

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 26, 2019.

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

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

Respondent,

-against-

M-5

Ind. No. 4423/17

Claudia Joseph,

Defendant-Appellant.

-----X

Defendant having moved for leave to file a late notice of appeal and to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about September 13, 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 deeming the notice of appeal timely filed, 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, 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 March 26, 2019.

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

-----X

The People of the State of New York,

Respondent,

-against-

M-59

Ind. Nos. 910/15
930/15

Harry Mingo,

Defendant-Appellant.

-----X

Defendant having moved for leave to file a late notice of appeal from the judgment of the Supreme Court, Bronx County, rendered on or about July 12, 2018,

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

It is ordered that the motion is granted to the extent of 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 March 26, 2019.

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

-----X

New York State Unified Court System,
Office of Court Administration,

Petitioner-Appellant,

-against-

M-109

Index No. 450006/18

New York State Division of Human
Rights and Jakub R. Zaic,

Respondents-Respondents.

-----X

A proceeding having been transferred to this Court, pursuant to N.Y. Executive Law § 298, by order of the Supreme Court, New York County entered on or about June 8, 2018, to review a determination of respondents,

And petitioner having moved for an enlargement of time to perfect the proceeding,

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, deemed one to vacate the dismissal of the proceeding pursuant to 22 NYCRR 1250.10(c), is granted to the extent of reinstating the proceeding and enlarging the time to perfect same to the September 2019 Term.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 26, 2019.

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

-----x
Magna Equities II, LLC, et al.,

Plaintiffs-Respondents,

-against-

M-6598
Index No. 653808/16

Writ Media Group Inc., et al.,

Defendants-Appellants.
-----x

Defendants-appellants having moved to withdraw, without prejudice, their appeal taken from an order of the Supreme Court, New York County, entered on or about October 11, 2017, or, in the alternative, for a further 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 enlarging the time to perfect the appeal to the September 2019 Term.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 26, 2019.

PRESENT: Hon. Sallie Manzanet-Daniels, Justice Presiding,
Angela M. Mazzarelli
Barbara R. Kapnick
Troy K. Webber, Justices.

-----X

In re Brandi Simmons,

Petitioner,

-against-

Hon. Judith Lieb, etc., et al.,

Respondents.

-----X

M-6519

Ind. No. 662/15

OP 120/17

Petitioner, pro se, having moved for leave to appeal to the Court of Appeals from the decision and order of this Court, entered on December 7, 2017 (Appeal No. 5172 [M-4774]),

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 March 26, 2019.

Present - Hon. Judith J. Gische, Justice Presiding,
Troy K. Webber
Cynthia S. Kern
Anil C. Singh, Justices.

-----X

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

- - - - -
Commissioner of Social Services, on behalf of,

CONFIDENTIAL
M-6751
Docket No. F-18252-15

Dantee R. W.,
Petitioner-Respondent,

-against-

Valerie T.,
Respondent-Appellant.

-----X

Respondent-appellant having moved, pro se, 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 July 26, 2016, 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 Article 18b of the County Law and §1120 of the Family Court Act, Lewis S. Calderon, Esq. 155-03 Jamaica Avenue, Jamaica, NY, 11432, Telephone No. 718-883-1560, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New

York from funds available 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) appellant is directed to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of 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 March 26, 2019.

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

-----X
Jeffrey Attilio,
Plaintiff-Respondent,

-against-

Gerardo Torres, et al.,
Defendants-Appellants.

M-151X
Index No. 302985/14

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about April 25, 2018,

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 26, 2019.

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

-----X
Brill SVG 5, LLC and Brill Time
Square, LLC,
Plaintiffs-Appellants,

-against-

M-153X
Index No. 650715/17

BB Capital NY LLC, et al.,
Defendants-Respondents.
-----X

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

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" December 31, 2018, and due deliberation having been had thereon,

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 26, 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-

Sam Clarke,
Defendant-Appellant.

M-275
Ind. No. 2520/16
SCI No. 990/17

-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, rendered on or about August 31, 2017,

Now, upon reading and filing the stipulation of the parties hereto, dated January 7, 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 March 26, 2019.

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

-----X
Cement Masons Local 780 Pension Fund,
City of Warren Police and Fire
Retirement System,
Plaintiffs-Respondents,

-against-

Leonard S. Schleifer, George D.
Yancopoulos, Charles A. Baker,
Arthur F. Ryan, Eric M. Shooter,
George L. Sing, Marc Tessier-Lavigne,
Michael S. Brown, Robert A. Ingram,
Alfred G. Gilman, Joseph L. Goldstein,
Christine A. Poon, P. Roy Vagelos
and Regeneron Pharmaceuticals, Inc.,
Defendants-Appellants.

