

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 23, 2019.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Peter Tom
Ellen Gesmer
Cynthia S. Kern
Peter H. Moulton, Justices.

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

-against-

M-2628
Ind. No. 835/18

Hector Roman,
Defendant-Appellant.

-----X

The People having moved for dismissal of the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about May 25, 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 and the appeal is dismissed.

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 23, 2019.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Peter Tom
Ellen Gesmer
Cynthia S. Kern
Peter H. Moulton, Justices.

-----X
Santo Valera,
Plaintiff-Respondent,

-against-

M-2397
Index No. 300734/12
Action No. 1

NNNT LLC and "John Doe",
Defendants-Respondents.

-----X
Santo Valera,
Plaintiff-Respondent,

-against-

Index No. 307237/13
Action No. 2

Rigoberto Ramos and SL Benfica,
Defendants-Appellants.

-----X

Appeals having been taken from two orders of the Supreme Court, Bronx County, entered on or about September 20, 2018 and on or about February 19, 2019,

And defendants-appellants having moved for a stay of trial pending hearing and determination of the appeals,

Now, upon reading and filing the correspondence received from counsel for defendants-appellants dated June 14, 2019, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn in accordance with the aforesaid correspondence.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 23, 2019.

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

-----X

In the Matter of the Application of
Blake Wingate,
Petitioner-Appellant,

M-2624
Index No. 100935/17

-against-

Lynn Fahey of Appellate Advocates,
Defendant-Respondent.

-----X

Defendant-respondent having moved to dismiss an appeal taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about July 10, 2018,

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 23, 2019.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Peter Tom
Ellen Gesmer
Cynthia S. Kern
Peter H. Moulton, Justices.

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

-against-

M-2640
Ind. No. 4930/16

Bobby Rock,
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 9, 2018,

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

It is ordered that the motion is denied.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 23, 2019.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Peter Tom
Ellen Gesmer
Cynthia S. Kern
Peter H. Moulton, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-2609
Ind. No. 2933/16

Tomas Salinas,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about July 11, 2017,

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

It is ordered that the motion is 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 23, 2019.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Peter Tom
Ellen Gesmer
Cynthia S. Kern
Peter H. Moulton, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-2662
Ind. No. 221/12

Arvel Wilson,
Defendant-Appellant.

-----X

Defendant, pro se, having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about April 25, 2014, and for poor person relief, the assignment of counsel, and 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 23, 2019.

PRESENT: Hon. Judith J. Gische, Justice Presiding,
Marcy L. Kahn
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

-----X
In the Matter of

Council of Chelsea Block Associations,
William Borock, President, et al.,
Petitioners,

M-3329
Index No. 156153/19

For an Order and Judgment Pursuant to Article 78 of the Civil Practice Law and Rules, the State Environmental Quality Review Act and the New York City Environmental Quality Review Act,

-against-

Polly Trottenberg, as Commissioner of the City of New York, Department of Transportation,
Respondent.

-----X

Respondent having moved (i) for leave to appeal to this Court from an order to show cause of the Supreme Court, New York County, granted on June 28, 2019, after briefing and oral argument, which temporarily restrained respondent from implementing a plan to restructure traffic on 14th Street between 3rd and 9th Avenues in Manhattan, and (ii) to stay/vacate said temporary restraining order pending hearing and determination of the appeal,

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

It is ordered that the motion is denied in its entirety.

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 23, 2019.

Present - Hon. Judith J. Gische, Justice Presiding,
Marcy L. Kahn
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

-----x

Scott Crockett,
Plaintiff-Respondent,

-against-

M-2958
Index No. 159061/17

351 St. Nicholas Avenue LLC,
Defendant-Appellant.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about April 29, 2019, which granted plaintiff's motion for summary judgment and declared that plaintiff is entitled to a rent stabilized lease and initial rent payment of \$175.69 per month, awarded plaintiff a judgment of \$106,693.26 in overcharges, and referred the matter to a Judicial Hearing Officer/Special Referee for a hearing to determine the calculation of treble damages and attorneys' fees,

And defendant-appellant having moved for an order staying the enforcement of the aforesaid order entered on or about April 29, 2019 and all proceedings therein, pending hearing and determination of the aforesaid appeal,

And an order of a Justice of this Court, dated June 10, 2019, having granted defendant an interim stay of the enforcement of the order and the hearing, pending the determination of the motion,

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

It is ordered that the motion is granted to the extent of staying, pending the hearing and determination of the appeal, the enforcement of the judgment awarded to plaintiff in the amount of \$106,693.26 in overcharges and the hearing before the Judicial Hearing Officer/Special Referee, on condition appellant perfects the appeal for the November 2019 Term. During the pendency of the stay and appeal, plaintiff-respondent shall continue to pay

rent in the stabilized amount of \$175.69 per month. The interim relief granted by an order of a Justice of this Court, dated June 10, 2019, is superceded by this order and vacated.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 23, 2019.

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

-----X

Carbures Europe, S.A.,
Plaintiff-Respondent,

SRT Capital FF LLC and Neuder Gedanke,
S.L.,
Plaintiffs-Respondents,

-against-

M-2606

Index No. 653892/15

Emerging Markets Intrinsic Cayman Ltd.,
Defendant-Appellant,

Emerging Markets Intrinsic, Ltd.,
Bulent Toros, Eric Maass and Nomura PB
Nominees Ltd.,
Defendants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about November 29, 2018,

Now, upon reading and filing the stipulation, dated May 15, 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 23, 2019.

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

-----X
Peter Folsom,
Plaintiff-Appellant,

-against-

M-2681

Index No. 152440/16

93rd Street Owners Corp., and
Midboro Management, Inc.,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about April 24, 2019,

Now, upon reading and filing the notice of withdrawal of notice of appeal dated May 16, 2019, and due deliberation having been had thereon,

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

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 23, 2019.

