

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

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Peter Tom
Jeffrey K. Oing
Anil C. Singh, Justices.

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

-against-

M-7721
Ind. No. 2295/15

Bayna-Lekheim El-Amin,
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to file a pro se supplemental brief in connection with an appeal taken from a judgment of the Supreme Court, New York County, rendered on or about September 15, 2016, for a copy of the trial transcripts and for an enlargement of time in which to file said pro se supplemental brief,

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

It is ordered that the motion is granted to the extent of directing defendant to serve and file an original and 5 copies of his pro se supplemental brief for the April 2020 Term, to which Term the appeal is adjourned. The Clerk of the Court is directed to forward to the Warden at the State correctional facility wherein defendant is incarcerated a transcript of the minutes relating to defendant's appeal, said transcript to be made available to appellant and returned by appellant to this Court when submitting the pro se supplemental brief hereto. The appeal will not be heard unless and until all material furnished to appellant has been returned.

ENTERED:



DEPUTY CLERK

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

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

-----X

Nelson DeJesus, Jr.,
Plaintiff-Respondent,

-against-

M-7070
Index No. 7127/07

Port Parties, Ltd., doing business as
Show Piers on the Hudson, GES Exposition
Services, Inc.,
Defendants-Appellants,

-and-

ENK International, Inc. and
The Unconvention Center,
Defendants.

-----X

ENK International, Inc.,
Third-Party Plaintiff,

-against-

Index No. 86297/07

Port Parties, Ltd.,
Third-Party Defendant.

-----X

GES Exposition Services, Inc.,
Second Third-Party Plaintiff,

-against-

Index No. 83707/08

AJ Industries, LLC doing business as
Y? Morrissey and Y? Katonah, LLC,
Second Third-Party Defendants.

-----X

AJ Industries, LLC doing business as
Y? Morrissey and Y? Katonah, LLC,
Third Third-Party Plaintiff,

Index No. 83943/09

-against-

Bruce Thompson Creative Services, Inc.,
Third Third-Party Defendant.

-----X

Appeals having been taken to this Court from an order of the Supreme Court, Bronx County, entered on or about October 1, 2018, and said appeals having been perfected,

And defendant-appellant Global Experience Specialists, Inc., sued herein as GES Espositions, Inc., having moved to strike plaintiff-respondent's Appendix and Brief, and for an extension of time to file its Reply Brief,

Now, upon reading and filing the Stipulation Withdrawing The Pending Appeals of the parties hereto, dated October 17, 2019, and due deliberation having been had thereon,

It is ordered that the appeals are deemed withdrawn in accordance with the aforesaid Stipulation, and the motion is denied as moot.

ENTERED:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 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-7477
Ind. No. 1619/17

Adrian Norman,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, rendered on or about August 30, 2018,

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

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

ENTERED:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 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-7485
Ind. No. 3239/16

Bienvenido Ruiz,
Defendant-Appellant.

-----X

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

Now, upon reading and filing the stipulation of the parties hereto, dated September 25, 2019, and due deliberation having been had thereon,

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

ENTERED:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 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-7627
Ind. No. 4056/16

Delores Bethea,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about December 21, 2016,

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

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

ENTERED:



DEPUTY CLERK

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

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

-----X

Thomas Banks,
Plaintiff-Respondent,

-against-

M-7651

Index No. 151117/13

Bovis Lend Lease, Inc., Lend Lease (US)
Construction Inc.,
Defendants,

The Mount Sinai Medical Center, Inc.,
The Mount Sinai Hospital, Morgan
Construction Enterprises, Inc.,
Defendants-Appellants.

-----X

The Mount Sinai Medical Center, Inc.,
The Mount Sinai Hospital, Morgan
Construction Enterprises, Inc.,
Third-Party Plaintiffs-Appellants,

-against-

Third Party
Index No. 59051/13

Rigid Electric, Inc.,
Third-Party Defendant-Respondent.

