

At a 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 30, 2019.

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

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

-against-

M-2748
Ind. No. 1087/12

Andre Dennis, also known as Denise
Dennis,
Defendant-Appellant.

-----x

A decision and order of this Court having been entered on January 31, 2019 (Appeal Nos. 8300-8302), unanimously affirming a judgment of the Supreme Court, New York County, rendered on May 22, 2013, as amended July 26, 2018 and June 19, 2018,

And defendant-appellant having moved for reconsideration of the aforesaid decision and order,

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

It is ordered that the motion is 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 30, 2019.

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

-----X
Sherwood Allen Salvan,
Plaintiff-Appellant,

-against-

Bryan Lewis, Zoe Warrican, Element
Iron Contruction, Inc., S/H/I Element
Iron Contracting, Inc., and Class
Iron Enterprises, Inc.,
Defendants-Respondents.

M-1186
N.Y. County Clerk
Index No. 570015/18
N.Y. County Civil
Index No. 8394/16

-----X

Plaintiff-Appellant having moved for leave to appeal to this Court from the decision and order of the Appellate Term, First Department, entered in the office of the Clerk of the Supreme Court, New York County, on or about November 29, 2018,

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

It is ordered that the motion is 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 30, 2019.

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

-----X
Salans LLP,
Plaintiff-Appellant,

-against-

VBH Properties S.R.L., et al.,
Defendants,

M-2373
Index No. 650747/13

VBH Luxury, Inc., et al.,
Defendants-Respondents.

-----X

Defendants-respondents having moved for leave to appeal to the Court of Appeals from the decision and order of this Court, entered on April 4, 2019 (Appeal No. 8723),

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 30, 2019.

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

-----x
IN RE: NEW YORK CITY ASBESTOS LITIGATION NY County Clerk's
-----x Index No. 40000/1988

This Document Relates To:
Mary Black and David Black,
Plaintiffs-Respondents,

-against-

Brenntag North America, et al.,
Defendants,

M-3141
NY County Clerk's
Index No. 190016/17
Action No. 1

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

-----x
This Document Relates To:
Beverly Crozier and Donald Crozier,
Plaintiffs-Respondents,

-against-

Avon Products Inc.,
Defendants,

NY County Clerk's
Index No. 190386/16
Action No. 2

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

-----x
An appeal having been taken in Action No. 1 from an order of the Supreme Court New York County, entered on or about August 3, 2018, and in Action No. 2 from an order of the same court, entered on or about August 1, 2018, and said appeals having been perfected for the September 2019 Term,

And plaintiffs-respondents in Action No. 1 and Action No. 2 having moved for an order consolidating the aforesaid appeals, or, in the alternative, scheduling the appeals together for oral argument pursuant to 22 NYCRR 1250.9[f][4]), and for an extension of time to file respondent's briefs,

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

It is ordered that the motion is granted to the extent of directing the Clerk of the Court to calendar the aforesaid appeals in Action No. 1 and Action No. 2 for hearing together on the same day of the October 2019 Term, and 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 30, 2019.

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

-----X
Randolph W. Slifka and David Dove
(as Trustees of and on behalf of a trust created under Article Eleventh of the Will of Alan B. Slifka for benefit of Randolph W. Slifka), and Michael Slifka and Julia Murphy (as Trustees of and on behalf of a trust created under Article Eleventh of the Will of Alan B. Slifka for benefit of Michael Slifka),
Plaintiffs-Appellants,

M-3351
Index No. 652058/17

-against-

Barbara Slifka, 477 Madave Associates; 477 Madave Management Corp.; 477 Madave Holdings, LLC; SRI Ten 477 Madison LLC; SRI Ten 477 Madison TRS LLC; J.A.B. Madison Associates LLC; J.A.B. Madison Management Corp.; J.A.B. Madison Holdings LLC; and David Slifka (as Trustee of a trust created under Article Eleventh of the Will of Alan B. Slifka for benefit of David Slifka),
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about April 18, 2019, and said appeal having been perfected,

And defendants-respondents, on consent, having moved to enlarge the joint record on appeal to include Exhibits A through L attached to the moving papers,

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 defendants-respondents are permitted to enlarge the record to include Exhibits A through L attached to the moving papers. Defendants-appellants may file the documents as a supplemental appendix to be filed with their brief.

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 30, 2019.

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

-----X
Alexander Gliklad,
Petitioner,

-against-

M-2920
Index No. 652641/15

Oleg Deripaska,
Respondent-Appellant,

BuzzFeed Inc.,
Nonparty-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 4, 2019,

And respondent-appellant having moved to stay the aforesaid order insofar as it granted the request of non-party Buzzfeed Inc. to unseal certain previously sealed documents, pending the 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 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 30, 2019.