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

-----X
John Mahr,
Plaintiff-Respondent,

-against-

M-2682X
Index No. 310559/09

Chase Manhattan Bank,
Defendant-Appellant.

-----X
Chase Manhattan Bank,
Third-Party Plaintiff-Appellant-
Respondent,

-against-

Third-Party
Index No. 83699/11

Mr. T. Carting Corp.,
Third-Party Defendant-Respondent-
Appellant.

-----X

Appeals having been taken from an order of the Supreme Court, Bronx County, entered on or about October 3, 2018,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" May 3, 2019, and due deliberation having been had thereon,

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 23, 2019.

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

-----X
Santo Valera,
Plaintiff,

-against-

M-2683X
Index No. 300734/12

NNNT LLC and "John Doe",
Defendants.

-----X
Santo Valera,
Plaintiff-Respondent,

-against-

Index No. 307237/13

Rigoberto Ramos and SL Benfica,
Defendants-Appellants.

-----X

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

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 23, 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-2784
Ind. No. 3474/16

Roderick Turner,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about September 28, 2017,

Now, upon reading and filing the stipulation of the parties hereto, dated May 30, 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 23, 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-2741

Ind. No. 20079/17

Benjamin Velez,

Defendant-Appellant.
-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about June 28, 2017,

Now, upon reading and filing the stipulation of the parties hereto, dated May 13, 2019, and due deliberation having been had thereon,

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 23, 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-2742
Ind. No. 154/16

Tarik Shirer,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about December 20, 2017,

Now, upon reading and filing the stipulation of the parties hereto, dated May 29, 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 23, 2019.

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

-----X

GFI Realty Services Inc. and GFI
Realty Services, LLC,
Plaintiffs-Appellants-Respondents,

-against-

Benchmark 117 LP and Benchmark Real
Estate Group, LLC,
Defendants-Respondents,

M-2766
Index No. 652906/15

117-119 East 7th St. LLC, STG Realty
Group Inc., doing business as STG
Realty Group, LLC, Paul Dorfman and
William Zoltan Schneider, Esq.,
Defendants-Respondents-Appellants,

-and-

John Does #1-3, et al.,
Defendants.

-----X

An appeal and cross appeals having been taken from an order of the Supreme Court, New York County, entered on or about April 20, 2018,

Now, upon reading and filing the stipulation of the parties hereto, dated May 16, 2019, and due deliberation having been had thereon,

It is ordered that the perfected appeal and cross appeals are withdrawn in accordance with the aforesaid stipulation.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 23, 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-2785
Ind. No. 1439/17

Paulee Serrano,
Defendant-Appellant.

-----X

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

Now, upon reading and filing the stipulation of the parties hereto, dated May 30, 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 23, 2019.

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

-----X
Great American Insurance Company,
Plaintiff-Respondent,

-against-

M-2798X

Index No. 157164/13

L. Knife & Son, Inc. and U.B.
Distributors, LLC,
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about February 13, 2019,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" May 28, 2019, and due deliberation having been had thereon,

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 23, 2019.

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

-----X
Temple Hatikva, Inc.,
Plaintiff-Respondent,

-against-

M-2799X
Index No. 260716/13

Chabad of the Medical Community,
Inc.,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about July 6, 2018,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" May 28, 2019, and due deliberation having been had thereon,

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 23, 2019.

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

-----X
Michael Greene,
Plaintiff-Respondent-Appellant,

-against-

M-2807

Index No. 150592/15

Brookfield Properties W 33rd Co., L.P.,
Brookfield Properties 9th Venue, LLC,
BOP West 31st Street and Turner
Construction Company,
Defendants-Appellants-Respondents.

-----X

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

Now, upon reading and filing the stipulation of the parties hereto, dated May 17, 2019, and due deliberation having been had thereon,

It is ordered that the appeal and cross appeal 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 23, 2019.

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

-----X
Rafael Rodriguez,
Plaintiff-Respondent,

-against-

2205 Walton Towers, LLC,
Defendant-Appellant.

M-2769
Index No. 22887/14E

-----X

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

Now, upon reading and filing the stipulation of the parties hereto, dated May 2, 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 23, 2019.

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

-----X

Altus Power America, Inc.,
Plaintiff-Respondent,

-against-

M-2770

Index No. 27309/17E

ELUL 1080 Leggett LLC,
Advantage Wholesale Supply LLC,
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about August 31, 2018,

Now, upon reading and filing the stipulation of the parties hereto, dated April 16, 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 23, 2019.

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

-----X
C.P., an infant by her mother and
natural guardian Antide Exime, and Antide
Exime, individually,
Plaintiffs-Appellants,

-against-

M-2893

Index No. 27962/17

Michael Tessler, Charles Abramson, also
known as Charles Avramson, Bashi Singer,
Chaya Singer,
Defendants,

Paradise Management, LLC, 2715 Webb LLC,
2715 Webb Avenue LLC, 2715 Webb Realty 1
LLC, 2715 Realty 2 LLC, 2715 Webb Realty 3
LLC, and CYA Management LLC,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about July 19, 2018,

Now, upon reading and filing the stipulation of the parties hereto, dated June 4, 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 23, 2019.

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

-----X

Donike Gocaj,
Plaintiff-Appellant,

-against-

M-2598

Index No. 303856/13

TEK Express, Inc.,
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about July 16, 2018,

And plaintiff-appellant having moved for an enlargement of time to perfect the aforementioned appeal,

Now, upon reading and filing the correspondence received from counsel for plaintiff-appellant dated May 22, 2019, and due deliberation having been had thereon,

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 23, 2019.

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

-----X

Guadalupe Hernandez,
Plaintiff-Respondent,

-against-

M-2680

Index No. 23055/15E

Cablevision Systems New York City
Corporation and Eric Gordon,
Defendants-Appellants.

