

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 16, 2019.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Barbara R. Kapnick
Ellen Gesmer
Jeffrey K. Oing, Justices.

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

-against-

M-207
Ind. No. 3084/15

Habib Jalloh,
Defendant-Appellant.

-----X

An order of this Court having been entered on May 10, 2018 (M-1586) granting defendant leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about April 25, 2017, and assigning Seymour W. James, Jr., Esq., predecessor to Janet L. Sabel, Esq., The Legal Aid Society, as counsel to prosecute the appeal,

And successor assigned counsel Janet L. Sabel, Esq., having moved to be relieved as counsel and to substitute other counsel to prosecute the appeal,

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

It is ordered that the motion is granted to the extent of striking the designation of Janet L. Sabel, Esq., as successor assigned counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Marianne Karas, Esq., 980 Broadway, Suite 324, Thornwood, New York 10594-1139, Telephone No. 914-434-5935, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the receipt of the complete record, whichever is later.

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 16, 2019.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Marcy L. Kahn
Ellen Gesmer
Jeffrey K. Oing, Justices.

-----x
25th Street Chelsea Equities LLC,
Plaintiff,

-against-

M-1533
Index No. 160082/18

Djoumey Diallo, et al.,
Defendants.

-----x

Plaintiff having moved, pursuant to CPLR 5704(a), for an order granting leave to serve the summons and complaint on defendant Abou Thiem by alternative means pursuant to CPLR 308(5), said ex parte relief having been denied by a Justice of the Supreme Court, New York County, on or about February 19, 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 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 16, 2019.

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

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

Respondent,

-against-

M-635
Ind. No. 3579/17

Ronnie Johnson,

Defendant-Appellant.
-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about October 29, 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 16, 2019.

PRESENT: Hon. Sallie Manzanet-Daniels, Justice Presiding,
Peter Tom
Marcy L. Kahn
Ellen Gesmer, Justices.

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

-against-

Henry Barrera,
Defendant-Appellant.

CONFIDENTIAL

M-507
Ind. No. 714/14

-----X

An order of this Court having been entered on June 14, 2018 (M-1917) granting defendant leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about May 27, 2014, and assigning Robert S. Dean, Esq., Center for Appellate Litigation, as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of Robert S. Dean, Esq., as assigned counsel, and substituting, pursuant to Section 722 of the County Law, Steven A. Feldman, Esq., 626 EAB Plaza, West Tower, 6th Floor, Uniondale, NY 11556, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the complete record, whichever is later.

ENTERED:



5CLERK

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 16, 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-

Nelson Jacquez,

Defendant-Appellant.
-----X

M-838
Ind. No. 651/16
SCI No. 196/17

An appeal having been taken from the judgment of the Supreme Court, Bronx County, rendered on or about February 21, 2017,

Now, upon reading and filing the stipulation of the parties hereto, dated January 13, 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 16, 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-839
Ind. Nos. 3675/16
4347/16

Woodie Dotson,

Defendant-Appellant.
-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about May 17, 2017,

Now, upon reading and filing the stipulation of the parties hereto, dated January 28, 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 16, 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-101
Ind. No. 3479/17

Melvin Butler,
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 3, 2019, 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 16, 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-102
Ind. No. 196/18

Norberto Rodriguez,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about January 3, 2019, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard upon 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.

Richard L. Herzfeld, Esq. 112 Madison Avenue, 8th Floor, New York, NY 10016, Tel No. (212) 818-9019, 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 16, 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-103
Ind. No. 2248/17

Norberto Rodriguez,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about January 3, 2019, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard upon 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.

Richard L. Herzfeld, Esq. 112 Madison Avenue, 8th Floor, New York, NY 10016, Tel No. (212) 818-9019, 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 16, 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-104
Ind. No. 3983/18

Melvin Butler,
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 3, 2019, 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 16, 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-105
Ind. No. 1211/15

Juel Roundtree,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about November 27, 2017, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard upon 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.

Michael Lipson, Esq. 366 North Broadway, Suite 410, Jericho, NY 11753, Tel No. (516) 729-1701, 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 16, 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-155
Ind. No. 970/17

Femin Valdez, also known as Femi Valdez,

Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about September 26, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about September 26, 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 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 16, 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-177
Ind. No. 1327/17

Raul Vargas,
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 September 28, 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, 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.