-----X

The Mount Sinai Medical Center, Inc.,
The Mount Sinai Hospital, Morgan
Construction Enterprises, Inc.,
Second Third-Party
Plaintiffs-Appellants,

-against-

Second Third-Party
Index No. 595943/16

Linear Contracting, Inc.,
Second Third-Party
Defendant-Respondent.

-----X

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

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

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

ENTERED:

A handwritten signature in black ink, appearing to read "Eric Schuck", written in a cursive style.

DEPUTY CLERK

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

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

-----X

The Guardian Life Insurance Company
of America,

Plaintiff-Appellant,

M-7864

Index No. 655063/16

-against-

Errol Brown,

Defendant-Respondent.

-----X

Appeals having been taken from the order of the Supreme Court, New York County, entered on or about March 21, 2019, and from the judgment, same Court, entered on or about June 25, 2019,

Now, upon reading and filing the Notice of Withdrawal of Appeals from the attorney for plaintiff-appellant dated October 21, 2019, and due deliberation having been had thereon,

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

ENTERED:



DEPUTY CLERK

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

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

-----X

Brian Gray,
Plaintiff-Respondent,

-against-

J.P. Morgan Chase Bank N.A., etc.,
Defendant-Appellant,

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

-----x

JP Morgan Chase Bank NA, etc.,
Third-Party Plaintiff-
Appellant,

M-7341
Index No. 110738/11

-against-

Knoll, Inc. and Evensonbest LLC,
Third-Party Defendants-
Respondents.

-----x

JP Morgan Chase Bank NA, etc.,
Second Third-Party Plaintiff-
Appellant-Respondent,

-against-

Cauldwell Wingate Co.,
Second Third-Party
Defendant-Respondent-Appellant.

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

-----X

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 January 4, 2019, and said appeals having been perfected,

Now, upon reading and filing the Stipulation Withdrawing Appeals from the parties hereto, dated August 14, 2019, and due deliberation having been had thereon,

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

ENTERED:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 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-7474
Ind. No. 2498/14

Nazir Khan,

Defendant-Appellant.
-----X

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

Now, upon reading and filing the stipulation of the parties hereto, dated July 31, 2019, and due deliberation having been had thereon,

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

ENTERED:



DEPUTY CLERK

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

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Dianne T. Renwick
Sallie Manzanet-Daniels
Anil C. Singh, Justices.

-----X
In the Matter of

Jamier Emanuel W.,
Avery Jevon G., and
Jahkai Darius G.,

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

Administration for Children's Services
of the City of New York,
Petitioner-Respondent,

CONFIDENTIAL

M-7594

Docket No. NN-11840-18
NN-11842-18
NN-11841-18

Roberto M.,
Respondent-Appellant.

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

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

And assigned counsel for respondent-appellant, Andrew J. Baer, Esq., having moved to withdraw the aforesaid appeal and to be relieved as counsel,

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

Ordered that the motion is granted.

ENTERED:



DEPUTY CLERK

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

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Dianne T. Renwick
Sallie Manzanet-Daniels
Anil C. Singh, Justices.

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

-against-

M-7461
Ind. No. 4419/18

Franky Lambe,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about July 16, 2019, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 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 Proceeding for Custody/Visitation Under Article 6 of the Family Court Act.

- - - - -

Derek G.,
Petitioner-Appellant,

CONFIDENTIAL
M-6924
Docket No. V-24985/16

-against-

Alice M.,
Respondent-Respondent.

- - - - -

Kenneth M. Tuccillo, Esq.,
Attorney for the Child.

-----x

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, Bronx County, entered on or about July 11, 2019, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

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, Steven P. Forbes, Esq., 155-03 Jamaica Avenue, Jamaica, New York, 11432, Telephone No. 718-791-8444, 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 funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) directing appellant to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:



DEPUTY 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 November 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

Zaire S.,

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

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

CONFIDENTIAL

M-7667
Docket No. NN-47980/16

Mary W.,
Respondent-Appellant,

Walter V.,
Respondent.