-----X

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

Now, upon reading and filing the correspondence received from counsel for defendants-appellants dated May 17, 2019, and due deliberation having been had thereon,

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 23, 2019.

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

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

Knowledge A. G.,
Petitioner-Respondent,

CONFIDENTIAL
M-2758
Docket No. V-6058/18

-against-

Maryette J. F.,
Respondent-Appellant.

-----X

An appeal having been taken from the order of the Family Court, New York County, entered on or about July 26, 2018,

Now, upon reading and filing the correspondence from the attorney for respondent-appellant dated May 10, 2019, and due deliberation having been had thereon,

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 23, 2019.

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

-----X
John Joel Gilbert, et al.,
Plaintiffs-Respondents,

-against-

Confidential
M-2760

Index No. 100148/18

New York State Office of Mental Health,
Administration for Children's Services,
Comprehensive Family Services,
Defendants,

New York Foundling,
Defendant-Appellant.

-----X

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

Now, upon reading and filing the correspondence received from counsel for defendant-appellant dated May 20, 2019, and due deliberation having been had thereon,

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 23, 2019.

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

-----X
HFZ Bryant Park Owner, LLC,

Petitioner-Appellant-Respondent,

M-2810

Index No. 654386/18

-against-

South BP Associates, LLC,

Respondent-Respondent-Appellant.

-----X

An appeal (Cal. No. 2019-3052) and cross appeal having been taken from an order of the Supreme Court, New York County, entered on or about February 28, 2019,

Now, upon reading and filing the correspondence received from counsel for plaintiff-appellant dated May 29, 2019, and due deliberation having been had thereon,

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 23, 2019.

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

-----X

Judith Solomon,
Plaintiff-Appellant,

-against-

M-2811

Index No. 150536/18

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

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about February 25, 2019,

Now, upon reading and filing the correspondence from the attorney for plaintiff-appellant dated May 13, 2019, and due deliberation having been had thereon,

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 23, 2019.

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

-----X
J.H., an infant by his mother and natural guardian, Marissa Hutchinson and Marissa Hutchinson, individually,
Plaintiffs-Respondents,

M-2813
Index No. 20027/13

-against-

Concourse House Housing Development Fund Company, Inc., City of New York, New York City Department of Housing Preservation and Development and New York City Department of Homeless Services,
Defendants-Appellants,

New York City Housing Authority, Fordham Bedford Housing Corp., and University Neighborhood Housing Program,
Defendants.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about August 6, 2018,

Now, upon reading and filing the correspondence received from counsel for defendants-appellants dated May 14, 2019, and due deliberation having been had thereon,

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 23, 2019.

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

-----X
HFZ Bryant Park Owner, LLC,

Petitioner-Appellant,

-against-

South BP Associates, LLC,
Respondent-Respondent.

-----X

M-2819

M-2820

M-2842

Index No. 650112/18

Appeals (Cal. Nos. 2019-3133, 2019-3135 and 2019-3051) having been taken from an order of the Supreme Court, New York County, entered on or about March 7, 2019,

Now, upon reading and filing the correspondence received from counsel for plaintiff-appellant dated May 29, 2019, and due deliberation having been had thereon,

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 23, 2019.

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

-----X
HFZ Bryant Park Owner, LLC,

Petitioner-Appellant-Respondent,

M-2801

Index No. 654386/18

-against-

South BP Associates, LLC,

Respondent-Respondent-Appellant.

-----X

An appeal and cross appeal (Cal. No. 2019-3052) having been taken from an order of the Supreme Court, New York County, entered on or about February 28, 2019,

Now, upon reading and filing the correspondence received from counsel for respondent-respondent-appellant dated May 29, 2019, and due deliberation having been had thereon,

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 23, 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-2133
Ind. No. 2510/16

Anthony David,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about January 8, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgments of the Supreme Court, Bronx County, rendered on or about February 25, 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 23, 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-2709
Ind. No. 2745/17

Arcadio Cortorreal,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about May 6, 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 23, 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-2710
Ind. No. 2745/17

Claudio Rivera,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about May 6, 2019, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 23, 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-2717

Ind. No. 2622/16

Efrain Guzman,

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 17, 2019, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 23, 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-2767
Ind. No. 644/16

Miguel A. Sanchez,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about June 8, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, 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 23, 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-2768
Ind. No. 2615/16

Jean Herrera,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about June 19, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 23, 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-2777
Ind. No. 2333/17

Efrain Anacleto,
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 5, 2019, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 23, 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-2778
Ind. No. 1986/18

Eugene Todie,
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 6, 2019, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 23, 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-2779
SCI No. 4188/18

William Mejia,
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 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, 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 23, 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-2780
Ind. No. 1051/18

Rafael Fontanez,
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 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, 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 23, 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-

CONFIDENTIAL

M-2781

Ind. No. 186/18

Tiffany Lawful,
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 14, 2019, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:


CLERK

CORRECTED ORDER - SEPTEMBER 20, 2019

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 23, 2019.

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

-----X
In the Matter of

Zayden R., and
Nyalee R.,

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

CONFIDENTIAL

M-2939

Docket Nos. NN-8972-3/18

Commissioner of Social Services of
the City of New York,
Petitioner-Respondent,

Guillermo R.,
Respondent-Appellant.

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

-----X
Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about May 6, 2019, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of Susannah Marsh, Esq., dated May 24, 2019, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, **Michele Cortese, Esq., Center for Family Representation, 40 Worth Street, Suite 605, New York, NY 10013, Telephone No. 212-691-0950**, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family

Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk; (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) directing appellant to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, within 60 days of the filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court. The designation of Thomas R. Villecco, Esq., as attorney for respondent-appellant is stricken.**

ENTERED:


CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 23, 2019.