M-554
Index No. 654453/15

-----X
An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 29, 2017,

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 26, 2019.

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

-----X
Barbara Berkowitz, Timothy Mendelson
and Quinn Tivey, as Co-Trustees for
The Sothern Trust,
Plaintiffs-Appellants,

-against-

M-555
Index No. 652549/17

Christie's Inc. and Does 1 through
10, inclusive,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about October 24, 2017,

Now, upon reading and filing the stipulation of the parties hereto, dated November 8, 2018, and due deliberation having been had thereon,

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 26, 2019.

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

-----X
Antoinette Butler,
Plaintiff-Appellant,

-against-

M-572
Index No. 158411/16

New York City Transit Authority,
Metropolitan Transportation Authority,
and "John Does" 1-5 and "Jane Does" 1-5,
Defendants-Respondents.
-----X

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

Now, upon reading and filing the stipulation of the parties hereto, dated January 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 March 26, 2019.

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

-----X
Edgar Corzo,
Plaintiff-Respondent,

-against-

M-576X
Index No. 300789/14

The Geo Group, Inc.,
Defendant-Appellant.
-----X

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

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

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 26, 2019.

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

-----X
Katherine Altavilla,
Plaintiff-Appellant,

-against-

M-581X
Index No. 153314/16

Venti Transport, Inc., et al.,
Defendants-Respondents.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, entered on or about September 24, 2018, and from orders of the Supreme Court, New York County, entered on or about August 30, 2018 and September 5, 2019,

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 26, 2019.

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

-----X
WW-35th LLC, BW 35th LLC, WW-36th LLC,
BW 36th LLC, MB-35th, LLC, BB-35th, LLC,
DRMBRE-35th LLC, MB-36th, LLC, BB-36th,
LLC, and DRMBRE-36th LLC,
Plaintiffs-Respondents,

-against-

M-133
Index No. 655314/16

The Morgan Court Condominium,
Defendant-Appellant,

The BMDGP Limited Partnership, The
SP Limited Partnership and Barton
Mark Perl binder,
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 August 14, 2018,

Now, upon reading and filing the papers with respect to the motion, including the correspondence from the attorney for defendant-appellant, dated December 17, 2018, and due deliberation having been had thereon,

It is ordered that the appeal is deemed withdrawn in accordance with the aforesaid correspondence as against and to the extent it involves the interests of plaintiffs WW-35th LLC, BW 35th LLC, WW-36th LLC, BW 36th LLC, MB-35th, LLC, BB-35th, LLC, DRMBRE-35th LLC, MB-36th, LLC and DRMBRE-36th LLC.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 26, 2019.

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

-----X
WW-35th LLC, BW 35th LLC, WW-36th LLC,
BW 36th LLC, MB-35th, LLC, BB-35th, LLC,
DRMBRE-35th LLC, MB-36th, LLC, BB-36th,
LLC, and DRMBRE-36th LLC,
Plaintiffs-Respondents,

-against-

M-134
Index No. 655314/16

The Morgan Court Condominium,
Defendant-Appellant,

The BMDGP Limited Partnership, The
SP Limited Partnership and Barton
Mark Perl binder,
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 October 29, 2018,

Now, upon reading and filing the papers with respect to the motion, including the correspondence from the attorney for defendant-appellant, dated December 17, 2018, and due deliberation having been had thereon,

It is ordered that the appeal is deemed withdrawn in accordance with the aforesaid correspondence as against and to the extent it involves the interests of plaintiffs WW-35th LLC, BW 35th LLC, WW-36th LLC, BW 36th LLC, MB-35th, LLC, BB-35th, LLC, DRMBRE-35th LLC, MB-36th, LLC and DRMBRE-36th LLC.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 26, 2019.

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

-----X
Amanda Altavilla,
Plaintiff-Appellant,

-against-

M-549
Index No. 152424/16

Perry J. West and Venti Transport, Inc.,
Defendants-Respondents.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, entered on or about September 20, 2018,

Now, upon reading the correspondence from the attorney for plaintiff-appellant, dated January 15, 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 March 26, 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

Marisabel A.,

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

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

CONFIDENTIAL

M-569
Docket No. NA-03920/17

Carlos A.,
Respondent.

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

-----X

An appeal having been taken to this Court from an order of the Family Court, New York County, entered on or about March 6, 2018,

Now, upon reading and filing the correspondence from counsel for petitioner-appellant agency dated January 9, 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 March 26, 2019.

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

-----X

Robert Ainehsazan,
Plaintiff-Respondent,

-against-

NY Property Capital Corp.,
Defendant-Appellant,

M-587
Index No. 26977/17E

-and-

US Bank National Association, et al.,
Defendants.