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

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, New York County, entered on or about September 18, 2019, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of Jonathan A. Nelson, Esq., dated October 1, 2019, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Lewis S. Calderon, Esq. 153-03 Jamaica Avenue, Jamaica, New York, 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) directing appellant to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:



DEPUTY 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 November 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

Ibraheem K.,

A Child Under Eighteen Years of Age
Adjudicated to be Neglected by

CONFIDENTIAL
M-7674

Docket No. NN-48093/16

Jacqueline N.,
Respondent-Appellant.

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

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from two orders of the Family Court, New York County, entered on or about February 21, 2019 and June 28, 2019, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of Tenisha D. Cummings, Esq., dated October 4, 2019, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Carol L. Kahn, Esq., 225 Broadway, Suite 1510, New York, New York 10007 Telephone No. 212-227-0206, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New

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

ENTERED:



DEPUTY 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 November 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 Proceeding for Custody/Visitation Under Article 6 of the Family Court Act.

- - - - -

Georgianna N.,
Petitioner-Appellant,

CONFIDENTIAL

M-7677

Docket Nos. V-43479/13
V-43480/13

-against-

Carmen V. and Ibor S.,
Respondents-Respondents.

- - - - -

Larry S. Bachner, Esq.,
Attorney for the Child
Lindarose G.,

William O'Hearn, Esq.,
Attorney for the Child
Albert G.

-----X

Roma Baran, Esq., court attorney for the subject child Lindarose G., having moved on the child's behalf for leave to respond, as a poor person, to the appeal taken from the order of the Family Court, New York County, entered on or about February 1, 2019, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of Roma Baran, Esq., dated October 2, 2019, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to §1120 of the Family Court Act, Larry S. Bachner, Esq., 39 Broadway, Suite 1610, New York, NY 10006, Telephone No. 917-674-9516, as counsel for purposes of responding to the appeal; and (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, five hard copies and, if represented by counsel, one digital copy of such brief are filed with this Court, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

ENTERED:

A handwritten signature in black ink, appearing to read "Eric Schuck". The signature is written in a cursive style with a horizontal line underneath it.

DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 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 Proceeding for Custody/Visitation Under Article 6 of the Family Court Act.

- - - - -

Amanda R.,
Petitioner-Respondent,

CONFIDENTIAL

M-7678

Docket Nos. V-30066/16
V-30068/16

-against-

Daniel R.,
Respondent-Appellant.

- - - - -

Deborah Nadler, Esq., Children's Law Center,
Attorney for the Child.

-----X

Petitioner-respondent mother having moved for leave to respond, as a poor person, to the appeal taken from an order of the Family Court, New York County, entered on or about July 17, 2019, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to §1120 of the Family Court Act, Geoffrey P. Berman, Esq., 2005 Palmer Avenue, #176, Larchmont, New York, 10538, Telephone No. 914-419-8407 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:

A handwritten signature in black ink, appearing to read "Eric Schuck", written in a cursive style.

DEPUTY CLERK

CORRECTED ORDER - NOVEMBER 27, 2019

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

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

-----X
In the Matter of

Dream F.,
Josiah R.,
London F., and
Layla F.,

CONFIDENTIAL

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

M-7757
Docket Nos. NN-12124/18
NN-12125/18
NN-12126/18
NN-12127/18

Administration for Children's Services,
Petitioner-Respondent,

Phillystina R.,
Respondent,

Jonathan F.,
Respondent-Appellant.

-----X
Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, Bronx County, entered on or about July 16, 2019, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the amended certification of Anne Venhuizen, Esq., dated October 4, 2019, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, **Andrew J. Baer, Esq., 299 Broadway, Suite 1415, New York, New York 10007, Telephone No. (212) 233-0318**, as counsel for purposes of prosecuting the

appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) directing appellant to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court. The designation of Richard L. Herzfeld, Esq., as counsel for respondent-appellant is stricken.**

ENTERED:



DEPUTY 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 November 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 Proceeding for
Custody/Visitation Under Article 6
of the Family Court Act.

Donna R. T.,
Paul C. T.,
Petitioners-Respondents,

CONFIDENTIAL

M-7851
Docket Nos. V-1424-18
V-2687-19

-against-

Renee G.-T.,
Respondent-Appellant.