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

-----X
In the Matter of the Application of Noreen Donovan Roth to Dissolve The Ryan Thomas Roth Irrevocable Children's Trust, The Brendan Thomas Roth Irrevocable Children's Trust, or, Alternatively, to Remove Peter Thomas Roth as a Co-Trustee of The Ryan Thomas Roth Irrevocable Children's Trust, and The Brendan Thomas Roth Irrevocable Children's Trust, for Rescission of the Limited Partnership Agreements of the PNR E 73 Family Limited Partnership, The PNR Water Mill Family Limited Partnership, PNR Brookfield Limited Partnership, The PNR Florida Family Limited Partnership, and The PNR Holdings Family Limited Partnership, and for damages against Peter Thomas Roth.

M-2803
Index No. 151729/18

Noreen Donovan Roth,
Petitioner-Appellant.
-----X

An appeal having been taken from an interim order of the Supreme Court, New York County, entered on or about April 1, 2019,

Now, upon reading and filing the correspondence from the attorney for petitioner-appellant Noreen Donovan Roth 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 30, 2019.

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

-----X
Natalie Ventura,
Plaintiff-Respondent,

-against-

M-2848X
Index No. 303684/16

William Colon Jr., and Arborlite
Logistics, LLC,
Defendants-Appellants,

Express Distribution, Inc.,
Defendant.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about January 4, 2019,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" May 31, 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 30, 2019.

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

-----X
Norma Polanco, as Administratrix of
the Goods, Chattels and Credits which
were of Pedro Polanco, Deceased, and
Norma Polanco,
Plaintiff-Respondent,

-against-

Kings Harbor Health Service, LLC,
et al.,
Defendants,

Dr. Dimyan Balikcioglu,
Defendant-Appellant.

M-2853X
Index No. 302694/09

-----X
An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about November 9, 2018,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" 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 30, 2019.

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

-----X

DCCA, LLC,
Plaintiff-Appellant,

M-2856

Index No. 656411/18

-against-

BMC-The Benchmark Management Company,
Defendant-Respondent.

-----X

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

Now, upon reading and filing the stipulation of the parties hereto, filed in this Court on May 31, 2019, and due deliberation having been had thereon,

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 30, 2019.

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

-----X
DCCA, LLC,

Plaintiff-Appellant,

M-2857

Index No. 656411/18

-against-

BMC-The Benchmark Management Company,
Defendant-Respondent.

-----X

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

Now, upon reading and filing the stipulation of the parties hereto, filed in with this Court May 31, 2019, and due deliberation having been had thereon,

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 30, 2019.

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

-----X
In the Matter of the Application of

Liberty Maritime Corporation,
Petitioner-Appellant,

M-2896
Index No. 656258/17

-against-

District No. 1, Pacific Coast District,
Marine Engineers' Beneficial
Association, AFL-CIO,
Respondent-Respondent.

-----X

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

Now, upon reading and filing the correspondence received from counsel for petitioner-appellant dated June 3, 2019, and due deliberation having been had thereon,

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 30, 2019.

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

-----X
Joel Silver,
Plaintiff-Respondent,

-against-

M-2897

Index No. 652090/18

Gagosian Gallery, Inc.,
Defendant-Appellant.
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 12, 2019,

Now, upon reading and filing the notice of withdrawal of appeal received from counsel for defendant-appellant dated June 4, 2019, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with said 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 30, 2019.

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

-----X

Honeedew Investing Limited,
Plaintiff-Respondent,

-against-

M-2933X

Index No. 652654/17

Carlos Abadi and Barbara Abadi,
Defendants-Appellants.

-----X

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

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 5, 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 30, 2019.

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

-----X

Doron Zabari,
Plaintiff-Respondent,

-against-

M-2934X

Index No. 162305/15

Ivana Cuk,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about February 23, 2019,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 10, 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 30, 2019.

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

-----X
Chetram Etwaroo,
Plaintiff-Respondent,

-against-

Parkash 2000, LLC.,
Defendant-Appellant,

Approved Oil & Service Co., The
Approved Company of Building, Inc.,
Bauer Welding & Boiler Repairs, Inc.,
Defendants-Respondents.

M-2936
Index No. 21203/14

-----X

Appeals having been taken from three orders of the Supreme Court, Bronx County, entered on or about November 29, 2018,

Now, upon reading and filing the correspondence received from counsel for defendant-appellant dated June 3, 2019, and due deliberation having been had thereon,

It is ordered that the appeals are 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 30, 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-2943
Ind. No. 1251/16

Edward Colon,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about September 7, 2018,

Now, upon reading and filing the stipulation of the parties hereto, dated June 5, 2019, and due deliberation having been had thereon,

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 30, 2019.