-----X

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

Now, upon reading and filing the correspondence from the attorney for defendant-appellant, dated January 23, 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 March 26, 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

Susan Crawford,
Petitioner-Respondent,

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

-against-

M-550
Index No. 157002/15

New York City Department of
Information Technology and
Telecommunications,
Respondent-Appellant,

-and-

AT&T Corp., Empire City Subway
Company Ltd., Time Warner Cable Inc.
and RCN Telecom Services, LLC.,
Intervenors-Respondents-Appellants.

-----X

Appeals having been taken by intervenor-respondent RCN Telecom Services, LLC from orders of the Supreme Court, New York County, entered on or about May 12, 2017 and on or about February 26, 2018,

Now, upon reading and filing the correspondence from counsel for Intervenor-Respondent-Appellant RCN Telecom Service, dated January 28, 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 March 26, 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
Susan Crawford,
Petitioner-Respondent,

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

-against-

M-589
Index No. 157002/15

New York City Department of
Information Technology and
Telecommunications,
Respondent-Appellant,

-and-

AT&T Corp., Empire City Subway
Company Ltd., Time Warner Cable Inc.
and RCN Telecom Services, LLC.,
Intervenors-Respondents-Appellants.

-----X

Appeals having been taken by intervenor-respondent AT&T Corp. from orders of the Supreme Court, New York County, entered on or about May 12, 2017 and on or about February 26, 2018,

Now, upon reading and filing the correspondence by counsel for intervenor-respondent-appellant AT&T Corp., dated January 22, 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 March 26, 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
Susan Crawford,
Petitioner-Respondent,

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

-against-

M-584
Index No. 157002/15

New York City Department of
Information Technology and
Telecommunications,
Respondent-Appellant,

-and-

AT&T Corp., Empire City Subway
Company Ltd., Time Warner Cable Inc.
and RCN Telecom Services, LLC.,
Intervenors-Respondents-Appellants.

-----X

An appeal having been taken by intervenor-respondent Time Warner Cable Inc. from an order of the Supreme Court, New York County, entered on or about February 26, 2018,

Now, upon reading and filing the correspondence from counsel for intervenor-respondent-appellant Time Warner Cable Inc., dated January 25, 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 March 26, 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
Susan Crawford,
Petitioner-Respondent,

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

-against-

M-585
Index No. 157002/15

New York City Department of
Information Technology and
Telecommunications,
Respondent-Appellant,

-and-

AT&T Corp., Empire City Subway
Company Ltd., Time Warner Cable Inc.
and RCN Telecom Services, LLC.,
Intervenors-Respondents-Appellants.

-----X

Appeals by Intervenor-Respondent Empire City Subway Company Ltd. having been taken from orders of the Supreme Court, New York County, entered on or about May 12, 2017 and on or about February 26, 2018,

And an appeal having been taken by respondent-appellant from the order of the Supreme Court, New York County, entered on or about February 26, 2018,

Now, upon reading and filing the correspondence from counsel for Intervenor-Respondent-Appellant Empire City Subway Company Ltd., dated January 24, 2019, and from counsel for respondent-appellant dated January 23, 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 March 26, 2019.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-12
Ind. No. 2747/17

George Dalton,
Defendant-Appellant.

-----X

Defendant-appellant 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 July 16, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 26, 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-46
Ind. No. 4191/17

Reggie Curry,
Defendant-Appellant.

-----X

Defendant-appellant 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 August 21, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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 March 26, 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-400
Ind. No. 1740/18

Hilton Trossi,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about October 1, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 26, 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-537
Ind. No. 1510/12

Dennis Domenech,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about October 31, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 26, 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-539

Ind. No. 2462/18

Melissa Menifield-Armstead,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about November 7, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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 March 26, 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-541

Ind. No. 2015/15

Melissa Menifield-Armstead,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about November 7, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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 March 26, 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-617
Ind. No. 5687/13

Tearre Williams,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about April 14, 2016, 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 March 26, 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-658
Ind. No. 3580/16

Ryan Rojan,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about December 18, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, 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 March 26, 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-665
Ind. Nos. 1940/15
4862/15

Sharif King,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeals taken from a judgments of the Supreme Court, New York County, rendered on or about December 4, 2018, for leave to have the appeals 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 appeals 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 appeals. The time within which appellant shall perfect the appeals 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 March 26, 2019.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-707

Ind. No. 3418/16

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

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, 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 March 26, 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-750
Ind. No. 3221/14

Jassey Sulayman,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about September 20, 2016, 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 March 26, 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-771
Ind. No. 3019/13

