

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 July 9, 2019.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,  
Judith J. Gische  
Troy K. Webber  
Jeffrey K. Oing  
Peter H. Moulton, Justices.

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

-against-

M-2318  
Ind. No. 3433/14

William Askew Bryan,  
Defendant-Appellant.

-----X

An order of this Court having been entered on August 1, 2017 (M-3451), 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 February 21, 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 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, 28<sup>th</sup> 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 180 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 July 9, 2019.

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

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

-against-

M-2046  
Ind. No. 4921/17

Vincent Peterson,  
                  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 February 4, 2019, 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 July 9, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,  
Rosalyn H. Richter  
Peter Tom  
Barbara R. Kapnick  
Cynthia S. Kern, Justices.

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

-against-

M-1452  
Ind. No. 2269N/15

Jermaine Rios,  
Defendant-Appellant.

-----X

An order of this Court having been entered on February 16, 2017(M-100) 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 Seymour W. James, 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, 28<sup>th</sup> 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 180 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 July 9, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,  
Sallie Manzanet-Daniels  
Ellen Gesmer  
Cynthia S. Kern  
Anil C. Singh, Justices.

-----x  
Well Done Realty LLC,  
Petitioner-Landlord-Respondent, M-2300  
-against- NY County Clerk's  
Index No. 570241/17  
Benjamin Epps and Amy Monroe-Epps, Civil NY County  
Respondents-Tenants-Appellants, Index No. 78705/15  
Sue Monroe, "John Doe" and "Jane Doe",  
Respondents-Undertenants-Appellants.  
-----x

Respondents-tenants-appellants and respondents-undertenants-appellants having moved for an enlargement of time to perfect their appeal taken from the decision and order of the Appellate Term, First Department, entered on or about February 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 granted to the extent of enlarging the time to perfect the appeal to the November 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 July 9, 2019.

Present - Hon. Judith J. Gische, Justice Presiding,  
Troy K. Webber  
Marcy L. Kahn  
Cynthia S. Kern, Justices.

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

-against-

**M-2101**  
Ind. No. 4287/13

Felix Torres,  
Defendant-Appellant.

-----x

An appeal having been taken to this Court by defendant from a judgment of the Supreme Court, New York County, rendered on or about April 10, 2018,

And defendant having renewed his motion for leave to prosecute said appeal as a poor person, for the assignment of counsel, and for related relief,

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

It is ordered that the motion is denied, 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, his indigency, the sources of funds used to post the \$25,000 bail in the Supreme Court, the disposition of those funds, and an explanation as to why similar funds are not available to prosecute the 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 July 9, 2019.

Present - Hon. Judith J. Gische, Justice Presiding,  
Troy K. Webber  
Marcy L. Kahn  
Cynthia S. Kern, Justices.

-----X  
In the Matter of  
Vuksan Realty, LLC,

Petitioner-Appellant,

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

-against-

**M-2389**  
Index No.100965/16

Shola Olatoye, as Chair of the New York  
City Housing Authority, and the New York  
City Housing Authority,

Respondents-Respondents.  
-----X

Petitioner-appellant having moved to vacate the administrative dismissal of its appeal, taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about July 6, 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, the dismissal is vacated, the appeal reinstated, and the time to perfect the appeal is enlarged to the November 2019 Term (see 22 NYCRR 1250.10(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 July 9, 2019.

PRESENT: Hon. Judith J. Gische, Justice Presiding,  
Troy K. Webber  
Marcy L. Kahn  
Cynthia S. Kern, Justices.

-----X  
In the Matter of the Application of  
Seth Mitchell,  
Petitioner-Appellant,

For a Judgment Pursuant to Article 78 **M-2507**  
of the Civil Practice Law and Rules, Index No. 101022/18

-against-

State of New York and New York State  
Office of Victim Services,  
Respondents-Respondents.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, entered on or about January 8, 2019, and petitioner-appellant having moved, pro se, for entry of a default judgment against respondents on the basis of a purported violation of 22 NYCRR 1245.2(d) by respondents,

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 petitioner raising the substantive arguments herein in his appellate brief on 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 July 9, 2019,

Present - Hon. Judith J. Gische, Justice Presiding,  
Troy K. Webber  
Marcy L. Kahn  
Cynthia S. Kern, Justices.

-----x  
Peter Lindner,

Plaintiff-Appellant,

-against-

City of New York, et al.,

Defendants-Respondents.  
-----x

**M-2578**  
Index No. 155137/16

Plaintiff-appellant having purportedly taken an appeal from an order of the Supreme Court, New York County, entered on or about March 28, 2019,

And plaintiff-appellant having moved, pro se, for leave to prosecute, as a poor person, the aforementioned appeal, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, for leave to appeal to the Court of Appeals 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.