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

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

Respondent,

M-2962

Ind. No. 3024/16

-against-

Angel Colon,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, rendered on or about August 16, 2017,

Now, upon reading and filing the stipulation of the parties hereto, dated June 11, 2019, and due deliberation having been had thereon,

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 30, 2019.

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

-----X
First Central Savings Bank,
Plaintiff-Respondent,

-against-

M-3013

Index No. 655426/18

Janet Wanderman, Lena Cab Corp., and
W. MIT Trans. Corp.,
Defendants-Appellants.

-----X

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

Now, upon reading and filing the correspondence received from counsel for defendants-appellants dated June 11, 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 30, 2019.

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

-----X
First Central Savings Bank,
Plaintiff-Respondent,

-against-

M-3014
Index No. 655422/18

Edgar Weingarten, Pike Taxi Co., Inc.,
Quiche Transit Inc., and Nectarine
Transit Inc.,
Defendants-Appellants.

-----X

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

Now, upon reading and filing the correspondence received from counsel for defendants-appellants dated June 11, 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 30, 2019.

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

-----X
Raymond Perkins-Kelly,
Plaintiff-Appellant,

-against-

M-3016
Index No. 23507/14

New York City Housing Authority,
Defendant-Respondent.
-----X

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

Now, upon reading and filing the correspondence from the attorney for plaintiff-appellant dated May 7, 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 30, 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-3046

Ind. No. 4136/17

Archie Johnson,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about September 19, 2018,

Now, upon reading and filing the stipulation of the parties hereto, dated June 10, 2019, and due deliberation having been had thereon,

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 30, 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-3062
Ind. No. 3414/17

Jamari Hall,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about September 12, 2018,

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 30, 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-3068
Ind. No. 1351/15
SCI No. 3156/16

Ilkom Dzhililov, also known as
Ilkhom Dzhililov,
Defendant-Appellant.

-----X

An appeal having been taken from two judgments of the Supreme Court, New York County, rendered on or about September 14, 2016,

Now, upon reading and filing the stipulation of the parties hereto, dated June 14, 2019, and due deliberation having been had thereon,

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 30, 2019.

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

-----X
In re Wimbledon Financing Master Fund, Ltd.,
Petitioner-Respondent,

-against-

David Bergstein, et al.,
Respondents-Appellants,

-and-

Weston Capital Asset Management, LLC,
et al.,
Respondents.

M-6696
Index No. 150584/16

-----X

Respondent-appellant K Jam Media, Inc. having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on November 20, 2018 (Appeal Nos. 7655-7656),

Now, upon reading and filing the notice of withdrawal of motion to reargue and alternatively for leave to appeal dated May 22, 2019, and due deliberation having been had thereon,

It is ordered that the instant motion 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 30, 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-2925**
Ind. No. 1029/17

Reynaldo Andino,
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 27, 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 30, 2019.

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

-----X

The People of the State of New York,
Respondent,

Confidential

M-2942

-against-

Ind. No. 2957/17

Antoine Brown,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of **resentence** of the Supreme Court, Bronx County, rendered on or about February 28, 2019, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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 30, 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.

- - - - -
Derek P.,
Petitioner-Appellant,

CONFIDENTIAL
M-2980
Docket No. V-28262/17

-against-

Nikkhah T.,
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, Bronx County, entered on or about May 31, 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 Lee Coppage, 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 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, Tel. 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 30, 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

Desiree T.,

A Child Subject of a Foster Care Placement Proceeding under Social Services Law § 358-a.

CONFIDENTIAL

M-2983

Docket No. L-46578/16

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

Tawana T.,
Respondent-Respondent,

Edward T.,
Respondent-Respondent.

- - - - -
Janet E. Sabel, Esq.,
Attorney for the Child-Appellant.

-----X

Respondent-respondent Edward T. having moved for leave to respond, as a poor person, to the appeals taken from the orders of the Family Court, New York County, entered on or about February 20, 2019 and February 26, 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 Kao Pin Lew, Esq., dated May 20, 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, Esq., 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 appeals; (2) permitting movant to respond to the appeals upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for each party to the appeals, and an original and five hard copies, and if represented by counsel, one digital copy of such brief, are filed with this court, pursuant to 22 NYCRR Section 1250.9.

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 30, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Peter Tom, Justices.

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

-against-

M-2427
Ind. No. 3940/02

Johnnie Cooks,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on April 20, 2006 (Appeal No. 8318), unanimously affirming a judgment of the Supreme Court, Bronx County (Phyllis Bamberger, J.), rendered on November 9, 2003,

And an order of this Court having been entered on May 29, 2018 (M-4150), denying defendant-appellants application for a writ of error coram nobis, for a review of his claim of ineffective assistance of counsel,

And defendant-appellant having moved for reargument of the order of this Court entered on May 29, 2018 (M-4150),

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 30, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Sallie Manzanet-Daniels
Peter Tom
Jeffrey K. Oing, Justices.