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

-----X
Petitioner-respondent, Paul C. T., having moved for leave to respond, as a poor person, to the appeal taken from an order of the Family Court, New York County, entered on or about August 6, 2019, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of Robert Rothman, Esq., dated October 16, 2019, and due deliberation having been had thereon, it is

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to §1120 of the Family Court Act, Philip Katz, Esq., 299 Broadway, Suite 1803, New York, New York 10007, Telephone No. (212) 385-1373, 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:

A handwritten signature in black ink, appearing to read "Eric Schuck". The signature is written in a cursive style with a horizontal line underneath it.

DEPUTY CLERK

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

Amberlina Marie V.

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

CONFIDENTIAL

M-7854

Docket No. NN-26053-17

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

-against-

Alexis R.,
Respondent-Appellant,

- - - - -
Lisa May, Esq., Lawyers for Children
Inc., Attorney for the Child.

-----X
Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from two orders of the Family Court, New York County, entered on or about August 8, 2019 and on or about September 23, 2019, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of Rachel Turetsky, Esq., dated October 17, 2019, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of
(1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Bruce A. Young, Esq., 100 Church

Street, Suite 800, New York, New York 10007, Telephone No. 646-775-8994, 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 the filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:



DEPUTY CLERK

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

CORRECTED ORDER - JANUARY 30, 2020

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

Ashlynn R.,
Yeovanny R.,
Ian Noell C.,

CONFIDENTIAL
M-7877
Docket Nos. NA-42585-16
NA-42584-16
NA-42583-16

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

Administration for Children's Services
of the City of New York,
Petitioner-Respondent,

Maria R.,
Respondent-Appellant,

Yeovany R.,
Respondent-Appellant.

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

-----X
Respondent-appellant Maria R. having moved for leave to prosecute, as a poor person, the appeal taken from the amended order of the Family Court, New York County, entered on or about September 18, 2019, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of Joy Fasanya, Esq., dated October 17, 2019, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of
(1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Carol L. Kahn, Esq., 225 Broadway, Suite 1510, New York, New York 10007, Telephone No. 212-227-0206,

as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) directing appellant to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court, and it is further,**

Ordered that pursuant to §1120 of the Family Court Act, Carol L. Kahn, Esq. is also assigned as counsel for respondent-appellant Maria R. for purposes of responding to respondent-appellant Yeovany R.'s pending cross appeals from orders issued under the above referenced docket numbers.

ENTERED:



DEPUTY 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 November 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.

CONFIDENTIAL

M-7886

Jada T.,
Petitioner-Respondent,

Docket No. O-2512-19

-against-

Michael Adrian C.,
Respondent-Appellant.

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

-----x

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, New York County, entered on or about September 26, 2019 and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of Barbara Milbauer, Esq., dated October 25, 2019, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of
(1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Andrew J. Baer, Esq., 299 Broadway, Suite 1415, New York, New York 10007, Telephone No. (212) 233-0318 as counsel for purposes of prosecuting the appeal;
(2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City (M-7886)

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

ENTERED:



DEPUTY 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 November 26, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Dianne T. Renwick
Sallie Manzanet-Daniels
Anil C. Singh, Justices.

-----X
In the Matter of the Application of
Charlene Richardson,
Petitioner-Appellant,

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

-against-

M-7592
Index No. 100984/18

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

Petitioner-appellant having moved 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 6, 2018, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for an extension 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 denied, without prejudice to further administrative proceedings.

ENTERED:



DEPUTY CLERK

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

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Sallie Manzanet-Daniels
Ellen Gesmer
Anil C. Singh, Justices.

-----X

Racquel Lividini,
Plaintiff-Appellant,

-against-

M-7722

Index No. 20675/18E

Harold L. Goldstein, D.P.M., Vinai
Prakash, D.P.M., Rye Ambulatory
Surgery Center, L.L.C., and Westmed
Medical Group, P.C.,
Defendants-Respondents.