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

-----X
In the Matter of a Family Offense
Proceeding Under Article 8 of the
Family Court Act.

- - - - -
Franklin P.,
Petitioner-Appellant,

CONFIDENTIAL

M-2941
Docket No. O-21900/18

-against-

Elizabeth V.,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, New York County, entered on or about March 27, 2019, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of Karen A. Webb, Esq., dated May 27, 2019, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Andrew J. Baer, Esq., 299 Broadway, Suite 1415, New York, NY 10007, Telephone No. 212-233-0318, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City

of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) directing appellant to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:


CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 23, 2019.

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

-----X
In the Matter of a Family Offense
Proceeding Under Article 8 of the
Family Court Act.

- - - - -
Atiya Dorothy K.,
Petitioner-Respondent,

CONFIDENTIAL

M-2947

Docket No. O-16722/18

-against-

Curtis Jermaine C.,
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, New York County, entered on or about March 15, 2019, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of D. Philip Schiff, Esq., dated June 6, 2019, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Andrew J. Baer, Esq., 299 Broadway, Suite 1415, New York, NY 10007, Telephone No. 212-233-0318, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City

of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) directing appellant to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:


CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 23, 2019.

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

-----X
In the Matter of

Daniel P.,

CONFIDENTIAL

M-2948

A Child Under 18 Years of Age Alleged to be Neglected Under Article 10 of the Family Court Act.

Docket No.
NN-00473-17/19B

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

Noheme R. P.,
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, Bronx County, entered on or about May 10, 2019, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of Lisa M. Licata, Esq., dated June 8, 2019, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Andrew J. Baer, Esq., 299 Broadway, Suite 1415, New York, NY 10007, Telephone No. 212-233-0318, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the

record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) directing appellant to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:


CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 23, 2019.

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

-----X
In the Matter of

Jaylin S.,

A Child Under the Age of 18 Alleged to be Neglected/Abused Pursuant to Article 10 of the Family Court Act.

CONFIDENTIAL

M-2969

Docket No. NN-49512/16

- - - - -
Administration for Children's Services, et al.,
Petitioners-Respondents,

Jasmine E. T.,
Respondent-Appellant.

Shannon R.,
Respondent.

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

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an Order of Fact Finding of the Family Court, New York County, entered on or about January 22, 2019, and an Order of Disposition of the same court, entered on or about March 19, 2019, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of Tenisha D. Cummings, Esq., dated May 31, 2019, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Larry S. Bachner, P.C., c/o Bachner & Associates, P.C., 39 Broadway, Suite 1610, New York, NY

10006, Telephone No. 917-674-9516, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) directing appellant to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:


CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 23, 2019.

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

-----X
In the Matter of

Meajay B., and
Caliyah A.,

CONFIDENTIAL

M-2971

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

Docket Nos.
NN-15595-96/17

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

Latrice B.,
Respondent-Appellant.

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

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, Bronx County, entered on or about May 14, 2019, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of Shlomit Cohen, Esq., dated May 30, 2019, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Randall Carmel, Esq., 410 Jericho Turnpike, Suite 302, Jericho, NY 11753, Telephone No. 603-313-1951, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the

record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) directing appellant to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:


CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 23, 2019.

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

-----X
In the Matter of

Shilloh Matthew J., also known as
Shilloh M. J., also known as
Shilloh J., also known as
Shailloh J., and
Khalil Timothy J., also known as
Khalil T. J., also known as
Khalil J.,

CONFIDENTIAL

M-2972

Children Under 18 Years of Age
Pursuant to §384(b) and (d) of the Social
Services Law of the State of New York.

Docket Nos. B-59/15
B-60/15

- - - - -
Saint Dominic's Family Services, et al.,
Petitioners-Respondents,

Jamesina J.,
Respondent-Appellant.

- - - - -
Larry S. Bachner, Esq.,
Attorney for the Children-
Respondents Shilloh J. and
Khalil, J.

-----X

Joann Bourne, Esq., court attorney for the subject children, Shilloh J. and Khalil J., having moved on said children's behalf for leave to respond, as a poor person, to the appeal taken from orders of the Family Court, Bronx County, entered on or about September 20, 2018 and January 17, 2019, respectively, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of Joann Bourne, Esq., dated June 10, 2019, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to §1120 of the Family Court Act, Larry S. Bachner, P.C., c/o Bachner & Associates, P.C., 39 Broadway, Suite 1610, New York, NY 10006, Telephone No. 917-674-9516, as counsel for purposes of responding to the appeal on behalf of the subject children, Shilloh J. and Khalil J.; (2) permitting the subject children to respond to the appeal upon a reproduced respondents' brief, on condition that one copy of such brief be served upon the attorney for each party to the appeal, and an original and five hard copies, and if represented by counsel, one digital copy of such brief, are filed with this court, pursuant to 22 NYCRR Section 1250.9.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 23, 2019.

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

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

- - - - -
Deanna V., also known as Wisdom A.,
Petitioner-Respondent,

-against-

Michael C.,
Respondent-Appellant.

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

CONFIDENTIAL

M-2974

Docket Nos. V-10392-09/16A
V-10392-09/16C
V-10392-09/16D
V-10392-09/16E
V-10392-09/16F
V-29392-09/16A
V-29392-09/16B
V-29392-09/16C
V-29392-09/16D

-----X

Rina Mais, Esq., court attorney for the subject child, having moved on the child's behalf for leave to respond, as a poor person, to the appeal taken from the order of the Family Court, Bronx County, entered on or about April 7, 2019, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to §1120 of the Family Court Act, Randall Carmel, Esq., 410 Jericho Turnpike, Suite 302, Jericho, NY 11753, Telephone No. 603-313-1951, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy

of such brief be served upon the attorney for each party to the appeal, and an original and five hard copies, and if represented by counsel, one digital copy of such brief, are filed with this court, pursuant to 22 NYCRR Section 1250.9.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 23, 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-2744
Ind. No. 1455/13

Delores Bennett,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, rendered on or about March 12, 2014,

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 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 23, 2019.