-----X
Maria A. Calderon,
Plaintiff-Appellant,

-against-

M-2499
Index No. 100348/17

Kanga Roo Realty LLC, Chelsea Place,
Manhattan Skyline Management Corp.,
Donald Zucker Company and Manhattan
Skyline Co.,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved, pro se, for leave to appeal to the Court of Appeals from the decision and order of this Court, entered on April 11, 2019 (Appeal No. 8982),

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 30, 2019.

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

-----X
Wilmington Trust, etc.,
Plaintiff-Appellant,

-against-

M-2774
Index No. 653546/16

MC-Five Mile Commercial Mortgage
Finance LLC,
Defendant-Respondent.
-----X

Defendant-respondent having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on April 23, 2019 (Appeal No. 9053),

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 30, 2019.

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

-----X

Trocom Construction Corp.,
Plaintiff-Appellant,

-against-

The City of New York,
Defendant,

Consolidated Edison Company of
New York, Inc.,
Defendant-Respondent.

-----X

M-2573

Index No. 650148/12

Plaintiff-appellant having moved for reargument of the decision and order of this Court, entered on April 11, 2019 (Appeal No. 8966),

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 30, 2019.

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

Justice Presiding,

Justices.

-----X

In the Matter of the Application of

NYC Health + Hospitals,
Petitioner-Appellant,

M-2650

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

Index No. 152144/17

-against-

Organization of Staff Analysts, et al.,
Respondents-Respondents.

- - - - -
New York City Municipal Labor Committee,
Amicus Curiae.

-----X

Petitioner-Appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court, entered on April 11, 2019 (Appeal No. 8961),

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 30, 2019.

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

-----X
Taquana Jones,
Plaintiff,

-against-

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

M-2395
Index No. 306689/12

Step Mar Contracting Corp.,
Defendant-Respondent,

Tri-Messine Construction Company,
Inc.,
Defendant-Appellant.

-----X

Defendant-respondent having moved for reargument of the decision and order of this Court, entered on March 21, 2019 (Appeal No. 8766),

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 30, 2019.

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

-----X
Emmanuel Petrakis,
Plaintiff-Appellant,

-against-

M-2617
Index No. 651151/15

MPE Hotel I (Downtown New York) LLC,
MPE Hotel I Tenant (Downtown New York)
LLC, Millennium Partners, Westbrook
Partners, Westbrook Capital Partners,
LLC, The Ritz Carleton Hotel Company, LLC,
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 24, 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, and the appeal dismissed pursuant to CPLR 5511.

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 30, 2019.

Present - Hon. David Friedman, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Marcy L. Kahn
Jeffrey K. Oing, Justices.

-----X

North American Airlines, Inc.,
Plaintiff-Respondent,

M-2841

Index No. 602985/09

-against-

Wilmington Trust Company, etc., et al.,
Defendants-Appellants.

-----X

Defendants-appellants having moved for reargument of the decision and order of this Court, entered on April 25, 2019 (Appeal No. 7314),

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 30, 2019.

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

-----X
Prof-2013-S3 Legal Title Trust II, BY
U.S. Bank National Association, AS
Legal Title Trustee,
Plaintiff-Respondent,

M-2600
Index No. 382625/09

-against-

Maria C. Guaman,
Defendant-Appellant,

New York City Environmental Control
Board, New York City Parking Violations
Bureau, New York City Transit Adjudication
Bureau, Miriam Delgado, et al.,
Defendants.

-----X

Plaintiff-respondent having moved for dismissal of the appeal taken from an order of the Supreme Court, Bronx County, entered on or about May 23, 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 30, 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-

CONFIDENTIAL

M-2707

Ind. No. 2790/17

Dennis Vargas,
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 11, 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 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 30, 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-

M-2787
Ind. No. 3578/15

Marvin Jimenez,
Defendant-Appellant.

-----X

An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, rendered on or about October 19, 2016,

And assigned counsel for defendant having moved to be relieved as counsel or, in the alternative, for dismissal of the appeal, without prejudice to reinstatement at such time appellant becomes amenable to the jurisdiction of this Court,

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

It is ordered that the motion is granted to the extent of deeming the appeal 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 30, 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-

CONFIDENTIAL

M-2788

Ind. No. 3567/15

Luis Chocojay,
Defendant-Appellant.