Christina Swarns, Esq., Office of the Appellate Defender, 11 Park Place, Suite 1601, New York, New York 10007, Telephone No. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 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 16, 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-411

-against-

Ind. No. 5465/10

Lawrence Elliot,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Supreme Court, New York County, rendered on or about June 21, 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.

Christina Swarns, Esq., Office of the Appellate Defender, 11 Park Place, Suite 1601, New York, New York 10007, Telephone No. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 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 16, 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-481
Ind. No. 971/17

Gary Chevannes,
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 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 16, 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-536
Ind. No. 4103/17

Fausto Ramirez-Cuevas,
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 31, 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 16, 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-621
Ind. No. 514/15

Brian Quattrochi,
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 15, 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, 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.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 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 16, 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-699
Ind. No. 2715/17

Naquan Leckie,
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 19, 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.

Christina Swarns, Esq., Office of the Appellate Defender, 11 Park Place, Suite 1601, New York, New York 10007, Telephone No. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 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 16, 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-774
Ind. No. 2799/17

William Ramos, also known as
Frankelly Williams Ramos,
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 April 26, 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 16, 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-904
Ind. No. 307/13

Darryl Tunstall,

Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of **resentence** of the Supreme Court, New York County, rendered on or about February 7, 2019, 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, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 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 16, 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-936
Ind. No. 1367/16

Trenton Pointer,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about December 4, 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 November 1, 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 16, 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-938

Ind. No. 2799/17

James Moore,
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.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 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 16, 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-939
Ind. No. 2648/17

George Garcia,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about January 4, 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 4, 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.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 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 16, 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-392
Ind. No. 1434/13

James Bellamy,
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 September 12, 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.

Christina Swarns, Esq., Office of the Appellate Defender, 11 Park Place, Suite 1601, New York, New York 10007, Telephone No. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 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 16, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
John W. Sweeny, Jr.
Sallie Manzanet-Daniels
Judith J. Gische
Barbara R. Kapnick, Justices.

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

Respondent,

CONFIDENTIAL

M-6083

-against-

Ind. No. 3670/15

Clefrantz Romulus,
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 (Bruce, J.), entered on or about November 16, 2018, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard 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 make and files with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Bruce as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Robert S. Dean, Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 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 16, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Sallie Manzanet-Daniels
Barbara R. Kapnick
Marcy L. Kahn
Jeffrey K. Oing, Justices.

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

-against-

Joseph Burden,
Defendant-Appellant.

CONFIDENTIAL

M-595
Ind. No. 30026/04

-----x

Respondent having moved for an order dismissing defendant's appeal taken from an order of the Supreme Court, Bronx County, entered on or about March 5, 2005, as untimely, and to stay the perfected appeal pending resolution of the instant motion,

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 16, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Sallie Manzanet-Daniels
Barbara R. Kapnick
Marcy L. Kahn
Jeffrey K. Oing, Justices.

-----x
The Bank of New York Mellon, formerly
known as The Bank of New York, etc.,
Plaintiff-Respondent,

-against-

M-659
Index No. 850122/15

Steve Golden, also known as Steven
Golden, et al.,
Defendants,

Geraldine Golden, as Administratrix
of the Estate of Steven Golden,
Non-Party Appellant.

-----x

Non-party appellant having moved for an enlargement of time to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about March 28, 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 enlarging the time to perfect the 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 16, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Sallie Manzanet-Daniels
Barbara R. Kapnick
Marcy L. Kahn
Jeffrey K. Oing, Justices.

-----x
In the Matter of the Application of
4452 Broadway Mazal LLC,
Petitioner-Respondent,

For an Order Pursuant to RPAPL
Section 881, etc.,

M-795
Index No. 160144/18

-against-

Renaissance Associates,
Respondent-Appellant.

-----x

Respondent-appellant having moved for a stay of the order of the Supreme Court, New York County, entered on or about December 21, 2018, pending hearing and determination of the appeal taken therefrom,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties dated February 15, 2019, and due deliberation having been had thereon,

It is ordered that the motion is deemed 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 16, 2019.

Present - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Rosalyn H. Richter
Jeffrey K. Oing
Peter H. Moulton, Justices.

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

-against-

Andre Graham,

Defendant-Appellant.