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 July 9, 2019.

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

-----X  
Finance of America Mortgage LLC,  
Petitioner-Respondent, M-2548  
  
-against- Index No. 653804/18

Olympia Capital Group, et al.,  
Respondents-Appellants.  
-----  
Olympia Capital Corp.,  
Plaintiff-Appellant,  
  
-against- Index No. 654012/18

Finance of America Mortgage LLC,  
Defendant-Respondent.  
-----X

Appeals having been taken from the orders of the Supreme Court, New York County, entered on or about October 23, 2018,

Now, upon reading and filing the stipulation of the parties hereto, dated May 15, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 9, 2019.

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

-----X  
Darwing Padilla,

Plaintiff-Appellant,

-against-

M-2692

Index No. 20380/16E

Ery Retail Podium, LLC, et al.,

Defendants-Respondents.  
-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about January 11, 2019,

Now, upon reading and filing the stipulation of the parties hereto, dated May 23, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 9, 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-2481  
Ind. No. 4486/17

Clarence Drake,

Defendant-Appellant.  
-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about August 1, 2018,

Now, upon reading and filing the stipulation of the parties hereto, dated April 25, 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 July 9, 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-1302  
SCI No. 2640/18

Patrick Hoover,

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 7, 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 July 9, 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-1311  
Ind. No. 151/18

Patrick Hoover,

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 7, 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 July 9, 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-1880  
Ind. No. 1993/17

Devante Scott,

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 April 3, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 9, 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-1986  
Ind. No. 2177/18

Alejandro Reyes,

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 February 28, 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, 28<sup>th</sup> Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 9, 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-2071

Ind. No. 1093/18

Donnie McCray,

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 February 13, 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.

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 July 9, 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-2072  
Ind. No. 3518/16

Donnie McCray,

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 February 13, 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.

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 July 9, 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-2073  
Ind. No. 846/18

Miguel Sabater,

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 March 8, 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, 28<sup>th</sup> Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 9, 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-2157  
Ind. No. 2759/17

Jerson Norberto,

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 February 11, 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, 28<sup>th</sup> Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 9, 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-2161  
Ind. Nos. 2509/16  
2950/16

Nelson Tyshe, also known as Tyshe  
D Nelson Gil, also known as Tyshe  
Gil,  
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 February 27, 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, 28<sup>th</sup> Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 9, 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-2162

Ind. No. 3608/15

Raheem White,

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 June 18, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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 July 9, 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-2213

Ind. No. 5652/14

Ricky Moore,

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 March 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.

Marianne Karas, Esq., 980 Broadway, Suite 324, Thornwood, NY 10594-1139, Telephone No. 914-434-5935, 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 July 9, 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-2304

Ind. Nos. 2935/16  
1094/17

Jose DeJesus,

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 March 13, 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.

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 July 9, 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-2307

-against-

Ind. Nos. 4181/04

7006/04

Harry Williams,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, New York County (Antignani, J.), entered on or about April 10, 2019, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

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

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

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 July 9, 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-2335  
Ind. No. 3777/16

Terrance Rodney, also known as  
Terrence Rodney,

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 24, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:

  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 9, 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-2336  
Ind. No. 2058/15

Eliu Romero,

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 October 23, 2017, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 9, 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-2337  
Ind. No. 2650/17

Alejandro Chavez,

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 18, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 9, 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-2363  
Ind. No. 347/17

Tykaine Webb-Thompson,

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 February 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, of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 9, 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-2461  
Ind. No. 183/17

Eugene Moore,

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 April 19, 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, 28<sup>th</sup> Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:

  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 9, 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-2463  
Ind. No. 50/17

Eugene Moore,

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 April 19, 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, 28<sup>th</sup> Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 9, 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-2469**

-against-

Ind. No. 2742/07

Andrew Allen,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, New York County (Carro, J.), rendered on or about May 2, 2019, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

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

The Clerk of the Supreme Court shall expeditiously make and file with the criminal court (CPL 460.70) two transcripts of the the stenographic minutes of the SORA hearing and any other proceedings before Justice Carro as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Robert S. Dean, Esq., Center for Appellate Litigation, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 9, 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-2540**

Ind. No. 1623/18

Reyes Guerrero,  
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about April 5, 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 March 28, 2019,

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

It is ordered that the appeal is permitted to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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

Janet E. Sabel, Esq., The Legal Aid Society, 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 9, 2019.