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

-----X
James Pettus and Charlene Thompson,
Petitioners-Appellants,

-against-

M-2725
Index No. 251751/14

Board of Directors, Owners 800 Grand
Concourse, Charles H. Greenthal,
Agent/Mgmt.,
Respondents-Respondents.

-----X

An appeal having been taken to this Court by Petitioners-appellants, from an order of the Supreme Court, Bronx County, entered on or about December 17, 2015,

And petitioners-appellants having renewed their motion for leave to prosecute said appeal as poor persons, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied, the appeal having been dismissed for failure to prosecute, pursuant to Section 1250.9(a) of the Practice Rules of the Appellate Division.

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 23, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Anil C. Singh, Justices.

-----X
3394 3rd Avenue LLC,
Plaintiff-Respondent,

-against-

M-2583
Index No. 382509/09

Lusky Abhiva,
Defendant-Appellant,

New York City Transit Adjudication
Bureau, et al.,
Defendants-Respondents.

-----X

Plaintiff-respondent having moved to dismiss the appeal taken from orders of the Supreme Court, Bronx County, entered on or about March 6, 2016 and February 6, 2019,

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

It is ordered that the motion is granted and the appeal is dismissed.

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 23, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Anil C. Singh, Justices.

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

-against-

M-2652
Ind. No. 2069/15

Joseph Cannon,
Defendant-Appellant.

-----X

Defendant-appellant, pro se, having renewed his motion 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 1, 2018, for the assignment of counsel, and for related relief,

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

It is ordered that the motion is granted to the extent that the appeal shall 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 23, 2019.

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

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

- - - - -
Corinne Frances B.,
Petitioner-Appellant,

CONFIDENTIAL

M-2789

-against-

Docket Nos. V-10349/17
V-5270/18

Antwan M.,
Respondent-Respondent.

V-5270/18/18A

- - - - -
Anna Schissel, Esq.,
Lawyers for Children,
Attorney for the Child.

-----X

Consolidated appeals having been taken to this Court by petitioner-appellant from an order of the Family Court, New York County, entered on or about March 8, 2018, and from three interim orders of the Family Court, New York County (Docket No. V-5270/18), entered on or about May 7, 2018,

And an order of this Court having been entered on April 30, 2019 (M-1396), inter alia, denying petitioner's request for poor person relief, without prejudice to renewal, upon submission of a notarized affidavit setting forth facts sufficient to establish petitioner's indigence,

And petitioner-appellant, pro se, having renewed her 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, as unnecessary, said relief having been granted by the order of this Court entered on July 11, 2019 (M-2383).

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 23, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,
Rosalyn H. Richter
Peter Tom
Jeffrey K. Oing
Peter H. Moulton, Justices.

-----X

Ramon Velez,
Plaintiff-Respondent,

-against-

M-2730
Index No. 24696/14

The City of New York, The New York City Police Department (NYPD) and The New York City Fire Department (FDNY), and Police Communication Technician/Dispatcher John/Jane Doe,
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about June 15, 2018,

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

It is ordered that the motion is granted to the extent of 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 23, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,
Rosalyn H. Richter
Peter Tom
Jeffrey K. Oing
Peter H. Moulton, Justices.

-----x

The People of the State of New York,
Respondent,

CONFIDENTIAL

M-2714

-against-

Ind. No. 2720/16

Sanjay Tripathy,
Defendant-Appellant.

-----x

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about July 11, 2018,

And defendant-appellant, by assigned counsel, having moved for an order unsealing certain documents in the trial court files to the extent of allowing access solely to the parties for purposes of presenting issues and arguments on the appeal from the aforesaid judgment,

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

Ordered that 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 23, 2019.

Present - Hon. David Friedman, Justice Presiding,
Peter Tom
Angela M. Mazzarelli
Anil C. Singh, Justices.

-----X

In the Matter of

Nicolas Keith G.,
also known as
Nicolas G.,
also known as
Nicolas H.,

CONFIDENTIAL
M-2895
Docket No. B-33823/15

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

- - - - -
Lutheran Social Services of New York,
et al.,
Petitioners-Respondents,

Mark G.,
Respondent-Appellant.

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

-----X

An order of this Court having been entered on August 9, 2018 (M-2366/M-2531) denying respondent-appellant father's motion to stay the adoption [M-2366] and granting petitioners-respondents' cross motion to dismiss (M-2531) the appeal taken from an order and judgment (one paper) of the Family Court, New York County, entered on or about September 5, 2017, which terminated respondent-appellant's parental rights over the subject child,

And an order of this Court having been entered on October 30, 2018 (M-4585), which, inter alia, denied respondent-appellant's motion for reconsideration of the order with respect to the dismissal of the appeal,

And respondent-appellant father having moved for reconsideration and clarification of the order of this Court entered on October 30, 2018 (M-4585),

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

It is ordered that respondent-appellant's motion for reconsideration 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 23, 2019.

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

-----X
Paramount Insurance Company, et al.,

Plaintiffs-Respondents,

-against-

M-2111

Index No. 650576/16

Federal Insurance Company,

Defendant-Appellant.
-----X

Defendant-appellant having moved for reargument of the decision and order of this Court, entered on March 7, 2019 (Appeal No. 8648),

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

It is ordered that the motion is granted and, upon reargument, the decision and order of this Court entered on March 7, 2019 (Appeal No. 8648) is recalled and vacated and a new decision and order substituted therefor. (See Appeal No. 8648, decided simultaneously herewith.)

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 23, 2019.