M-477

Ind. Nos. 571N/17
914/17

-----X

Defendant having moved for an enlargement of time in which to file a late notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about January 2, 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 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.

Christina Swarns, Esq., Office of the Appellate Defender, 11 Park Place, Suite 1601, New York, New York 10007, Telephone No. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 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 16, 2019.

Present - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Peter Tom
Peter H. Moulton, Justices.

-----x
In the Matter of a Proceeding for
Support Under Article 4 of the
Family Court Act.

- - - - -
Natalya M.,
Petitioner-Respondent,

CONFIDENTIAL

M-1178
Docket No. F-41612/15

-against-

Chanan M.,
Respondent-Appellant.

-----x
An appeal having been taken to this Court by respondent-appellant, from the order of commitment of the Family Court, New York County, entered on or about February 25, 2019,

And respondent-appellant having moved for a stay of the order of commitment pending hearing and determination of the appeal taken therefrom,

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 16, 2019.

Present - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Peter Tom
Peter H. Moulton, Justices.

-----X
Preferred Freezer Services, LLC,
Plaintiff-Appellant,

SEALED

-against-

M-1180

Index No. 650871/19

Americold Realty Trust,
Defendant-Respondent.

-----X

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about February 27, 2019, which denied plaintiff-appellant's motion for a preliminary injunction,

And plaintiff-appellant having moved for an order, pursuant to CPLR 5518 and 22 NYCRR 1250.4(b), granting a preliminary appellate injunction pending hearing and determination of the appeal,

Now, upon reading and filing the papers with respect to the motion, and the correspondence from the attorney for plaintiff-appellant, dated April 2, 2019, and due deliberation having been had thereon,

It is ordered that the motion and appeal are 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 16, 2019.

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

-----x
Hiram Ramirez,
Plaintiff,

-against-

M-208
Index No. 305821/11

Almah LLC,
Defendant,

-----x
Almah LLC,
Third-Party Plaintiff-Appellant,

-against-

Structure Tone and Port Morris Tile &
Marble Corp.,
Third-Party Defendants-Respondents,

-----x
Almah LLC,
Second Third-Party
Plaintiff-Appellant,

-against-

Plumb Door of New York City, Inc.,
also known as Plumb Door N.Y.,
Second Third-Party
Defendant-Respondent.

-----x

Third-party defendant-respondent, Structure Tone, having moved to dismiss, as to it, the appeal taken by defendant/third-party plaintiff/second third-party-plaintiff-appellant, Almah LLC, from an order of the Supreme Court, Bronx County, entered on or about April 6, 2018, which, inter alia, granted third-party defendant-respondent Structure Tone's motion for summary judgment dismissing Almah's common-law indemnification and contribution claims against it,

And a decision and order of this Court having been entered on February 14, 2019 (Appeal No. 8411) which, inter alia, affirmed the grant of summary judgment in defendant-respondent Structure Tone's favor,

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 academic.

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 16, 2019.

Present - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Troy K. Webber
Ellen Gesmer
Anil C. Singh, Justices.

-----x
Brookstone Partners Morocco, S.A.,
Petitioner-Respondent,

-against-

Finco Prime Consulting Corporation,
Respondent-Appellant.
-----x

M-731
M-1455
Index No. 656342/18

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about January 17, 2019, which directed respondent-appellant to provide petitioner-respondent's counsel, Saul Ewing Arnstein & Lehr, retained pursuant to the authority of petitioner's alleged Chief Executive Officer, Omar Belmamoun, with certain documents,

And respondent-appellant having moved for a stay of the aforesaid order and all proceedings in the trial court, pending hearing and determination of the aforesaid appeal (M-731),

And petitioner-respondent, by its contender attorneys, Jones Law Firm P.C., retained pursuant to the authority of petitioner's alleged co-Chief Executive Officer, Matthew Lipman, having cross-moved for a stay of the order and all proceedings in the trial court until petitioner's corporate deadlock is resolved and it is determined whether the petition may be maintained (M-1455),

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

It is ordered that the motion and cross motion are denied, and the interim relief granted by the order of a Justice of this Court, dated February 6, 2019, is vacated.

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 16, 2019.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Peter Tom
Angela M. Mazzarelli, Justices.

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

-against-

M-6167
Ind. No. 839/16

Stacy Bullard,
Defendant-Appellant.