Aaron Velez,
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 July 23, 2015, 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 March 26, 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-773
Ind. No. 883/17

Alfonso Diaz,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about March 15, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 26, 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-751
Ind. No. 2013/15

Jaleel Shakoor,
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 May 8, 2017, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 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 March 26, 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-834
Ind. No. 2699/14

Rigoberto Fonseca,
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 August 2, 2017, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

Christina Swarns, Esq., Office of the Appellate Defender, 11 Park Place, Suite 1601, New York, New York 10007, Telephone No. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 26, 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-868
Ind. No. 3736/15

Christian Jachero,
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 21, 2017, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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 March 26, 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-308
Ind. No. 4238/17

Nelson Alvarez,
Defendant-Appellant.

-----X

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

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

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

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 26, 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-311
Ind. No. 525/18

Keith Adams,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about December 5, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about November 13, 2018,

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

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

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 26, 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-312
Ind. No. 1867/17

Angel Diaz,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about November 19, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about November 19, 2018,

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

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

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 26, 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

Terazay S.,

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

CONFIDENTIAL
M-2491A
Docket No. NN-4621/16

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

Yazaret M. T.,
Respondent-Appellant.

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

-----X

An appeal having been taken from an order of the Family Court, Bronx County, entered on or about April 6, 2016,

And an order of this Court having been entered on August 30, 2018 (M-2491), granting poor person relief and assigning Rachel Ambats, Esq., as counsel for purposes of prosecuting the aforesaid appeal on behalf of respondent-appellant,

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

Ordered that the designation of Rachel Ambats, Esq., as counsel for the respondent-appellant for purposes of prosecuting the aforesaid appeal, is stricken and, pursuant to Section 722 of the County Law, Steven P. Forbes, 155-03 Jamaica Avenue, Jamaica, New York 11432, Tel. No. 718-791-8444, is substituted as such counsel.

The Clerk of said Family Court is directed 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.** Appellant is permitted 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.** Appellant is directed to perfect this appeal, in compliance with 22 NYCRR 1240.9, **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.**

The order of this Court entered on August 30, 2018 (M-3250), is hereby recalled and vacated.

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 March 26, 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.,

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

CONFIDENTIAL
M-3049A
Docket No. NN-473/17

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

Noheme R. P.,
Respondent-Appellant.
- - - - -

Jessica Brown, Esq.,
Attorney for the Child.
-----X

An appeal having been taken from orders of the Family Court, Bronx County, entered on or about December, 20, 2017 (on default) and May 3, 2018, and for assignment of counsel, a free copy of the transcript, and for related relief,

And an order of this Court having been entered on August 30, 2018 (M-3049), granting poor person relief and assigning Rachel Ambats, Esq., as counsel for purposes of prosecuting the aforesaid appeal on behalf of respondent-appellant,

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

Ordered that the designation of Rachel Ambats, Esq., as counsel for the respondent-appellant for purposes of prosecuting the aforesaid appeal, is stricken and, pursuant to Section 722 of the County Law, Andrew J. Baer, Esq., 299 Broadway, Suite 1415, New York, New York 10007, Tel. No. 212-233-0318, is substituted as such counsel.

The Clerk of said Family Court is directed 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.** Appellant is permitted 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.** Appellant is directed to perfect this appeal, in compliance with 22 NYCRR 1240.9, **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.**

The order of this Court entered on August 30, 2018 (M-3250), is hereby recalled and vacated.

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 March 26, 2019.

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

-----X

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

Jahaire Anthony M., also known as
Jahaire M., also known as
Jair M.,

A Child Under 18 Years of Age Pursuant to §384-b of the Social Services Law of the State of New York and/or Article 6 of the Family Court Act.

- - - - -

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

CONFIDENTIAL
M-3063A
Docket No. B-7/15

-against-

Tabitha Akisse M.,
Respondent-Appellant.

- - - - -

Jamien Weddle, Esq.,
Attorney for the Child.

-----X

An appeal having been taken from an order of the Family Court, Bronx County, entered on or about March 1, 2018,

And an order of this Court having been entered on August 30, 2018 (M-3063), granting poor person relief and assigning Rachel Ambats, Esq., as counsel for purposes of prosecuting the aforesaid appeal on behalf of respondent-appellant,

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

Ordered that the designation of Rachel Ambats, Esq., as counsel for the respondent-appellant for purposes of prosecuting the aforesaid appeal, is stricken and, pursuant to Section 722 of the County Law, Steven P. Forbes, 155-03 Jamaica Avenue, Jamaica, New York 11432, Tel. No. 718-791-8444, is substituted as such counsel.