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

-----x
Beverly Crozier and Donald Crozier,
Plaintiffs-Respondents,

-against-

M-2872

Index No. 190385/16

Avon Products, Inc., et al.,
Defendants,

Pfizer Inc.,
Defendant-Appellant.

-----x

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

And defendant-appellant having moved for an enlargement of time within which to perfect the appeal,

Now, upon reading and filing the correspondence received from counsel for defendant-appellant dated June 6, 2019, and due deliberation having been had thereon,

It is ordered that the motion for an enlargement of time to perfect the aforementioned appeal is deemed withdrawn in accordance with the aforesaid correspondence.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 23, 2019.

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

-----X
Beverly Crozier and Donald Crozier,
Plaintiffs-Respondents,

-against-

M-2877

Index No. 190385/16

Avon Products, Inc., et al.,
Defendants,

Coty, Inc.,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about August 2, 2018,

And defendant-appellant having moved for an enlargement of time within which to perfect said appeal,

Now, upon reading and filing the correspondence received from counsel for defendant-appellant dated June 6, 2019, and due deliberation having been had thereon,

It is ordered that the motion for an enlargement to perfect the aforementioned appeal is deemed withdrawn in accordance with the aforesaid correspondence.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 23, 2019.

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

-----X

Mary Black and David Black,
Plaintiffs-Respondents,

-against-

M-2876

Index No. 190016/17

Brenntag North America, as successor-in-interest to Mineral Pigment Solutions, Inc., as successor-in-interest to Whittaker, Clark & Daniels, Inc., et al.,
Defendants,

Pfizer Inc. and Coty, Inc.,
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about August 3, 2018,

And defendants-appellants having moved for an enlargement of time within which to perfect said appeal,

Now, upon reading and filing the correspondence received from counsel for defendants-appellants dated June 6, 2019, and due deliberation having been had thereon,

It is ordered that the motion for an enlargement to perfect the aforementioned appeal is deemed withdrawn in accordance with the aforesaid correspondence.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 23, 2019.

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

-----x
In the Matter of

Tariq B.,
and Aisah Nevaeh Sadie B.,

CONFIDENTIAL

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

M-2932
Docket Nos. NN-3240/15
NN-3241/15

Administration for Children's
Services,
Petitioner-Respondent,

Danielle W.,
Respondent,

Hakim B.,
Respondent-Appellant.

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

-----x
An appeal having been taken to this Court from the order of the Family Court, Bronx County, entered on or about June 29, 2016,

And assigned counsel for respondent-appellant, Steven N. Feinman, Esq., having moved to be relieved as counsel and to dismiss 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, assigned counsel is relieved, and the appeal is deemed withdrawn.

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 23, 2019.

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

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

-against-

M-2715
Ind. No. 1344/18

Jose Duran,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about November 13 2018, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 23, 2019.

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

-----X
Mark Rodriguez,
Claimant-Appellant,

-against-

M-2843
Claim No. 130113

The State of New York,
Defendant-Respondent.
-----X

Claimant-appellant, pro se, having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Court of Claims, Bronx County, entered on or about March 14, 2019, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that said 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 attorney for respondent 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. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the 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 23, 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-

M-1987
Ind. No. 5248/10

Sergey Kim,
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about August 25, 2011, and a judgment of **resentence**, of the same Court, rendered July 24, 2015, 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 and 22 NYCRR 1250.4(d)(1) and (4), setting forth, inter alia, the amount and sources of monies utilized to retain trial counsel, including the amount and sources of his income and a listing his property with its value, and an explanation as to why similar funds are not available to prosecute this appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant).

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 23, 2019.

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

-----X

The People of the State of New York,
Respondent,

-against-

Taren Tyler,
Defendant-Appellant.

-----X

CONFIDENTIAL

M-2782

Ind. No. 1042/17

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 2, 2019, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101 and 22 NYCRR 1250.4(d)(1) and (4), setting forth, inter alia, the amount and sources of funds utilized to pay the fee of trial counsel, Glenn F. Hardy, Esq., and to post the \$4,760 bail in the Supreme Court, the disposition thereof, and an explanation as to why similar funds are not available to prosecute this 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 23, 2019.

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

-----X
Nicholas Gilbo,
Plaintiff-Appellant,

-against-

M-2891
Index No. 158727/17

Michael Horowitz, Thomas Dillon,
Michael Goldstein, Dillon Horowitz
& Goldstein LLP and Mark L. Bodner,
P.C.,
Defendants-Respondents.
-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about August 2, 2018,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the 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 23, 2019.

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

-----X
Jason McCarthy and Newsha McCarthy,

Plaintiffs-Appellants,

-against-

M-3045

Index No. 651959/11

New York Kitchen and Bathroom Corp.,

Defendant-Respondent.
-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal taken from a judgment of the Supreme Court, New York County, entered on or about August 30, 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 23, 2019.

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

-----X
Yvette Holloway,
Plaintiff-Appellant,

-against-

M-2806
Index No. 805467/13

New York Presbyterian Hospital,
Jennifer Rein, R.N., and Laura
Pachella, R.N.,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about July 25, 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, with no further enlargements to be 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 23, 2019.

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

-----x

The People of the State of New York,
Respondent,

-against-

Quentin F.,
Defendant-Appellant.

-----x

SEALED

M-2977

Ind. No. 2606/12

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about December 17, 2013,

And respondent having moved to unseal the court papers and file in this matter, maintained in the offices of the New York County Supreme Court Clerk's Office, for the purposes of responding to 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 and that the file in this matter, maintained in the offices of the New York County Supreme Court Clerk's Office, be unsealed for purposes of review by respondent.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 23, 2019.

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

-----x
Errant Gene Therapeutics, LLC,
Plaintiff-Respondent,

-against-

M-2956
Index No. 150856/17

Sloan-Kettering Institute for Cancer
Research and Bluebird Bio Inc.,
Defendants-Appellants.