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

-----X

The People of the State of New York,  
Respondent,

-against-

M-2541  
Ind. No. 2259/18

Larry McLeod,  
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about April 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 April 3, 2019,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and which directed trial counsel to file a notice of appeal 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 July 9, 2019.

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

-----X

The People of the State of New York,  
Respondent,

-against-

M-2542  
Ind. No. 2398/18

Taleya Josphes,  
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about April 5, 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 April 4, 2019,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and which directed trial counsel to file a notice of appeal 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 July 9, 2019.

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

-----X

The People of the State of New York,  
Respondent,

-against-

M-2543  
Ind. No. 3518/16

Donte Thomas,  
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about April 5, 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 March 28, 2019,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and which directed trial counsel to file a notice of appeal 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 July 9, 2019.

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

-----X

The People of the State of New York,  
Respondent,

-against-

M-2544  
Ind. No. 1649/18

Roy January,  
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about April 5, 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 March 29, 2019,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and which directed trial counsel to file a notice of appeal 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 July 9, 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,

**M-2545**

-against-

Ind. No. 1486/18

Clifton Brown,  
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about April 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 March 28, 2019,

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

It is ordered that the appeal is permitted to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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

Janet E. Sabel, Esq., The Legal Aid Society, 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:

  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 9, 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-2546**

Ind. No. 416/18

Jimmy Frazier,  
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about April 5, 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 March 28, 2019,

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

It is ordered that the appeal is permitted to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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

Janet E. Sabel, Esq., The Legal Aid Society, 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 9, 2019.

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

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

Respondent,

-against-

**SEALED**

M-2547

SCI No. 280/19

Devontee M.,  
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about March 18, 2019, 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 March 18, 2019,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and which directed trial counsel to file a notice of appeal 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 July 9, 2019.

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

-----X

The People of the State of New York,  
Respondent,

-against-

M-2549

Ind. Nos. 2655/18  
356/19

George Melendez also known as Jorge Melendez,  
Defendant-Appellant.

-----X

Orders of the Supreme Court, Bronx County, having been entered on or about March 20, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgments, of the Supreme Court, Bronx County, rendered on or about March 18, 2019,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and which directed trial counsel to file a notice of appeal 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 July 9, 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,

**M-2551**

-against-

Ind. No. 111/17

Richie Gill,  
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about March 19, 2019, 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 March 19, 2019,

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

It is ordered that the appeal is permitted to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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

Janet E. Sabel, Esq., The Legal Aid Society, 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:

  
\_\_\_\_\_  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 9, 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,

**M-2552**

-against-

Ind. No. 276/18

Eric Belcher,  
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about March 18, 2019, 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 March 11, 2019,

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

It is ordered that the appeal is permitted to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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

Janet E. Sabel, Esq., The Legal Aid Society, 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 9, 2019.

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

-----X  
The People of the State of New York, M-2554  
Respondent, Ind. Nos. 5210/16  
-against- 1202/18  
1611/18  
2370/17  
Joseph Santana,  
Defendant-Appellant.

-----X  
An order of the Supreme Court, New York County, having been entered on or about April 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 March 27, 2019,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and which directed trial counsel to file a notice of appeal 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 July 9, 2019.

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

-----X

The People of the State of New York,  
Respondent,

-against-

M-2556  
Ind. No. 3367/17

Daquan Johnson,  
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about April 10, 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 April 5, 2019,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and which directed trial counsel to file a notice of appeal 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 July 9, 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,

**M-2557**

-against-

Ind. No. 3502/16

Edward Garcia,  
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about April 9, 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 March 27, 2019,

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

It is ordered that the appeal is permitted to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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

Janet E. Sabel, Esq., The Legal Aid Society, 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:

  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 9, 2019.

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

-----X

The People of the State of New York,  
Respondent,

-against-

M-2564  
SCI No. 385/17

Robin Perkins,  
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about December 21, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about December 20, 2018,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and which directed trial counsel to file a notice of appeal 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 July 9, 2019.

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

-----X

The People of the State of New York,  
Respondent,

-against-

M-2570  
Ind. No. 2096/18

Sixto Ortiz,  
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about May 6, 2019, 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 April 15, 2019,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and which directed trial counsel to file a notice of appeal 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 July 9, 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-3044  
Ind. No. 3043/06

George Akino,  
Defendant-Appellant.