-----X

An order of this Court having been entered on January 30, 2018(M-5877) granting defendant leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about October 6, 2017, and assigning Christina Swarns, Esq., Office of the Appellate Defender, as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, or alternatively for dismissal of said 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 the designation of Christina Swarns, Esq., Office of the Appellate Defender, as assigned counsel is stricken 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 30, 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
Francesco Portelos,
Petitioner-Appellant,

For a Judgment Pursuant to Article 75
of the Civil Practice Law and Rules

M-2825
Index No. 156610/17

-against-

New York City Department of Education,
et al.,
Respondents-Respondents.

-----x

Plaintiff-appellant having moved, pursuant to 22 NYCRR 1250.10(c), to vacate the dismissal of the appeal taken from the order of the Supreme Court, New York County, entered on or about August 16, 2018, and upon vacatur, for an enlargement of time to perfect said appeal,

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

It is ordered that the motion is granted to the extent of vacating the dismissal, reinstating the appeal, and enlarging the time to perfect same 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 30, 2019.

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

-----x
Anthony Franco,
Plaintiff-Appellant,

-against-

M-2826
Index No. 153152/14

Hyatt Corporation, doing business as
Hyatt Times Square, et al.,
Defendants-Respondents.

-----x

Plaintiff-appellant having moved, pursuant to 22 NYCRR 1250.10(c), to vacate the dismissal of the appeal taken from the order of the Supreme Court, New York County, entered on or about November 15, 2017 and, upon vacatur, for an enlargement of time to perfect said appeal,

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

It is ordered that the motion is granted to the extent of vacating the dismissal, reinstating the appeal, and enlarging the time to perfect same 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 30, 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-

M-2835
Ind. No. 3275/16

Sonny Delmooro,
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 January 7, 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.

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 to the March 2020 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 30, 2019.

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

-----x
Edgardo Feijoo,
Plaintiff-Appellant,

-against-

M-2840
Index No. 20300/16E

Seawolf Construction Corp.,
Defendant-Respondent.

- - - - -
[And a third-party action.]

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

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

It is ordered that the motion is granted to the extent of vacating the dismissal, reinstating the appeal, and enlarging the time to perfect same 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 30, 2019.

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

-----x

Nick Voulkoudis,
Plaintiff-Respondent,

-against-

M-2865

Index No. 154460/15

George Frantzeskakis, et al.,
Defendants-Appellants.

-----x

Appeals having been taken to this Court from the order of the Supreme Court, New York County, entered on or about June 12, 2018, and the judgment of the same Court entered on or about June 18, 2019,

And defendant-appellant George Frantzeskakis having moved for a stay of enforcement of the judgment pending hearing and determination of the appeals,

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

It is ordered that the motion is denied, and the interim relief granted by the order of a Justice of this Court, dated May 22, 2019, is vacated.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 30, 2019.

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

-----x
Robert Carpentieri, et al.,
Plaintiffs-Respondents,

-against-

M-2866
Index No. 159773/13E

309 Fifth Avenue, LLC, et al.,
Defendants-Appellants.

- - - - -
[And a third-party action.]

-----x
Defendants-appellants having moved for an enlargement of time to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about August 8, 2018,

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

It is ordered that the motion is granted to the extent of 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 30, 2019.

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

-----x
Katherina Alexandria Disla,
Plaintiff-Respondent,

-against-

M-2871
Index No. 310312/11

Erol G. Briggs, et al.,
Defendants-Respondents.

- - - - -

Pedro Luis Sosa, et al.,
Third-Party Plaintiffs-Respondents,

-against-

Index No. 83810/13

Mitchell Lebron,
Third-Party Defendant-Respondent.

- - - - -

Erol G. Briggs,
Second Third-Party
Plaintiff-Respondent,

-against-

Index No. 83971/13

Mitchell Lebron,
Second Third-Party Plaintiff-Respondent.

- - - - -

Pedro Luis Sosa,
Plaintiff-Respondent,

-against-

Linda Suarez, et al.,
Defendants-Appellants,

Index No. 300415/13

-and-

Louis Hernandez, et al.,
Defendants-Respondents.

- - - - -

[And other actions.]

-----x

Defendants-appellants Linda Suarez and Linda Greenhouse having moved for an extension of time to file a notice of appeal from the order of the Supreme Court, Bronx County, entered on or about March 19, 2019,

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 30, 2019.

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

-----x
Deborah Thomas,
Plaintiff-Appellant,

-against-

M-2878
Index No. 103397/11

Johnathan Mintz, Commissioner, New York
City Department of Consumer Affairs,
et al.,
Defendants-Respondents.

-----x
Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about 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 30, 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- M-2880
Ind. No. 3625/18

Bernardo 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 February 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

At a 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 30, 2019.