The Clerk of said Family Court is directed 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.** Appellant is permitted 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.** Appellant is directed to perfect this appeal, in compliance with 22 NYCRR 1240.9, **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.**

The order of this Court entered on August 30, 2018 (M-3063), is hereby recalled and vacated.

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 March 26, 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.

- - - - -

Raquelina V.,
Petitioner-Appellant,

CONFIDENTIAL

M-6611

Docket No. O-4701/18

-against-

Cristian J. N.,
Respondent-Respondent.

-----X

Helene Bernstein, Esq., trial court attorney for respondent Cristian J. N., having moved on their behalf for leave to respond, as a poor person, to the appeal taken from the order of the Family Court, New York County, entered on or about July 9, 2018, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and 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, Helene Bernstein, Esq., 44 Court Street, Suite #905, Brooklyn, NY 11201, Telephone No. 718-875-8705, 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 March 26, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Judith J. Gische
Barbara R. Kapnick
Ellen Gesmer
Anil C. Singh, Justices.

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

-against-

M-6674

Ind. No. 3190/13

Souleyymme Gramboute,
Defendant-Appellant.

-----x

An appeal having been taken to this Court by defendant from a judgment of the Supreme Court, Bronx County, rendered on or about January 12, 2016,

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

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

It is ordered that the motion is denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, in compliance with CPLR 1101(a) and 22 NYCRR 1250.4(d)(1) and (4), setting forth his indigency, including the amount and sources of funds used to retain trial counsel, Edward Schneider, Esq., and an explanation as to why similar funds are not available to prosecute this appeal. Sua sponte, the Court enlarges the time to perfect this appeal to 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 March 26, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Judith J. Gische
Barbara R. Kapnick
Ellen Gesmer
Anil C. Singh, Justices.

-----X
1279 St. Johns Place, LLC,
Plaintiff-Respondent,

-against-

M-6672

Index No. 32082/16E

Latou Realty Corp., Everton Sterling,
also known as Everton A. Sterling,
also known as Everton Aloysius
Sterling,
Defendants-Appellants,

Bronx Supreme Court, Criminal Court
of the City of New York, et al.,
Defendants.

-----X

Defendant-appellant Everton Sterling having moved, pro se, for a further enlargement of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about October 6, 2016,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the September 2019 Term, without prejudice to seeking a further enlargement upon entry of judgment, if so advised.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 26, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Judith J. Gische
Barbara R. Kapnick
Ellen Gesmer
Anil C. Singh, Justices.

-----X
In the Matter of the Application of
Detective Ian Cyrus,
Petitioner,

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

-against-

M-6675
Index No. 152564/17

James P. O'Neill, Police Commissioner
of the City of New York, Rosemarie
Maldonado, Deputy Commissioner - Trials,
New York City Police Department and
The City of New York,
Respondents.

-----X

An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County entered on or about November 1, 2017,

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

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

It is ordered that the motion is granted to the extent of vacating the dismissal of the proceeding and enlarging the time to perfect same to the September 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 March 26, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Judith J. Gische
Barbara R. Kapnick
Ellen Gesmer
Anil C. Singh, Justices.

-----X
Deutsche Bank National Trust Company,
etc.,

Plaintiff-Respondent,

-against-

Joshua Kirschenbaum,

Defendant-Appellant,

Winston Capital, LLC, Board of
Managers of the 400 Central Park West
Condominium, et al.,

Defendants.

-----X

Defendant-appellant having moved pursuant to 22 NYCRR 1250.10(c) to vacate the dismissal of appeal taken from an order of the Supreme Court, New York County, entered on or about January 3, 2018, and upon vacatur, for an enlargement of time to perfect the appeal

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

It is ordered that the motion is granted to the extent of reinstating the aforementioned appeal and enlarging the time to perfect said appeal to the September 2019 Term.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 26, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Rosalyn H. Richter
Angela M. Mazzairelli
Jeffrey K. Oing, Justices.

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

Respondent,

-against-

M-6159
Ind. No. 3825/06

Ricardo Jiminez,

Defendant-Appellant.
-----X

Defendant-appellant having moved for leave to appeal to the Court of Appeals from the decisions and orders of this Court, entered on November 1, 2018 and July 1, 2016,

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 March 26, 2019.

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

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

Lloyd N. Gibbs,
Petitioner,

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

-against-

M-386
Index No. 260345/17

The New York State Department of
Motor Vehicles, Traffic Violation
Division,
Respondent.

-----X

An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, Bronx County, entered on or about June 6, 2018, to review a determination of respondent,

And petitioner, pro se, having moved for an order vacating the dismissal of the proceeding, and upon vacatur, for an enlargement of time to perfect the aforesaid proceeding,

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 time to perfect the transferred proceeding is enlarged to the September 2019 Term (see, 22 NYCRR 1250.10[c]).