-----x

Appeals having been taken to this Court from the order and so-ordered transcript of the Supreme Court, New York County, entered on or about June 4, 2019,

And defendant-appellant Bluebird Bio Inc. having moved for a stay of trial and associated deadlines for pre-trial filings, 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 23, 2019.

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

-----X
In the Matter of the Application of
Jessica Delgrange,
Petitioner-Respondent,

For an Order pursuant to Section 3102(c)
of the Civil Practice Law and Rules to
compel pre-action disclosure from:

The RealReal, Inc.,
Respondent-Appellant,

M-2591
Index No. 161557/18

-and-

Marc Jacobs International, LLC,
Respondent,

of the identity of the defendants
John Doe and/or Jane Doe being
unknown to the Petitioner, in an
action about to be commenced.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 3, 2019,

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

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

It is ordered that the motion is granted with the exception of any names and information that were already produced by Marc Jacobs International LLC or The RealReal, Inc.

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 23, 2019.

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

-----x
Ricky Zegelstein, M.D., Custom Anesthesia
Services, P.C., and Innovative Anesthesia
Solutions, P.C.,

Plaintiffs-Appellants,

M-2257

Index No. 651198/14

-against-

Michael J. Faust, M.D., et al.,
Defendants-Respondents.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about June 12, 2017, and said appeal having been perfected,

And plaintiffs-appellants having moved: to strike the appellate briefs of defendants Michael Krumholz, M.D. and Haroon Chaudry, M.D. and to restrain them from addressing certain stricken material; for a finding of civil contempt against Krumholz, Chaudry and their respective counsel, and for the imposition of \$100,000 in sanctions; and for an extension of time to file a reply brief,

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 references to a certain legal malpractice action and the electronic docket for that case, in footnotes 3 and 5 on p. 37, first full paragraph, in the Krumholz brief, and on pages 15-16, first full paragraph, third and fourth sentence of the Chaudry

brief, and references to the amended complaint in the Federal action, and the electronic docket for that case on pp. 31-32 of the Krumholz brief. The motion is otherwise denied.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 23, 2019.

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

-----x
In the Matter of Rene Calvo and
Mandela Garden,
Petitioners-Plaintiffs-Appellants,

-against-

M-2800
Index No. 101550/18

Bill de Blasio in his capacity as Mayor
of the City of New York; Maria Torres-
Springer in her capacity as Commissioner
of New York City Department of Housing
Preservation,
Respondents-Defendants-Respondents.

-----x

An appeal having been taken to this Court from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about April 10, 2019,

And petitioners-plaintiffs-appellants having moved, pursuant to CPLR 5519(c), for a stay of enforcement of the aforesaid order and judgment, pending hearing and determination of the appeal taken therefrom,

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

It is ordered that the motion is denied.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 23, 2019.

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

-----x
Federal Home Loan Bank of Boston,

Plaintiff-Respondent,

-against-

M-2955
Index No. 656707/17

Moody's Investors Service, Inc. and
Moody's Corporation,

Defendants-Appellants.
-----x

Defendants-appellants having moved for a stay of all proceedings, including discovery, pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about March 26, 2019,

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

It is ordered that the motion is granted on condition that the appeal is perfected by no later than the October 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 23, 2019.

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

-----X
Business WatchDog,
Plaintiff,

John Andries Bal, Jr., personally
and in the capacity of Private Attorney
General,
Plaintiff-Appellant,

M-3065A
Index No. 400879/13

-against-

Itex Corporation, et al.,
Defendants-Respondents.

-----X

An order of this Court having been entered on July 12, 2018 (M-3065) denying, inter alia, plaintiff-appellant's motion for leave to prosecute, as a poor person, the appeal taken from an order of the Supreme Court, New York County, entered on or about May 24, 2017, and prohibiting plaintiff-appellant from bringing any further actions against defendants in this Court without prior permission,

Now, upon the Court's own motion, it is

Ordered that the portion of the aforesaid order entered on July 12, 2018 (M-3065) prohibiting plaintiff-appellant from bringing any further actions against defendants in this Court without prior permission, is stricken, and it is further

Ordered that plaintiff-appellant's time to perfect the appeal taken in this action from the order of the Supreme Court, New York County, entered on or about May 24, 2017, is hereby extended to the December 2019 Term, and it is further

Ordered that plaintiff-appellant's time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about April 2, 2018, in the action entitled *Emergent Services and John Bal v Itex Corporation et al*, Index # 601777/07, is hereby extended to the December 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 23, 2019.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Anil C. Singh, Justices.

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

-against-

M-2716
Ind. No. 2154/18

Johnny De Los Santos Martinez,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about October 18, 2018,

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 23, 2019.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Anil C. Singh, Justices.

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

-against- M-2708
Ind. Nos. 645/17
Jameek Benston, 3725/16
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about April 3, 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.

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 23, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Anil C. Singh, Justices.

-----x

In the Matter of the Application of
Bronx Council for Environmental Quality,
and Chauncy Young,

Petitioners-Appellants,

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

M-2746
Index No. 100240/18

-against-

The City of New York, the New York City
Council, the New York City Economic
Development Corporation, the New York
City Department of Small Business
Services, the New York City Department
of Parks and Recreation, and Mitchell
J. Silver, as Commissioner of the
New York City Department of Parks and
Recreation,

Respondents-Respondents.