-----X

Defendants-respondents Rye Ambulatory Surgery Center, LLC and Westmed Medical Group, P.C. having moved for leave to appeal to the Court of Appeals from the decision and order of this Court, entered on August 20, 2019 (Appeal No. 9214N),

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 this Court, pursuant to CPLR 5713, certifies that the following question of law, decisive of the correctness of its determination, has arisen, which in its opinion ought to be reviewed by the Court of Appeals:

"Was the order of this Court, which reversed the order of Supreme Court, properly made?"

This Court further certifies that its determination was made as a matter of law and not in the exercise of discretion.

ENTERED:



DEPUTY CLERK

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

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Peter Tom
Jeffrey K. Oing
Anil C. Singh, Justices.

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

-against-

M-7509
Ind. No. 4708/17

Jonathan Espinal,
Defendant-Appellant.

-----X

Defendant having moved for an extension of time in which to file an untimely notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about July 9, 2019,

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

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

ENTERED:



DEPUTY CLERK

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

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Peter Tom
Jeffrey K. Oing
Anil C. Singh, Justices.

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

Respondent,

-against-

M-7606
Ind. No. 1372/18

Lester Lord,

Defendant-Appellant.
-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about April 18, 2019,

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

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

ENTERED:



DEPUTY CLERK

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

PRESENT: Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Peter Tom
Jeffrey K. Oing
Anil C. Singh, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-7705

Ind. No. 4160/18

Jose De La Cruz-Urena,
Defendant-Appellant.

-----X

Defendant having renewed his motion for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about January 10, 2019, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:



DEPUTY CLERK

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

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Peter Tom
Jeffrey K. Oing
Anil C. Singh, Justices.

-----x
In the Matter of a Custody/Visitation
Proceeding

Annia S.,
Petitioner-Respondent,

-against-

CONFIDENTIAL
M-7815
Docket Nos. V-13388/17
V-06837/17

Pablo R.,
Respondent-Appellant.
-----x

An appeal having been taken from an order of the Family Court, Bronx County, entered on or about September 11, 2019,

And respondent-appellant having moved 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.

ENTERED:



DEPUTY CLERK

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

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Peter Tom
Jeffrey K. Oing
Anil C. Singh, Justices.

-----X
Eric Joyner,
Plaintiff-Respondent,

-against-

M-7769
Index No. 22138/13E

City Carter Leasing, Incorporated
and Leonardo Chacon,
Defendants-Appellants.

-----X

Defendants-appellants having moved for an extension of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about December 17, 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 extending the time to perfect the appeal to the March 2020 Term.

ENTERED:


DEPUTY CLERK

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

Present - Hon. David Friedman, Justice Presiding,
Peter Tom
Jeffrey K. Oing
Anil C. Singh, Justices.

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

-against-

M-7720

Ind. No. 2055/13

Anthony Criscuolo,
Defendant-Appellant.

-----X

Defendant having moved for an extension of time in which to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about January 18, 2019, and for permission to file an oversized brief under 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 extending the time to perfect the appeal to the March 2020 Term and permitting defendant-appellant to file an oversized brief on said appeal.

ENTERED:



DEPUTY CLERK

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

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Peter Tom
Jeffrey K. Oing
Anil C. Singh, Justices.

-----x

In the Matter of Commitment of the Guardianship and Custody of

Xavier Blade Lee Billy Joe S.,
also known as Xavier S.,
Claudia Kathleen Rosa Storm S.,
also known as Claudia S.,

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

CONFIDENTIAL
M-7784
Docket No. B-7087-88/14

The Children's Aid Society,
Petitioner-Appellant,

Josefina S.,
Respondent-Respondent.

Thomas R. Villecco, Esq.,
Attorney for the Child Claudia S.,

Larry S. Bachner, P.C.,
Attorney for the Child Xavier S.

-----x

Petitioner-appellant having moved for an extension of time to perfect the appeal taken from the order of the Family Court, Bronx County, entered on or about January 10, 2019,

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

It is ordered that the motion is granted to the extent of extending the time to perfect the appeal to the March 2020 Term.

ENTERED:

A handwritten signature in black ink, appearing to read "Eric Schuck". The signature is written in a cursive style with a prominent initial "E".