-----X

An order of this Court having been entered on June 11, 2019 (M-2623) 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 April 6, 2007, 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 to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Steven A. Feldman, Esq., 626 EAB Plaza, West Tower, 6<sup>th</sup> Floor, Uniondale, New York 11556, Telephone No. 516-522-2828, 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 July 9, 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-1788  
Ind. No. 3196/09

Mark Laramore,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of **resentence** of the Supreme Court, Bronx County, rendered on or about March 15, 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 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 **resentence**. 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 July 9, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rosalyn H. Richter  
Peter Tom  
Ellen Gesmer  
Peter H. Moulton, Justices.

-----x  
In the Matter of the Application of  
Dennis Alves,  
Petitioner,

M-2239  
Index No. 151600/17  
For a Judgment Pursuant to Article 78  
of the Civil Practice Law and Rules,

-against-

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

An Article 78 proceeding to review a determination of respondent having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about May 17, 2018,

And petitioner-appellant having moved to vacate the dismissal of the proceeding, pursuant to 22 NYCRR 1250.10(c) and, upon vacatur, to enlarge the time to perfect same,

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 vacating the dismissal, reinstating the proceeding, and enlarging the time to perfect same to the December 2019 Term (see, 22 NYCRR 1250.10[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 July 9, 2019.

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

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

-against-

M-2093  
Ind. Nos. 4341/15  
4377/15

James Gaines,  
Defendant-Appellant.

-----X

An order of this Court having been entered on February 19, 2019 (M-6264) 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 May 14, 2018, 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 to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Janet E. Sabel, Esq., The Legal Aid Society, 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 180 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 July 9, 2019.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Peter Tom, Justices.

-----X

Ewart A. Haynes,  
Plaintiff-Respondent,

-against-

M-2592  
Index No. 305322/12

Boricua Village Housing Development  
Fund Company, Inc., Boricua Village  
F, LLC, Knickerbocker Construction,  
LLC and Knickerbocker Construction II,  
LLC,  
Defendants,

Evergreen Electrical Corp.,  
Defendant-Appellant.

- - - - -  
[And Third Party Action]

-----X

Defendant-appellant having moved for a stay of trial pending hearing and determination of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about May 16, 2019, or, in the alternative, an order precluding the testimony of a certain nonparty witness if the witness is not deposed,

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 July 9, 2019.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Peter Tom, Justices.

-----X  
Ira Daniel Tokayer, Esq.,  
Plaintiff-Respondent,

-against-

M-2630  
Index No. 157471/16

Kosher Sports Inc. and Jonathan  
Katz,  
Defendants-Appellants.

-----X

Plaintiff-respondent having moved pursuant to CPLR 5512(a) to dismiss the appeal taken from an order of the Supreme Court, New York County, entered on or about January 28, 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 July 9, 2019.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Peter Tom, Justices.

-----X  
Grace O'Rourke,  
Plaintiff-Respondent,

-against-

National Foreign Trade Council, Inc.,  
Defendant-Appellant.

M-2823  
Index No. 156502/16

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 5, 2019,

And defendant-appellant having moved for a stay of discovery pending hearing and determination of the appeal taken from the aforesaid order,

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

It is ordered that the motion is granted.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 9, 2019.

Present - Hon. John W. Sweeny, Jr.,           Justice Presiding,  
                  Dianne T. Renwick  
                  Rosalyn H. Richter  
                  Sallie Manzanet-Daniels  
                  Peter Tom,                           Justices.

-----x  
Brian Gray,  
    Plaintiff-Respondent,

-against-

Stanley Stahl, etc., et al.,  
    Defendants-Respondents,

JP Morgan Chase Bank NA, etc.,  
    Defendant-Appellant,

M-2906  
Index No. 110738/11

-and-

Cauldwell Wingate Co.,  
    Defendant-Appellant.

- - - - -  
[And third-party actions.]

-----x

Appeals having been taken to this Court from the order of the Supreme Court, New York County, entered on or about January 4, 2019,

And defendant-appellant JP Morgan Chase Bank NA, etc. having moved for a stay of trial pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is granted.

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 July 9, 2019.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Sallie Manzanet-Daniels  
Peter Tom  
Jeffrey K. Oing, Justices.

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

Respondent,

-against-

**SEALED**

M-2119

Ind. No. 1744/13

Jessie Williams,  
Defendant-Appellant.

-----X

An order of this Court having been entered on March 12, 2019 (M-5195), inter alia, continuing defendant's poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about October 29, 2015, and assigning Janet E. Sabel, Esq., 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 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, NY 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 180 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 July 9, 2019.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Sallie Manzanet-Daniels  
Troy K. Webber  
Ellen Gesmer  
Cynthia S. Kern, Justices.

