. R.,  
Plaintiff-Respondent,

-against-

M. S.,  
Defendant-Appellant.

-----X

**CONFIDENTIAL**

M-1091

Index No. 300603/14

An appeal having been taken to this Court from a partial judgment of divorce of the Supreme Court, New York County, entered on or about October 23, 2017,

And plaintiff-respondent having moved for an order changing the caption for the within appeal to J.R. v M.S., and directing the parties to utilize the caption J.R. v M.S., Index No. 300603/14, in any future filing with the Court,

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.

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

Present - Hon. David Friedman, Justice Presiding,  
Angela M. Mazzarelli  
Troy K. Webber  
Cynthia S. Kern  
Jeffrey K. Oing, Justices.

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

Respondent,

-against-

Raymond Rivera,

Defendant-Appellant.

**M-6693**

Ind. No. 3713/16

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about February 1, 2017,

And counsel for defendant-appellant having moved for an order enlarging the record on appeal to include the minutes of the proceedings between the plea to sentencing under indictment number 3713/16,

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.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,  
Rosalyn H. Richter  
Peter Tom  
Barbara R. Kapnick  
Jeffrey K. Oing, Justices.

-----x

Joan C. Lipin,  
Plaintiff-Appellant,

-against-

M-919  
Index No. 150972/14

Danske Bank, David E. Hunt, Ulf  
Bergquist, Evelyn F. Ellis, Joseph R.  
Mazziotti, Dana A. Sawyer, Krainin  
Real Estate, Ann Susan Markatos,  
Robert Gary Lipin, David A. Berger,  
Allegaert Berger & Vogel LLP, Mark  
A. Anesh, and Deborah Lovewell,  
Defendants-Respondents.

-----x

An appeal having been taken to this Court from orders of the Supreme Court, New York County, entered on or about January 2, 2019, and said appeal having been perfected,

And defendants-respondents Allegaert Berger & Vogel LLP, Ulf Bergquist, Evelyn F. Ellis, Dana A. Sawyer, Krainin Real Estate, Ann Susan Markatos, Robert Gary Lipin, Deborah Lovewell and David A. Berger having moved for an order (1) striking the appendix filed by plaintiff-appellant and dismissing the appeal or, in the alternative, directing plaintiff-appellant to file a corrected appendix, (2) adjourning the perfected appeal until the motion has been decided and a corrected appendix filed, and (3) enjoining plaintiff from filing any further appeals without the prior approval of this Court, imposing costs and sanctions, 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 directing plaintiff-appellant to file a supplemental appendix containing the Affirmation in Opposition to plaintiff's motion and in support of the cross motion and the supporting exhibits set forth in Exhibit K to the moving papers (Documents #13-23), within 20 days of the date of this order. The perfected appeal is adjourned to the September 2019 Term. The motion, to the extent it seeks sanctions and a filing injunction, is denied, without prejudice to raising the issues in the respondent's brief. The motion is otherwise denied.

ENTERED:

  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,  
Rosalyn H. Richter  
Barbara R. Kapnick  
Ellen Gesmer  
Cynthia S. Kern, Justices.

-----X

Hotel Carlyle Owners Corporation,

Plaintiff-Appellant,

-against-

M-794

Index No. 157070/12

Murray Schwartz,

Defendant-Respondent.

-----X

Plaintiff-appellant having moved for reargument of the decision and order of this Court, entered on January 15, 2019 (Appeal No. 8117N),

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, upon reargument, the decision and order of this Court entered on January 15, 2019 (Appeal No. 8117N) is recalled and vacated and a new decision and order substituted therefor. (See Appeal No. 8117N, decided simultaneously herewith.)

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

Present - Hon. John W. Sweeny, Jr., Justice Presiding  
Sallie Manzanet-Daniels  
Troy K. Webber  
Jeffrey K. Oing  
Anil C. Singh, Justices.

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

-against-

M-94

Ind. No. 1948/16

Ricardo Rivera,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about August 9, 2018, for leave to prosecute the appeal as a poor person 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 deeming the moving papers as a timely filed notice of appeal and 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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.

(M-94)

-2-

April 2, 2019

Janet E. Sabel, Esq., The Legal Aid Society, 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 180 days from the date of receipt of the complete record.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,  
Sallie Manzanet-Daniels  
Cynthia S. Kern  
Jeffrey K. Oing  
Anil C. Singh, Justices.

-----x  
Aman Kapoor, doing business as,  
Sewlutions,  
Defendant-Appellant,

-against-

M-1209  
Index No. 158313/18

Interzan LLC,  
Defendant-Respondent.

-----x

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about November 30, 2018, pursuant to which a certain money judgment was vacated on December 14, 2018, and the appeal having been perfected for April 2019 Term,

And the appeal having been adjourned to the May 2019 Term by order of a Justice of this Court, dated February 27, 2019,

And plaintiff-appellant having moved for an order restoring the appeal to the April 2019 Term,

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

It is ordered that the motion is denied.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2019.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Sallie Manzanet-Daniels  
Cynthia S. Kern  
Anil C. Singh, Justices.

-----X  
Dmitry Markov,  
Plaintiff-Appellant-Respondent,

-against-

M-1003  
Index No. 156493/15

Malcom Katt,  
Defendant-Respondent-Appellant.  
-----X

Separate appeals having been taken to this Court by plaintiff-appellant-respondent and defendant-respondent-appellant from an order of the Supreme Court, New York County, entered on or about April 2, 2018, and plaintiff-appellant-respondent having perfected his appeal,

And defendant having moved for an order pursuant to 22 NYCRR 1250.10(c) vacating the dismissal of his appeal, and upon reinstatement, supplementing the record on appeal to include his timely filed notice of appeal, and adjourning the perfected appeal taken by plaintiff to the May 2019 Term of this Court,

And an order of a Justice of this Court, dated January 28, 2019, having adjourned the perfected appeal by plaintiff to the May 2019 Term,

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

It is ordered that the motion is granted, defendant's appeal reinstated, and the time to perfect same enlarged to the September 2019 Term, to which Term plaintiff's appeal is adjourned. Defendant is directed to supplement the record on appeal with his notice of appeal dated April 16, 2018, a copy of which is attached to the moving papers as Exhibit A, to be filed in accordance with 22 NYCRR 1250.9, within seven days of the date hereof. If defendant so perfects, the Clerk is

(M-1003)

-2-

April 2, 2019

directed to place the appeals on the calendar for the same day of the September 2019 Term.

ENTERED:

  
CLERK