DEPUTY CLERK

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

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Peter Tom
Jeffrey K. Oing
Anil C. Singh, Justices.

-----x
Justin Maimone, et al.,
Plaintiffs-Respondents-Appellants,

-against-

M-7814
Index No. 150671/16

56 Leonard LLC, et al.,
Defendants-Appellants-Respondents.
-----x

An appeal and a cross appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about January 10, 2019,

And defendants-appellants-respondents having moved for an enlargement of time to perfect the direct 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 and cross appeal to the March 2020 Term.

ENTERED:



DEPUTY CLERK

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

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Angela M. Mazzarelli
Jeffrey K. Oing, Justices.

-----x
New York Dangerous LLC, et al.,

Plaintiffs-Appellants,

-against-

M-7634
Index No. 655839/17

Adam Librot,

Defendant-Respondent.
-----x

Plaintiffs-appellants having moved, pursuant to 22 NYCRR 1250.10(c), to vacate the dismissal of the appeal taken from the order of the Supreme Court, New York County, entered on or about March 14, 2019 and, upon vacatur, for an extension 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, the dismissal vacated, the appeal reinstated, and the time to perfect said appeal is extended to the March 2020 Term.

ENTERED:



DEPUTY CLERK

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

PRESENT: Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Peter Tom
Jeffrey K. Oing
Anil C. Singh, Justices.

-----X

In the Matter of the Application of
Tracie Goldman,
Petitioner-Appellant,

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

M-7852
Index No. 150633/18

-against-

City of New York, New York City Department
of Education, New York City Board of
Education and Dr. Peter Ianniello,
Respondents-Respondents.

-----X

An appeal having been taken to this Court from an order and judgment of the Supreme Court, New York County, entered on or about December 27, 2018,

And petitioner-appellant having moved, pursuant to 22 NYCRR 1250.10(c), to vacate the dismissal of said appeal and upon vacatur, for an extension 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 dismissal vacated, the appeal reinstated, and the time to perfect said appeal is extended to the March 2020 Term.

ENTERED:



DEPUTY CLERK

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

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Angela M. Mazzarelli
Jeffrey K. Oing, Justices.

-----X
Osvaldo Ovalle,
Plaintiff-Appellant,

-against-

M-7668

Jane F. Buckwalter,
Defendant-Respondent,

Index No. 20677/15E

-and-

Roger S. Foster, et al.,
Defendants.

Jane F. Buckwalter,
Third-Party Plaintiff-Respondent,

-against-

Index No. 43180/16E

WM Dorvillier & Company, Inc.,
Third-Party Defendant-Respondent.

-----X
Plaintiffs-appellants having moved for an extension of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about November 27, 2018, which appeal has been dismissed pursuant to 22 NYCRR 1250.10(a),

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

It is ordered that the motion is deemed one to vacate the dismissal of appeal and, as such, is granted, the dismissal is vacated, the appeal reinstated, and the time to perfect said appeal is extended to the March 2020 Term.

ENTERED:

A handwritten signature in black ink, appearing to read "Eric Schuck". The signature is written in a cursive style with a horizontal line underneath it.

DEPUTY CLERK

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

Present - Hon. David Friedman, Justice Presiding,
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

-----x
Tenzin Choephel,
Plaintiff-Respondent,

-against-

A/R Retail LLC,
Defendant-Respondent-Appellant,

M-7803
Index No. 156398/15

-and-

Thyssenkrupp Elevator Corporation,
Defendant-Appellant-Respondent.

A/R Retail LLC,
Third-Party Plaintiff-Respondent-
Appellant,

-against-

Index No. 595405/16

Whole Foods Market Group, Inc.,
Third-Party Defendant-Respondent.