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 26, 2019.

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

-----x

In the Matter of Commitment of Guardianship and Custody of

Gabriela Gisele L.,

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

CONFIDENTIAL

M-6338

Docket No. B-34819/14

- - - - -

Catholic Guardian Services,
Petitioner-Respondent,

Catherine Nicole L.,
Respondent-Appellant.

- - - - -

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

-----x

Respondent-appellant mother, Catherine Nicole L., having moved for an order pursuant to 22 NYCRR 1250.10(c) vacating the dismissal of the appeal taken from orders of the Family Court, New York County, entered on or about July 6, 2016 and August 22, 2017, and upon vacatur, for an enlargement of time to perfect the appeal,

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

It is ordered that the motion is granted, the appeal reinstated, and the time to perfect the appeal is enlarged to the September 2019 Term.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 26, 2019.

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

-----X
D&R Global Selections, S.L.,

Plaintiff-Respondent,

-against-

M-6753

Index No. 603732/2007

Bodega Olegario Falcon Pineiro,

Defendant-Appellant.

-----X

Defendant-appellant having moved, pursuant to 22 NYCRR 1250.10(c), to vacate the dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about April 17 2018, and upon vacatur, for an enlargement of time to perfect the appeal,

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

It is ordered that the motion is granted to the extent of reinstating the appeal and enlarging the time to perfect said appeal to the September 2019 Term.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 26, 2019.

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

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

Marie Dieng,
Petitioner,

M-6759
Index No. 100964/17

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

-against-

Maria Torres-Springer, as Commissioner
of the New York City Department of
Housing Preservation and Development,
The New York City Department of Housing
Preservation and Development and
Dayton Beach Park #1 Corp.,
Respondents.

-----X

An Article 78 proceeding to review a determination of respondents having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about December 7, 2017,

And petitioner having moved for an order pursuant to 22 NYCRR 1250.10(c) vacating the dismissal of the aforesaid proceeding and, upon vacatur, for an enlargement of time to perfect same,

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

It is ordered that the motion is granted, the aforesaid proceeding reinstated and the time to perfect same enlarged to the September 2019 Term.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 26, 2019.

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

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

-against-

Nathaniel Lipford, M-6541
Defendant-Appellant. Ind. Nos. 1403/17
1665N/17

-----X

An order of this Court having been entered on November 27, 2018 (M-4774), inter alia, granting defendant's motion for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about January 30, 2018, under Indictment No. 1403/17, and assigning counsel therefor,

And defendant-appellant having moved for an order amending the aforementioned order of assignment and notice of appeal to reflect Indictment No. 1665N/17, which superceded Indictment No. 1403/17,

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

It is ordered that said motion is granted to the extent of amending the aforementioned order of assignment and notice of appeal to reflect the correct Indictment No. 1665N/17, and continuing the poor person relief previously granted to cover same.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 26, 2019.

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

-----X
Ewern Chaney, et al.,
Plaintiffs-Respondents,

-against-

M-913
Index No. 651279/16

Hermès of Paris, Inc.,
Defendant-Appellant.
-----X

Defendant-appellant having moved for a stay of all further proceedings in the trial court pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about January 7, 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 March 26, 2019.

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

-----x

Morgan Brookwood De I LLC, and Morgan Brookwood DE, LLC,
Plaintiffs-Appellants,

-against-

M-1089
Index No. 656113/18

SR Brookwood 1 LLC, and Steeprook Capital, LLC,
Defendants-Respondents.

-----x

Appeals having been taken to this Court by plaintiffs-appellants from (1) an order of the Supreme Court, New York County, entered on or about December 20, 2018, insofar as it limited the preliminary injunction enjoining the sale of the collateral for the subject loan to a period of 60 days, and (2) an order of the same court, entered on or about February 25, 2019, which denied plaintiffs-appellants' motion to extend the aforesaid 60-day preliminary injunction,

And plaintiffs-appellants having moved for an appellate injunction enjoining defendants-appellants from liquidating, selling or otherwise disposing of the collateral for the subject loan, 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, and the interim relief granted by an order of a Justice of this Court, dated February 25, 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 March 26, 2019.

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

-----x

Morgan Clay Apartments II DE Holdings,
LLC and Morgan Clay Apartments II DE,
LLC,
Plaintiffs-Appellants,

-against-

M-1099
Index No. 656114/18

SR Rivers Pointe LLC, and Steeprock
Capital, LLC,
Defendants-Respondents.