-----X

An order of this Court having been entered on April 3, 2018 (M-533) granting defendant leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about November 9, 2017, and assigning Robert S. Dean, Esq., as counsel to prosecute the appeal,

And assigned counsel having moved to be relieved as counsel and to substitute other counsel to prosecute the appeal,

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

It is ordered that the motion is granted to the extent of striking the designation of Robert S. Dean, Esq., as assigned counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Steven N. Feinman, Esq., One North Broadway, Suite 412, White Plains, New York 10601, Telephone No. 914-949-8214, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the receipt of the complete record, whichever is later.

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 16, 2019.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Peter Tom
Angela M. Mazzarelli, Justices.

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

Respondent,

-against-

M-6280
Ind. No. 4373/15

Mike Scott,

Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about November 30, 2017, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), and 22 NYCRR 1250.4(d)(1) and (4), setting forth, inter alia, the amount and sources of funds utilized to post the \$10,000 bail in the Supreme Court, the disposition thereof, and an explanation as to why similar funds are not available to prosecute the appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

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 16, 2019.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Peter Tom
Angela M. Mazzarelli, Justices.

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

-against-

M-6373
Ind. No. 3116/16

Conrad Hunter,
Defendant-Appellant.

-----X

An order of this Court having been entered on March 8, 2018 (M-70), inter alia, granting defendant 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 15, 2017, and assigning Seymour W. James, Jr., Esq., predecessor counsel to Janet E. Sabel, Esq., The Legal Aid Society, as counsel to prosecute the appeal,

And assigned counsel having moved to be relieved as counsel and to substitute other counsel to prosecute the appeal,

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

It is ordered that the motion is granted to the extent of striking the designation of Janet L. Sabel, Esq., as successor assigned counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Marianne Karas, Esq., 980 Broadway, Suite 324, Thornwood, New York 10594-1139, Telephone No. 914-434-5935 as such counsel. The poor person

(M-6373)

-2-

April 16, 2019

relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or receipt of the complete record, whichever is later.

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 16, 2019.

Present - Hon. David Friedman, Justice Presiding,
Rosalyn H. Richter
Ellen Gesmer
Cynthia S. Kern
Peter H. Moulton, Justices.

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

-against- M-649
Ind. No. 8663C/10
Elizabeth Cherry,
Defendant-Appellant.

-----x

An order of this Court having been entered on January 31, 2019 (M-5359) denying defendant's motion for leave to file a late notice of appeal from the judgment of the Supreme Court, Bronx County rendered on or about September 25, 2013, (CPL 460.30[1]), for poor person relief, the assignment of counsel, and related relief,

And defendant, pro se, having moved for reconsideration of the aforesaid order and for leave to prosecute the appeal as a poor person, for the assignment of counsel, and for related relief,

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

It is ordered that the motion is denied, (CPL 460.30).

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 16, 2019.

Present - Hon. David Friedman, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Troy K. Webber
Ellen Gesmer, Justices.

-----x
Matthew I. Handelsman, Brian M. Hess,
Amy B. Handelsman and Maryellen Hess,
Plaintiffs-Appellants,

-against-

M-1047
Index No. 21177/12

Andrew L. Llewellyn,
Defendant-Respondent,

The City of New York, The New York City
Police Department, Patrick Jean and
"John Doe",
Defendants.

-----x

Appeals having been taken to this Court from orders of Supreme Court, Bronx County, entered on or about December 12, 2017 and on or about August 11, 2018, and the appeals having been perfected,

And plaintiffs-appellants Matthew I. Handelsman and Amy B. Handelsman having moved for an order granting leave to enlarge and supplement the record on appeal, and to withdraw their brief and file a replacement appellant's brief addressing the supplemental records,

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 16, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Ellen Gesmer
Cynthia S. Kern, Justices.

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

Respondent,

Confidential

M-121

-against-

Ind. No. 1617/15

Jose Felix,
Defendant-Appellant.

-----X

Defendant having renewed his motion 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 September 13, 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, 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-121)

-2-

April 16, 2019

Christina Swarns, Esq., Office of the Appellate Defender, 11 Park Place, Suite 1601, New York, New York 10007, Telephone No. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 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 16, 2019.

Present - Hon. David Friedman, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Ellen Gesmer
Cynthia S. Kern, Justices.