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

-----x
Magdy Ghaly,
Petitioner-Appellant,

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

M-2886
Index No. 101137/16

-against-

Columbia University, et al.,
Respondents-Respondents.
-----x

Petitioner-appellant having moved for an enlargement of time to perfect the appeal taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about October 3, 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 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 30, 2019.

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

-----x

Dagnia Mendez,
Plaintiff-Appellant,

-against-

M-2887
Index No. 23386/16E

Ava Service Corp., et al.,
Defendants-Respondents.

-----x

Defendants-respondents having moved to dismiss the appeal taken from the order of the Supreme Court, Bronx County, entered on or about November 2, 2018, for failure to timely prosecute,

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

It is ordered that the motion is denied, as unnecessary, the appeal having been 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 30, 2019.

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

-----x

Patricia Powell-Brown,
Plaintiff-Appellant,

-against-

M-2889
Index No. 25036/15E

Nargobino R. Lakiram, et al.,
Defendants-Respondents.

-----x

Defendants-respondents having moved to dismiss the appeal taken from the order of the Supreme Court, Bronx County, entered on or about September 12, 2018, for failure to timely perfect,

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

It is ordered that the motion is denied, as unnecessary, the appeal having been 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 30, 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
Sabina Lim, M.D., Vice Chairperson in
the Department of Psychiatry, The
Mount Sinai Hospital Center,
Petitioner-Respondent,

CONFIDENTIAL

M-2907

Index No. 530067/17

For an Order Authorizing Assisted
Outpatient Treatment for

R. T.,
Respondent-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 30, 2019,

And respondent-appellant having moved for a stay of the order, which granted petitioner's application for assisted outpatient treatment, 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 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 30, 2019.

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

-----x
Anastasia Xenias, as Administrator of
the Estate of Mike S. Xenias,
Plaintiff-Appellant,

-against-

M-2908
Index No. 100960/16

Mount Sinai Health System, Inc.,
et al.,
Defendants-Respondents.

-----x

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about October 1, 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 February 2020 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 30, 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-

M-2923
Ind. No. 3207/17

Darrick Herman,
Defendant-Appellant.

-----X

An order of this Court having been entered on October 30, 2018 (M-4519), inter alia, granting defendant's motion for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about June 5, 2018, and assigning counsel therefor,

And defendant-appellant having moved for an order amending the aforementioned order to include an appeal from a judgment of resentence of said Court, rendered on or about September 20, 2018, under the same indictment number, deeming the notice of appeal from said judgment of resentence to have been timely filed, and enlarging the time to perfect the appeal,

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

It is ordered that the motion is granted to the extent deeming the notice of appeal from the judgment of resentence as timely filed, and amending the aforementioned order of this Court entered on October 30, 2018 (M-4519) to include said judgment of resentence. The time to perfect the appeal is enlarged to the January 2020 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 30, 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

Jonathan O.,

CONFIDENTIAL

M-2940

A Person Alleged to Be a Juvenile
Delinquent,

Docket No. D-23271/18

Respondent-Appellant.
-----X

Respondent-appellant having moved for leave to prosecute the appeal taken from an order of disposition of the Family Court, Bronx County, entered on or about February 25, 2019, and an order of fact finding of the same court, entered on or about February 1, 2019, as a poor person, 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 Walter L. Fields, Esq., dated June 3, 2019, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of
(1) assigning, pursuant to Section 35 of the Judiciary Law and Section 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 State of New York from funds available therefor;¹ **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

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 30, 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
Prashant Goyal,
Petitioner-Respondent,

-against-

M-2945
Index No. 657004/17

Vintage India NYC, LLC,
Respondent-Appellant.

-----x

Respondent-appellant having moved for an enlargement of time to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about September 11, 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 January 2020 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 30, 2019.

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

-----x
Arbor Asset Management, LLC, et al.,
Plaintiffs-Respondents,

-against-

M-2946
Index No. 654336/16

Hari Singh, et al.,
Defendants-Appellants,

Court Wing,
Defendant-Appellant.

-----x

Separate appeals having been taken to this Court from the order of the Supreme Court, New York County, entered on or about March 12, 2019,

And defendant-appellant Court Wing having moved for a stay of proceedings pending hearing and determination of his appeal,

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

It is ordered that the motion is denied, and the interim relief granted by the order of a Justice of this Court, dated June 5, 2019, is vacated.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 30, 2019.

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

-----x

In the Matter of the Application of
Marie Flaherty,
Petitioner-Appellant,

-against-

M-2633

Index No. 651260/13

Midtown Moving & Storage Inc.,
Respondent.

-----x

In re Subpoenas Issued to Borah
Goldstein Altschuler Nahins & Goidel,
P.C., and Tishman Speyer Properties,
L.P.,

Borah Goldstein Altschuler Nahins
& Goidel, P.C.,
Non-Party Subpoenaed Witness-
Respondent,

Index No. 158612/13

Tishman Speyer Properties, L.P.,
Non-Party Subpoenaed Witness-
Respondent.