-----x
Appeals and cross appeals having been taken to this Court by defendant-appellant-respondent Thyssenkrupp Elevator Corporation and defendant-third-party plaintiff A/R Retail, LLC from orders of the Supreme Court, New York County, entered on or about February 19, 2019, July 29, 2019, September 9, 2019, and October 3, 2019, respectively,

And defendant-appellant-respondent Thyssenkrupp Elevator Corporation having moved to stay and/or vacate the order entered October 3, 2019, which, inter alia, confirmed the order of the JHO for the continued deposition a certain witness until completed and ordered that movant's answer be stricken unless the witness is produced, or, in the alternative, granting a protective order,

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

It is ordered that the motion is granted to the extent that the time for defendant-appellant-respondent Thyssenkrupp Elevator Corporation to respond to outstanding document discovery requests be and the same hereby is extended until 20 days from the date of entry hereof. The motion is otherwise denied, and the interim relief granted by the order of a Justice of this Court, dated October 4, 2019, is vacated.

ENTERED:



DEPUTY CLERK

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

Present - Hon. David Friedman, Justice Presiding,
Peter Tom
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

-----x
In the Matter of the Application of
Drug Policy Alliance,
Petitioner-Respondent-Appellant,

For a Judgment Under Article 78 M-8019
of the Civil Practice Law and Rules, Index No. 103827/12

-against-

New York City Tax Commission, et al.,
Respondents-Appellants-Respondents.
-----x

An appeal and cross 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 January 8, 2019, and said appeal and cross appeal having been perfected,

And petitioner-respondent-appellant having moved for an order taking judicial notice, and for leave to file a supplemental record to include a letter from the Director of Commercial Exemptions, New York City Department of Finance, dated September 20, 2017,

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

It is ordered that the motion is denied. Sua sponte, the appeal and cross appeal are adjourned to the February 2020 Term.

ENTERED:



DEPUTY CLERK

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

Present - Hon. David Friedman, Justice Presiding,
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

-----x
F.L.,
Plaintiff,

-against-

J.M.,
Respondent.
-----x

CONFIDENTIAL

M-7922

Index No. 307157/13

Plaintiff, pro se, having moved, pursuant to CPLR 5704(a), for an order (1) granting plaintiff's motion to vacate the judgment of divorce to the extent it addresses equitable distribution of certain assets; (2) upon vacatur, modifying the decision and order of this Court entered March 5, 2019 (Appeal No. 8572) regarding said assets; (3) awarding attorney's and expert's fees on the motion and appeal, (4) sanctioning defendant and defense counsel, and (5) granting her request to keep her name confidential in the case caption in any public release of court records, a Justice of the Supreme Court, New York County, having declined to sign an order to show cause seeking such relief on July 31, 2019,

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

It is ordered that the motion is granted to the extent of granting the request to keep plaintiff's name confidential in the records of this Court (see M-1905/M-1906, decided June 6, 2019), and otherwise denied.

ENTERED:



DEPUTY CLERK

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

Present - Hon. David Friedman,
Barbara R. Kapnick
Jeffrey K. Oing
Anil C. Singh,

Justice Presiding,

Justices.

-----X
New York University,
Petitioner-Landlord-Respondent,

-against-

Laila Nabulsi,
Respondent-Undertenant,

-and-

Randall Wiltz,
Respondent-Undertenant-Appellant,

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

-----X

Respondent-undertenant-appellant having moved for leave to appeal to this Court from the decision and order of the Appellate Term, First Department entered in the office of the Clerk of the Supreme Court, New York County, on or about December 31, 2018,

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

It is ordered that the motion is denied.

ENTERED:



DEPUTY CLERK

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

Present - Hon. David Friedman,
Barbara R. Kapnick
Cynthia S. Kern
Anil C. Singh,

Justice Presiding,

Justices.

-----X
Graham Court Owners Corp.,
Petitioner-Landlord-Appellant,

-against-

Lewis Long,
Respondent-Tenant-Respondent.

M-7441
Index No. 570077/19

-----X

Petitioner-appellant having moved for leave to appeal to this Court from the decision and order of the Appellate Term, First Department, entered in the office of the Clerk of the Supreme Court, New York County, on or about July 2, 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:



DEPUTY CLERK

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

PRESENT: Hon. David Friedman, Justice Presiding,
Rosalyn H. Richter
Barbara R. Kapnick
Troy K. Webber, Justices.