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

-against-

M-171
Ind. No. 1342/18

Jeffery Gregg, also known as
Jeffrey Gregg,
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 September 6, 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 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.

Christina Swarns, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York, 10007, Telephone No. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 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 16, 2019.

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

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

-against-

M-6497
Ind. No. 341/18

Euniya Morales,
Defendant-Appellant.

-----X

An order of this Court having been entered on November 15, 2018 (M-4933), inter alia, granting defendant leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about June 13, 2018, and assigning Justine M. Luongo, Esq., predecessor counsel to Janet E. Sabel, Esq., The Legal Aid Society, as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of Janet E. Sabel, Esq., The Legal Aid Society, as assigned counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10006, Telephone No. 212-577-2523, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the complete record, whichever is later.

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 16, 2019.

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

-----X

The People of the State of New York,

Respondent,

-against-

M-6509

Ind. No. 4352/16

Antonio Jimenez,

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 November 16, 2017,

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

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

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 16, 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-

M-6464

Ind. No. 4575/16

Tyrone Nelson,

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 May 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, 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.

Christina Swarns, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 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 16, 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-

M-6746
Ind. No. 223/18

Jermaine Rivera,
Defendant-Appellant.

-----X

An order of this Court having been entered on December 4, 2018 (M-5212), granting defendant leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about September 20, 2018, and assigning Justine M. Luongo, Esq., predecessor counsel to Janet E. Sabel, Esq., The Legal Aid Society, as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of Janet E. Sabel, Esq., as successor assigned counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10006, Telephone No. 212-577-2523, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the receipt of the complete record, whichever is later.

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 16, 2019.

Present - Hon. David Friedman, Justice Presiding,
Barbara R. Kapnick
Troy K. Webber
Jeffrey K. Oing
Anil C. Singh, Justices.

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

-against-

Mohammed Chowdhury,
Defendant-Appellant.

M-492
Ind. No. 3368/14

-----X

Defendant having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about May 2, 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 enlarging the time to perfect the 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 16, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,
Barbara R. Kapnick
Troy K. Webber
Jeffrey K. Oing
Anil C. Singh, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-516
Ind. No. 2860/17

Cardell Cox,
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 November 26, 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.

Christina Swarns, Esq., Office of the Appellate Defender, 11 Park Place, Suite 1601, New York, New York 10007, Telephone No. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 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 16, 2019.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Judith J. Gische
Barbara R. Kapnick
Cynthia S. Kern, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-330
Ind. No. 1565/18

Jose Frank Santos Abreu, also known
as Frank Abreu,
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 June 14, 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.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 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 16, 2019.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Judith J. Gische
Marcy L. Kahn
Cynthia S. Kern, Justices.

-----x
Kevin Wilson,
Plaintiff-Appellant,

-against-

M-138
Index No. 20652/12

SAT Car Inc. and Jose Rodriguez,
Defendants-Respondents.
-----x

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from the order of the Supreme Court, Bronx County, entered on or about January 26, 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 deemed one seeking to vacate the dismissal of the appeal and, as such, is granted, and the time to perfect the appeal is enlarged to the September 2019 Term (see, 22 NYCRR 1250.10).

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 16, 2019.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Judith J. Gische
Marcy L. Kahn
Cynthia S. Kern, Justices.

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

Respondent,

-against-

Joel Sanders,

Defendant-Appellant.
-----X

M-506
Ind. No. 773/14

Defendant having moved for an enlargement of time to perfect consolidated appeals from the judgment of the Supreme Court, New York County, rendered on or about October 10, 2017, and the order of the same Court entered on or about March 16, 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 enlarging the time to perfect the consolidated appeals 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 16, 2019.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Sallie Manzanet-Daniels
Peter Tom
Barbara R. Kapnick
Peter H. Moulton, Justices.

-----X
Griffon Rex LLC,

Plaintiff-Respondent,

-against-

M-1153

Index No. 161865/13

The Board of Managers of the American
Felt Building Condominium,
Defendant-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about January 8, 2019, which directed defendant-appellant to commence and complete certain repairs,

And defendant-appellant having moved for a stay of the enforcement of the order pending hearing and determination of the appeal,

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

It is ordered that the motion is denied, and the interim relief granted by an order of a Justice of this Court, dated February 13, 2019, is hereby vacated.