-----x

Appeals having been taken to this Court by plaintiffs-appellants from (1) an order of the Supreme Court, New York County, entered on or about December 20, 2018, insofar as it limited the preliminary injunction enjoining the sale of the collateral for the subject loan to a period of 60 days, and (2) an order of the same court, entered on or about February 25, 2019, which denied plaintiffs-appellants' motion to extend the aforesaid 60-day preliminary injunction,

And plaintiffs-appellants having moved for an appellate injunction enjoining defendants-appellants from liquidating, selling or otherwise disposing of the collateral for the subject loan, pending hearing and determination of the aforesaid 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 an order of a Justice of this Court, dated February 25, 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 March 26, 2019.

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

-----X

Michele Caruso Roeser and
Douglas Roeser,

Plaintiffs-Appellants,

-against-

M-6361

Index No. 805393/14

Mitchell N. Essig, M.D., Midtown
Reproductive Medicine, P.C., and
Advanced Fertility Service, P.C.,

Defendants-Respondents.

-----X

Plaintiffs-appellants, having moved pursuant to 22 NYCRR 1250.10(c) to vacate the dismissal of appeal taken from an order of the Supreme Court, New York County, entered on or about January 26, 2018, and upon vacatur, for an enlargement of time to perfect the appeal,

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

It is ordered that the motion is granted, the appeal is reinstated and the time to perfect same is enlarged to the September 2019 Term.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 26, 2019.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Ellen Gesmer
Peter H. Moulton, Justices.

-----X

Robert Malta, et al.,
Plaintiffs-Appellants,

-against-

M-6770
Index No. 653647/15

Salvatore Gaudio, et al.,
Defendants-Respondents.

-----X

Plaintiffs-appellants 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 No. 7676),

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 March 26, 2019.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Peter Tom
Marcy L. Kahn
Jeffrey K. Oing
Anil C. Singh, Justices.

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

Respondent,

-against-

M-6030

Ind. No. 913/17

Levi Challenger,

Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about April 6, 2018, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion denied, with leave to renew, upon defendant's submission of a detailed notarized affidavit, in compliance with CPLR 1101(a) and 22 NYCRR 1250.4(d)(1) and (4), setting forth his indigency, including the amounts and sources of funds used to retain trial counsel, Howard Greenberg, Esq., 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 March 26, 2019.

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

-----X
In the Matter of the Application of
Oswald Sealy,
Petitioner,

For a Judgment Pursuant to Article 78 M-22
of the Civil Practice Law and Rules, Index No. 100873/16

-against-

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

An Article 78 proceeding to review a determination of respondent having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about November 17, 2016,

And respondent having moved for dismissal of the aforesaid proceeding,

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 proceeding 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 March 26, 2019.

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

-----X

The People of the State of New York,

Respondent,

-against-

M-79

Ind. No. 3230/12

Nigel E. Sandy,

Defendant-Appellant.

-----X

Assigned counsel for defendant-appellant having moved for an order dismissing defendant's appeal taken from a judgment of the Supreme Court, New York County, rendered on or about October 17, 2012, 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 March 26, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Peter Tom
Anil C. Singh
Peter H. Moulton, Justices.

-----X
Xiomara Smith,
Plaintiff-Appellant,

-against-

M-181

Index No. 101142/18

153-157 Lenox Holdings, LLC, Galil
Management, E&M Associates,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved, pro se, 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 December 4, 2018, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, for the assignment of counsel, 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 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 March 26, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Barbara R. Kapnick
Marcy L. Kahn
Jeffrey K. Oing, Justices.

-----x

Eileen Baez, individually and as
Administratrix of the Estate of Joseph
Ryan and The Estate of Joseph Ryan,
Plaintiffs-Respondents-Appellants,

-against-

1749 Grand Concourse LLC and Lemele &
Wolff, Inc.,
Defendants-Appellants-Respondents,

Lemle Realty Corporation, et al.,
Defendants,

M-1078
M-1079
Index No. 309276/11

Municipal Inspection Corporation,
Defendant-Respondent,

-and-

Dunwell Elevator Electrical
Industries, Inc.,
Defendant-Respondent-Appellant.