-----x

Non-party respondents having moved to dismiss the appeal taken from the order of the Supreme Court, New York County, entered on or about March 27, 2019, as untimely,

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 30, 2019.

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

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

-against-

M-2786
Ind. No. 3439/15

Edgardo Rodriguez-Robles,
Defendant-Appellant.

-----X

An appeal having been taken to this Court from the judgment of the Supreme Court, Bronx County, rendered on or about January 19, 2017,

And assigned counsel for defendant-appellant having moved to be relieved or, in the alternative, for dismissal of the appeal, without prejudice to reinstatement at such time appellant becomes amenable to the jurisdiction of this Court,

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

It is ordered that the motion is granted to the extent of deeming the appeal 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 30, 2019.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Jeffrey K. Oing
Peter H. Moulton, Justices.

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

-against-

M-2426
Ind. No. 4442/13

Eric Johnson,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on March 8, 2018 (Appeal No. 5938), unanimously affirming a judgment of the Supreme Court, New York County (Richard D. Carruthers, J. at suppression hearing; Ronald A. Zweibel, J. at jury trial and sentencing), rendered on September 3, 2015, as amended November 18, 2015,

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

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

It is ordered that 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 30, 2019.

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

-----x
Eliezer Vasquez,
Plaintiff-Respondent,

-against-

Jerome Gas Corp.,
Defendant-Appellant,

M-2487
Index No. 301727/13

Jerome Petrol Realty, LLC,
Defendant.

-----x

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

And defendant-appellant having moved for leave to file a supplemental record on appeal to include a 2017 Order to Show Cause,

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 30, 2019.

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

-----X

500 Cathedral Parkway, LLC,
Petitioner-Landlord-Appellant,

-against-

M-2224

Index No. 570654/18

Pedro Gutierrez,
Respondent-Tenant-Respondent,

"John Doe" and "Jane Doe,"
Respondents-Undertenants-Respondents.

-----X

Petitioner-landlord-appellant having moved for leave to appeal to this Court from the decision and order of the Appellate Term entered in the office of the Clerk of the Supreme Court, New York County, on or about December 3, 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 30, 2019.

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

-----X
Patmos Fifth Real Estate Inc., et al.,
Plaintiffs-Respondents,

-against-

M-2390
Index No. 108421/11

Mazl Building LLC et al.,
Defendants-Appellants,

-and-

Raba Abramov, et al.,
Defendants.

-----X
[And a third-party action]
-----X

Defendants-appellants having moved for reargument of the decision and order of this Court, entered on February 7, 2019 (Appeal No. 8377N),

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

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

-----X
Magen David of Union Square, et al.,
Plaintiffs,

The Sixteenth Street Synagogue,
Plaintiff-Appellant, M-2618
Index No. 600573/08

-against-

3 West 16th Street, LLC,
Defendant-Respondent.
-----X

Plaintiff-appellant having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on April 11, 2019 (Appeal No. 8954),

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: JULY 30, 2019


CLERK

At a 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 30, 2019.

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

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

-against-

Felix Porrata,
Defendant-Appellant.

Confidential
M-1678
Index No. 570609/13
Docket No. 2013NY011929

-----X

Defendant-appellant having moved for leave to appeal to this Court from the decision and order of the Appellate Term entered in the office of the Clerk of the Supreme Court, New York County, on or about January 16, 2019,

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

It is ordered that the motion is denied.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 30, 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-2713
Ind. No. 4160/18

Jose De La Cruz-Urena,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about January 10, 2019, for leave to prosecute the appeal as a poor person, 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 granted only to the extent of deeming the moving papers a timely filed notice of appeal.

The motion, to the extent that it seeks poor person relief is denied, with leave to renew, upon defendant's submission of a notarized affidavit, pursuant to CPLR 1101(a) and 22 NYCRR 1250.4(d)(1) and (4), setting forth his indigency, including facts sufficient to establish that defendant has no funds or assets with which to prosecute the appeal, the amount and sources of his income and a listing of his property with its value.

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 30, 2019.

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

-----x
Alan Goldschlager,
Plaintiff-Respondent,

-against-

M-2796
Index No. 654300/16

Bobby Tarasowsky,
Defendant-Appellant.
-----x

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about November 7, 2018,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal 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 30, 2019.

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

-----X
Grove Equities LLC,
Petitioner-Appellant,

-against-

Richard Butensky and
Judith Faye Cohen,
Respondents-Respondents.