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 16, 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-98

Ind. No. 2957/17

Marlon Payne,
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 October 16, 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 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.

Christina Swarns, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York, 10007, Telephone No. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 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 16, 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-187
Ind. No. 2435/17

Andrew Suarez,
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 November 2, 2017, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, for the assignment of counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of deeming the moving papers 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.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 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 16, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Peter Tom
Marcy L. Kahn
Peter H. Moulton, Justices.

-----X
Nick Voulkoudis,

Plaintiff-Respondent,

-against-

George Frantzeskakis and
Raw Organics, Inc.,

Defendants-Appellants.
-----X

M-136
Index No. 154460/15

Defendants-appellants having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about June 12, 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 enlarging the time to perfect the 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 16, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Peter Tom
Marcy L. Kahn
Peter H. Moulton, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-172

Ind. No. 3481/17

Jose Mejia,

Defendant-Appellant.

-----X

Defendant having moved for an order deeming the motion papers a timely filed notice of appeal, or in the alternative, an enlargement of time to file a notice of appeal, from a judgment of the Supreme Court, New York County, rendered on or about February 15, 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 moving papers a timely filed notice of appeal.

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 16, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Peter Tom
Marcy L. Kahn
Peter H. Moulton, Justices.

-----X
Q China Holdings, LTD.,

Plaintiff-Appellant,

-against-

TZG Capital Limited and
Hsiang I Ben Tsen,

Respondents-Respondents,
-----X

M-6716
Index No. 656359/16

Plaintiff-appellant having moved, pursuant to 22 NYCRR 1250.10(c), to vacate the dismissal of appeal taken from an order of the Supreme Court, New York County, entered on or about April 23, 2018, and upon vacatur, for an enlargement of time to perfect the appeal,

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

It is ordered that the motion is granted to the extent of 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 16, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Peter Tom
Angela M. Mazzarelli
Troy K. Webber, Justices.

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

Respondent,

-against-

M-5893

SCI No. 3704/18

Edwin Reyes,

Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about October 28, 2018, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied, with leave to renew upon papers including proof of service of the complete motion papers, including all exhibits, on respondent.

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 16, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Peter Tom
Marcy L. Kahn
Ellen Gesmer, Justices.

-----X
In the Matter of

Shalicia P.,
Izaiyah C.,
and Maison C.,

Confidential
M-369

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

Docket Nos. NA-33037/14
NA-33038/14
NA-1434/16

Administration for Children's Services,
Petitioner-Appellant,

Sharon M., also known as Sharon C.,
Respondent-Respondent,

Raymond C.,
Respondent-Respondent.

-----X

An order of this Court having been entered on December 29, 2016 (M-5868) granting respondent-respondent, Sharon M., also known as Sharon C., leave to respond, as a poor person, to the appeal taken from the order of the Family Court, Bronx County, entered on or about October 13, 2016, and assigning Tennille M. Tatum-Evans, Esq., as counsel for the purpose of responding to said appeal; and a motion having been made to relieve such counsel, and for related relief,

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

(M-369)

-2-

April 16, 2019

It is ordered that the motion is denied with leave to renew, upon proof of service upon respondent-respondent, Sharon M., also known as Sharon C.

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 16, 2019.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-6466
Ind. No. 1947/15

Freisy Sosa-Garcia,
Defendant-Appellant.

-----X

An order of this Court having been entered on December 4, 2018 (M-5045) striking the appointment of Robert S. Dean, Esq., Center for Appellate Litigation, and substituting Christina Swarns, Esq., Office of the Appellate Defender, as assigned counsel, to prosecute the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about April 20, 2016,

And assigned counsel, Christina Swarns, Esq., having moved to be relieved as counsel and to substitute other counsel to prosecute the appeal,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Christina Swarns, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Richard L. Herzfeld, Esq., 112 Madison Avenue, 8th Floor, New York, NY 10016, Telephone No. 212-818-9019, as such counsel. The poor person relief previously granted is continued, and appellant's

time in which to perfect the appeal is hereby enlarged until 120 days from the date of this order, or the filing of the complete record, whichever is later.

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 16, 2019.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-6467
Ind. No. 1947/15

Garis Retances,
Defendant-Appellant.