-----x

Petitioners-appellants having moved for an enlargement of time to perfect the appeal taken from the judgment of the Supreme Court, New York County, entered on or about July 9, 2018,

Now, upon reading and filing the correspondence from the attorney for petitioners-appellants, dated June 13, 2019, and due deliberation having been had thereon,

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

ENTERED:


CLERK

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

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

The People of the State of New York,

M-1224
Ind. No. 3218/17

-against-

CERTIFICATE
GRANTING LEAVE

Robert Ortiz,

Defendant.
-----X

I, Sallie Manzanet-Daniels, a Justice of the Appellate Division, First Judicial Department, do hereby certify that in the proceedings herein questions of law or fact are involved which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is hereby granted to the above-named defendant to appeal to the Appellate Division, First Judicial Department, from the order of the Supreme Court, New York County, entered on or about December 27, 2018.¹

Dated: June 26, 2019
New York, New York



JUL 23 2019

Associate Justice

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

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

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

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

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

M-2123
Ind. No. 5039/08

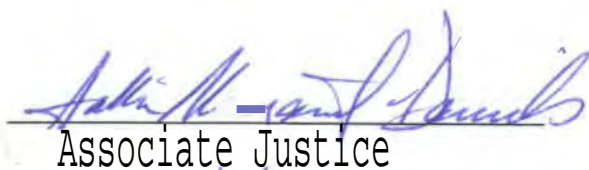
-against-

CERTIFICATE
DENYING LEAVE

Jermaine Kerr,

Defendant.
-----X

I, Sallie Manzanet-Daniels, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the orders of the Supreme Court, New York County, entered on or about November 15, 2018 and January 9, 2019, is hereby denied.


Associate Justice

Dated: June 26, 2019
New York, New York

ENTERED: **JUL 23 2019**

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

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

The People of the State of New York,

M-2568
Ind. No. 4344/07

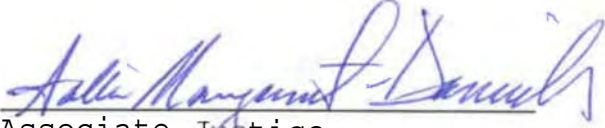
-against-

CERTIFICATE
DENYING LEAVE

Kimberly Hanzlik,

Defendant.
-----X

I, Sallie Manzanet-Daniels, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County, entered on or about April 8, 2019, is hereby denied.


Associate Justice

Dated: June 24, 2019
New York, New York

ENTERED: JUL 23 2019

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

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

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

M-2696
Ind. No. 1379/09

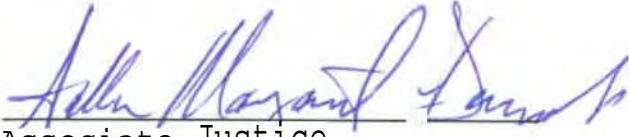
-against-

CERTIFICATE
DENYING LEAVE

Miguel Rivera,

Defendant.
-----X

I, Sallie Manzanet-Daniels, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County, entered on or about March 29, 2019, is hereby denied.


Associate Justice

Dated: June 24, 2019
New York, New York

ENTERED: JUL 23 2019

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

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

The People of the State of New York,

M-2698
Ind. No. 10663/95

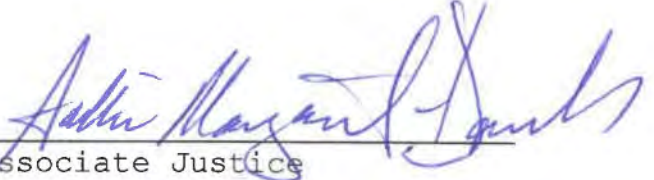
-against-

CERTIFICATE
DENYING LEAVE

Lamar Sanchez,

Defendant.
-----X

I, Sallie Manzanet-Daniels, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about April 16, 2019, is hereby denied.


Associate Justice

Dated: June 24, 2019
New York, New York

ENTERED: July 2 3 2019

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

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

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

CONFIDENTIAL

M-2722

Ind. No. 5728/12

-against-

CERTIFICATE
DENYING LEAVE

Felix Whetstone,

Defendant.
-----X

I, Sallie Manzanet-Daniels, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about March 26, 2019, is hereby denied.


Associate Justice

Dated: June 25, 2019
New York, New York

ENTERED: **JUL 23 2019**

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

BEFORE: Hon. Judith J. Gische
Justice of the Appellate Division

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

M-2838
Ind. No. 5973/2009

-against-


CERTIFICATE
DENYING LEAVE

Jeremy Fulton,

Defendant.

-----X

I, Hon. Judith J. Gische, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, (Ruth Pickholz, J.) entered on or about April 5, 2019, is hereby denied.



Associate Justice

Dated: July 1, 2019
New York, New York
ENTERED: **JUL 2 3 2019**

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

BEFORE: Hon. Cynthia S. Kern
Associate Justice of the Appellate Division

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

M - 2527
Ind. No. 828/08

-against-

CERTIFICATE
DENYING LEAVE

Travis Woods,

Defendant.

-----X

I, Cynthia S. Kern, 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, New York County (Kevin B. McGrath, Jr., J.), entered on or about April 18, 2019, is hereby denied.

Dated: June 11, 2019
New York, New York

Hon. Cynthia S. Kern
Associate Justice

ENTERED: JUL 2 3 2019

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

BEFORE: Hon. Jeffrey K. Oing
Justice of the Appellate Division

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

M- 2597
Ind. No. 3920/08

-against-

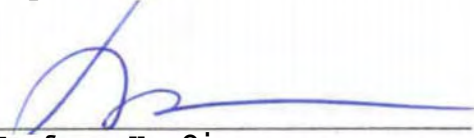
CERTIFICATE
GRANTING LEAVE

Lonnie McCray
Defendant-Appellant.

-----X

I, Jeffrey K. Oing, a Justice of the Appellate Division, First Judicial Department, do hereby certify that in the proceedings herein questions of law or fact are involved which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is hereby granted to the above-named defendant to appeal to the Appellate Division, First Judicial Department, from the order of the Supreme Court, Bronx County, dated on or about April 11, 2019.¹

Dated: June 28, 2019.
New York, New York



Hon. Jeffrey K. Oing
Associate Justice

Entered

JUL 23 2019

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

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