M-2824
Index No. 570517/17
L & T No. 69901/11

-----X

Petitioner-appellant having moved for leave to appeal to this Court from the decision and order of the Appellate Term entered in the office of the Clerk of the Supreme Court, New York County, on or about October 12, 2018,

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

It is ordered that the motion is denied.

ENTERED:


CLERK

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

BEFORE: **Hon. Rosalyn H. Richter,**
Justice of the Appellate Division

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

M-2666
Ind. No. 2344N/11
3493N/11

-against-

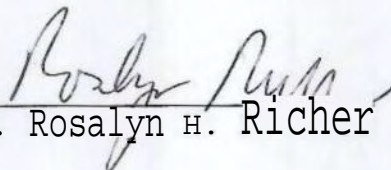
CERTIFICATE
DENYING LEAVE

Salvador Fernandez,

Defendant.
-----X

I, Rosalyn H. Richter, 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 (Stephen M. Antignani, J.), entered on or about April 11, 2019, is hereby denied.

Dated: **June 18, 2019**
New York, New York



Hon. Rosalyn H. Richter

JUL 30, 2019

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

BEFORE: Hon. Rosalyn H. Richter
Justice of the Appellate Division

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

M-2837
Ind. No. 1608/12

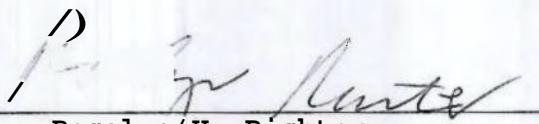
-against-

CERTIFICATE
GRANTING LEAVE

Haashim Harley,
Defendant-Appellant.
-----X

I, Rosalyn H. Richter, 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 May 10, 2019.¹

Dated: July 1, 2019
New York, New York



Hon. Rosalyn/H. Richter
Associate Justice

JULY 30, 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.

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.

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

BEFORE: **Hon. Rosalyn H. Richter,**
Justice of the Appellate Division

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

M-2122
Ind. No. 688/2004

-against-

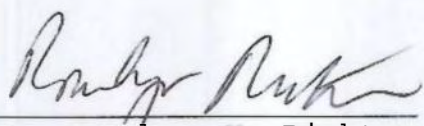
CERTIFICATE
DENYING LEAVE

Davon Knight,

Defendant.

-----X

I, Rosalyn H. Richter, 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 (Villegas, J.), entered on or about March 27, 2019, is hereby denied.


Hon. Rosalyn H. Richter

Dated: **June 18, 2019**
New York, New York

Entered:

JUL 3 0 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-2845
Ind. No. 2382/2015

-against-

CERTIFICATE
GRANTING LEAVE

Rahbu Behlin


Defendant.

-----X

I, Judith J. Gische, 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 May 6, 2019.ⁱ

Dated: July 2, 2019
New York, New York

Entered: July 30, 2019



07019 Judith/J. Gische
Associate Justice

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

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

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

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

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

M-3030
Ind. No. 2747/2014

-against-

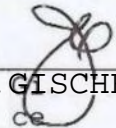
CERTIFICATE
GRANTING LEAVE

Bismark Duarte

Defendant.
-----X

I, Judith J. Gische, a Justice of the Appellate Division, First Judicial Department, do hereby certify that in the proceedings herein questions of law or fact are involved which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is hereby granted to the above-named defendant to appeal to the Appellate Division, First Judicial Department, from the order of the Supreme Court, Bronx County, entered on or about May 17, 2019.¹

Dated: July 2, 2019
New York, New York

Entered: JUL 30, 2019 JUDITH G. GISCHE


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

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

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

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

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

M-2465
Ind. No. 1991/04

-against-

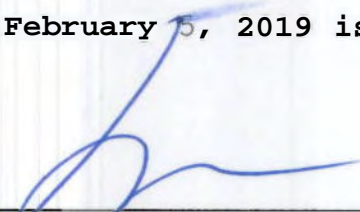
CERTIFICATE
DENYING LEAVE

Moises Colon

Defendant.

-----X

I, Jeffrey K. Oing, 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 February 5, 2019 is hereby denied.



Hon. Jeffrey K. Oing
Associate Justice

Dated: June 18, 2019
New York, New York

ENTERED:

JULY 3 0 2019

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

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

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The People of the State of New York,

M- 2747
Ind. No. 10663/95

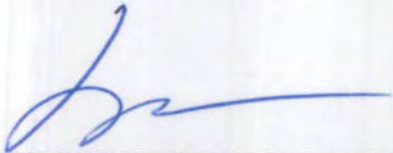
-against-

CERTIFICATE
DENYING LEAVE

Lamar Sanchez

Defendant.

-----X
I, Jeffrey K. Oing, 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.



Hon. Jeffrey K. Oing
Associate Justice

Dated: June 19, 2019
New York, New York

ENTERED:

JUL 3 0 2019