-----X

An order of this Court having been entered on June 29, 2017 (M-2033) granting defendant leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about June 22, 2016, and assigning Rosemary Herbert, Esq., predecessor counsel to Christina Swarns, Esq., Office of the Appellate, as counsel to prosecute the appeal,

And assigned counsel having moved to be relieved as counsel and to substitute other counsel to prosecute the appeal,

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

It is ordered that the motion is granted to the extent of striking the designation of Christina Swarns, Esq., as successor assigned counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Steven N. Feinman, Esq., One North Broadway, Suite 412, White Plains, New York 10601, Telephone No. 914-949-8214, as such counsel. The

(M-6467)

-2-

April 16, 2019

poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the receipt of the complete record, whichever is later.

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 16, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Cynthia S. Kern
Peter H. Moulton, Justices.

-----x
Lamar Vanterpool,
Plaintiff-Appellant,

-against-

M-931
Index No. 304839/15

Crotona Terrace Apartments, L.P., MHD
Com. Housing, and Wavecrest Management
Ltd.,
Defendants-Respondents.
-----x

An appeal having been taken to this Court from an order of Supreme Court, Bronx County, entered on or about September 14, 2018, and the appeal having been perfected,

And defendants-respondents having moved for an order (1) striking those portions of plaintiff's reply brief that allegedly improperly advance arguments for the first time on appeal; (2) directing plaintiff to re-file his reply brief excluding the stricken material; and (3) granting defendants-respondents leave to file a sur-reply addressing new arguments raised on appeal,

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

It is ordered that the motion is denied, without prejudice to defendants-respondents raising their substantive arguments regarding Point II of plaintiff's reply brief, at oral argument.

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 16, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Judith J. Gische
Marcy L. Kahn
Anil C. Singh, Justices.

-----x
Richard Djeddah,

Plaintiff-Appellant,

-against-

Rachel Djeddah,

Defendant-Respondent.
-----x

CONFIDENTIAL

M-1391
Index No. 350094/00

Appeals having been taken to this Court from the orders of the Supreme Court, New York County, entered on or about May 25, 2017 and on or about October 2, 2018, and said appeals having been perfected,

And plaintiff-appellant having moved to supplement the record on appeal with newly discovered evidence, and for a calendar preference in the hearing of the appeal,

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

It is ordered that the motion is denied.

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 16, 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-6305
Ind. No. 231/14

Miguel Cortes,
Defendant-Appellant.

-----X

An order of a Justice of this Court having been entered on November 27, 2018 (M-4794), granting defendant leave to appeal to this Court, pursuant to CPL 460.15, from the order of the Supreme Court, New York County, entered on or about August 29, 2018,

And defendant having moved for leave to prosecute the appeal as a poor person, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, for the assignment of appellate counsel, and for related relief,

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

It is ordered that 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.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

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

BEFORE: Hon. DAVID FRIEDMAN
Justice of the Appellate Division

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

M-1542
Ind. No. 249/14

-against-

CERTIFICATE
GRANTING LEAVE

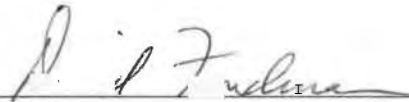
Dominique Nobles,
Defendant-Appellant.
-----X

I, DAVID FRIEDMAN, a Justice of the Appellate Division, First Judicial Department, do hereby certify that in the proceedings herein questions of law or fact are involved which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is hereby granted to the above-named defendant to appeal to the Appellate Division, First Judicial Department, from the Order of the Supreme Court, Bronx County, entered on or about March 7, 2019.¹

Dated: New York, New York
April 8, 2019

ENTERED

APR 16 2018



DAVID FRIEDMAN
Justice of the Appellate Division

NOTICE: Within 15 days from the date hereon, an appeal must be taken, and this certificate must be filed with the notice of appeal. An appeal is taken by filing, in the Clerk's office of the criminal court in which the order sought to be appealed was rendered, a written notice in duplicate that appellant appeals to the Appellate Division, First Judicial Department (Section 460.10, subd. 4, CPL), together with proof that another copy of the notice of appeal has been served upon opposing counsel. The appeal (or consolidated appeals; see footnote) must be argued within 120 days from the date of the notice of appeal, unless the time to perfect the appeal(s) is enlarged by the court or a justice thereof.

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