-----x

An appeal and cross appeals having been taken to this Court from the order of the Supreme Court, Bronx County, entered on or about September 27, 2018, and the direct appeal taken by defendants-appellants-respondents, 1749 Grand Concourse LLC and Lemele & Wolff, Inc., and the cross appeal taken by defendant-respondent-appellant, Dunwell Elevator Electrical Industries, Inc., having been perfected,

And plaintiffs-respondents-appellants having moved for an enlargement of time to perfect their cross appeal pending a decision by the trial court on competing reargument motions, and for an enlargement of time to respond to the perfected direct appeal taken by defendants-appellants-respondents 1749 Grand Concourse LLC and Lemele & Wolff, Inc., and the perfected cross appeal taken by defendant-respondent-appellant Dunwell Elevator Electrical Industries, Inc. (M-1078),

And defendants-appellants-respondents, 1749 Grand Concourse LLC and Lemele & Wolff, Inc., having cross-moved for a stay of trial pending hearing and determination of the appeal and cross appeals (M-1079),

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

It is ordered that the motion (M-1078) is granted to the extent of enlarging the time of plaintiff-respondents-appellants to perfect their cross appeal to the September 2019 Term, to which Term the perfected direct appeal taken by defendants-appellants-respondents 1749 Grand Concourse LLC and Lemele & Wolff, Inc., and the perfected cross appeal taken by defendant-respondent-appellant, Dunwell Elevator Electrical Industries, Inc., are adjourned, and it is further,

Ordered that the cross motion (M-1079) is granted to the extent of staying the trial pending hearing and determination of the appeal and cross appeals.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 26, 2019.

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

-----x
Ellen Oxman,
Plaintiff-Respondent-Appellant,

-against-

John Craig Oxman,
Defendant-Appellant-Respondent.
-----x

CONFIDENTIAL

M-847

Index No. 350213/04

An appeal and cross appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about December 8, 2018, and said appeal having been perfected,

And plaintiff-respondent-appellant having moved to enlarge the joint record on appeal to include certain documents in the file of the office of the New York County Clerk which she alleges are pertinent to her cross appeal and response 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 to the extent of, sua sponte, adjourning the appeal to the June 2019 Term and granting plaintiff-respondent-appellant leave to file a supplemental record on appeal that includes the exhibits attached to the moving papers as Exhibits C through K. Plaintiff is directed to file the supplemental record, together with her brief as respondent-cross-appellant, on or before April 17, 2019 for said June 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 March 26, 2019.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Barbara R. Kapnick
Marcy L. Kahn
Jeffrey K. Oing, Justices.

-----x

AMBAC Assurance Corporation
and the Segregated Account of
AMBAC Assurance Corporation,
Plaintiffs-Respondents,

-against-

M-1156

Index No. 651612/10

Countrywide Home Loans, Inc.,
Countrywide Securities Corp.,
Countrywide Financial Corp.,
and Bank of America Corp.,
Defendants-Appellants.

-----x

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

And plaintiffs-respondents having moved for a preference in maintaining the appeal on this Court's calendar for the May 2019 Term, on the earliest date possible,

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 for a preference is granted to the extent that the Clerk of the Court is directed to maintain the perfected appeal on this Court's calendar for the May 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 March 26, 2019.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Judith J. Gische
Peter Tom, Justices.

-----X
Republic Realty Services, Inc.,
Plaintiff-Respondent,

-against-

M-143
Index No. 652280/16

Kuafu Properties LLC, et al.,
Defendants-Appellants.

- - - - -

[And a Third-Party Action]

-----X

Plaintiff-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 December 6, 2018 (Appeal No. 7532),

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 March 26, 2019.

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

-----x
Bersin Properties, LLC,
Plaintiff-Appellant,

-against-

M-729A
Index No. 452630/14

Nomura Credit & Capital, Inc., and
NCCMI, Inc.,
Defendants-Respondents.

-----x
NCCMI, Inc.,
Plaintiff-Respondent,

-against-

Index No. 650276/15

Bersin Properties, LLC, et al.,
Defendants-Appellants.

-----x

By separate notices, Bersin Properties, LLC appeals in both actions from the orders of the Supreme Court, New York County, entered on or about January 4, 2019, and a purported order of the same Court, entered on or about January 17, 2019,

And appellants having moved for consolidation of all of the aforesaid 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 granted. Appellants are permitted to prosecute the consolidated appeals upon an original, five hard copies and, if represented by counsel, one digital copy of one appellant's brief and one record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division. The order of this Court entered on March 12, 2019 (M-729A) is hereby recalled and vacated.

ENTERED:


CLERK

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-271
Ind. No. 4629/2009

-against-

CERTIFICATE
DENYING LEAVE

Joel Herrera,

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, (A. Kirke Bartley, J.) entered on or about October 4, 2018, is hereby denied.



Associate Justice

Dated: March 1, 2019
New York, New York
ENTERED: **MAR 26 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-Appellee,

-against-


M-460
Ind. No. 1529-2008

DEVON MILLER,

Defendant-Appellant.

-----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, Bronx County (Carter, J.), entered on or about May/16, 2018 is hereby denied.



Hon Jeffrey K. Oing
Associate Justice

Dated: March 5, 2019
New York, New York

ENTERED: **MAR 26 2019**