-----X  
Christopher Hudak, as Administrator  
of the Estate of Michelle Lynn Hudak  
and Mark S. Tulis, as Trustee of the  
Estate of the Debtor, Christopher Hudak,  
Plaintiffs-Respondents,

-against-

Good Samaritan Hospital of Suffern,  
NY, Ramapo Valley OB/GYN, P.C.,  
Carrie Frances Panoff, D.O.,  
Defendants-Appellants,

-and-

Daniel Edward Vinick, M.D.,  
Defendant.

-----X  
Good Samaritan Hospital,  
Third-Party Plaintiff-Appellant,

-against-

Guy Salomon, M.D. and Ramapo  
Anesthesiologists, P.C., doing  
business as Ramapo Anesthesia,  
Third-Party Defendants-Appellants.

-----X

Appeals having been taken from a judgment of the Supreme Court, New York County, entered on or about April 26, 2019, in favor of plaintiff in the amount \$7,805,028.47,

And defendants-appellants Ramapo Valley OB/GYN, P.C., and Carrie Frances Panoff, D.O.'s insurer having posted an undertaking on appeal on behalf of said defendants for the amounts of its primary and excess coverage (\$3.6 million), and defendant Panoff and her insurer having executed a joint undertaking with the promise of not engaging in any fraudulent conveyances,

M-2629

M-2635

Index No. 101448/10



And defendants-appellants Ramapo Valley OB/GYN, P.C., and Carrie Frances Panoff, D.O. having moved, pursuant to CPLR 5519(g), for a stay of enforcement of the aforesaid judgment, pending hearing and determination of their appeal taken therefrom (M-2629),

And an order of a Justice of this Court having been entered on May 16, 2019 granting the application of defendants-appellants movants for an interim stay of enforcement of the judgment pending a determination of the motion, conditioned on defendants' insurer posting a joint undertaking for the balance of the judgment by a specified date,

And plaintiffs-respondents having moved to vacate the interim relief granted by a Justice of this Court on May 16, 2019 (M-2635),

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

It is ordered that the motion to stay enforcement of the aforesaid judgment, pursuant to CPLR 5519(g), pending the hearing and determination of the appeal, is granted on condition that movants' appeal is perfected for the November 2019 Term (M-2629) and they continue to comply with CPLR 5519(g). So much of the order of a Justice of this Court entered on May 16, 2019 conditioning the stay upon the posting of a bond for the balance of the judgment is vacated. Plaintiff's motion to vacate the stay is denied (M-2635).

ENTERED:

  
CLERK

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

BEFORE: Hon. DAVID FRIEDMAN  
Justice of the Appellate Division

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

M-2054  
Ind. No. 56/11

-against-

CERTIFICATE  
DENYING LEAVE

Jimmy Delgado,  
Defendant.


-----X

I, DAVID FRIEDMAN, a Justice of the Appellate Division,  
First Judicial Department, do hereby certify that, upon  
application timely made by the above-named defendant for a  
certificate pursuant to Criminal Procedure Law, section 460.15,  
and upon the record and proceedings herein, there is no question  
of law or fact presented which ought to be reviewed by the  
Appellate Division, First Judicial Department, and permission to  
appeal from the order of the Supreme Court, Bronx County, entered  
on or about March 18, 2019, is hereby denied. To the extent that  
defendant seeks poor person relief and assignment of counsel,  
that motion is hereby denied as academic.

Dated: New York, New York  
May 30, 2019

ENTERED:

JUL - 9 2019

  
\_\_\_\_\_  
DAVID FRIEDMAN  
Justice of the Appellate Division

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

BEFORE: Hon. Troy K. Webber  
Justice of the Appellate Division

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

M-2498  
Ind. No. 1083/12

-against-

CERTIFICATE  
DENYING LEAVE

John Hop Wah,  
Defendant.

-----X  
I, Troy K. Webber, a Justice of the Appellate Division,  
First Judicial Department, do hereby certify that, upon  
application timely made by the above-named respondent for a  
certificate pursuant to CPL 460.20, and upon the record and  
proceedings herein, there is no question of law presented which  
ought to be reviewed by the Court of Appeals and permission to  
appeal, and related relief, is hereby denied.

Dated: June 3, 2019  
New York, New York

  
\_\_\_\_\_  
Hon. Troy K. Webber  
Associate Justice

ENTERED: **JULY 9 2019**

**description of Order:**

7/17/15 SUP. Ct. New York Co.

Reversed 4/23/19  
App. Div. 1st Dept.  
Appeal No. 8503

Notice: The Clerk is directed to immediately file a copy of this  
Certificate with the Clerk of the Court of Appeals  
Pursuant to CPL § 460.20 subd. 5.