-----X

In re James Pettus, et al.,
Petitioners-Appellants,

M-7609
Index Nos. 251413/14
250720/15
251751/14

-against-

Board of Directors, et al.,
Respondents-Respondents.

-----X

Petitioner-appellant James Pettus, pro se, having purportedly moved for an order prohibiting Charles H. Greenthal Management from charging legal fees to a certain share holders account,

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

It is ordered that petitioners' motion is denied.

ENTERED:



DEPUTY CLERK

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

Present - Hon. David Friedman, Justice Presiding,
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

-----x
Tracy Braithwaite, et al.,
Plaintiffs-Respondents,

-against-

Greenhouse, et al., Index No. 308252/09
Defendants, Action No. 1

-and-

Jon Bakhshi, M-7902
Defendant-Appellant. M-7903
----- M-7939
Kiara Jones, et al., M-7940
Plaintiffs-Respondents,

-against-

Greenhouse, et al., Index No. 308740/09
Defendants, Action No. 2

-and-

Jon Bakhshi,
Defendant-Appellant.

-----x

Separate appeals having been taken to this Court in the above-entitled actions from orders of the Supreme Court, Bronx County, entered on or about September 3, 2019 (Action No. 1) and August 13, 2019 (Action No. 2), which restored the respective actions to the trial calendar,

And defendant-appellant having moved, by separate motions, for a stay of proceedings in the trial court pending hearing and determination of the appeals in Action No. 1 (M-7902) and Action No. 2 (M-7903), and for consolidation of the aforesaid appeals (M-7939 and M-7940),

November 26, 2019

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

It is ordered that the motions for a stay of proceedings before the trial court in Action No. 1 (M-7902) and Action No. 2 (M-7903) are granted on condition that the appeals are perfected for the March 2020 Term. The motions to consolidate the appeals in Action No. 1 and Action No. 2 (M-7939 and M-7940) are granted. Appellant is permitted to prosecute the consolidated appeals upon an original, five hard copies and, if represented by counsel, one digital copy of an appellant's brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

ENTERED:



DEPUTY CLERK

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

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Judith J. Gische
Troy K. Webber
Cynthia S. Kern, Justices.

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

-against-

M-7613
Ind. No. 1541/12

Alonzo Johnson,
Defendant-Appellant.

-----X

Defendant having moved for an extension of time in which to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about April 2, 2019,

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

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

ENTERED:



DEPUTY CLERK

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence and resentencing. 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:



DEPUTY CLERK

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

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Judith J. Gische
Troy K. Webber
Cynthia S. Kern, Justices.

-----X

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

Jolanda K.,
Petitioner-Respondent,

-against-

Damian B.,
Respondent-Appellant.

CONFIDENTIAL

M-7797
Docket Nos. V-28224/13
V-04179/19
V-28224-13/19E
V-21231/18

-----X

Respondent-appellant, pro se, having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, Bronx County, entered on or about September 12, 2019, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Daniel R. Katz, Esq., 339 West 88th Street, Apt. 3, New York, NY 10024, Telephone No. 917-886-5620, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City

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

ENTERED:



DEPUTY 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 November 26, 2019.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Judith J. Gische
Troy K. Webber
Cynthia S. Kern, Justices.

-----X

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

Corey M.,
Petitioner-Appellant,

-against-

Sarah J. K.,
Respondent-Respondent.

-----X

CONFIDENTIAL

M-7649

Docket Nos. V-21892/17
V-26278/17

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, New York County, entered on or about September 20, 2019, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is denied, with leave to renew upon submission of Federal and New York State tax returns for the years 2017-2018, and any additional documentation to substantiate petitioner's claim of indigency.

ENTERED:



DEPUTY CLERK

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

Present: Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Judith J. Gische
Troy K. Webber
Cynthia S. Kern, Justices.

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

Skarlith G.,
Petitioner-Appellant,

CONFIDENTIAL

M-7810

Docket No. O-13953/18

-against-

Guelvis Joshua C.,
Respondent-Respondent.

Lee Coppage, Esq.,
Attorney for the Child.

-----X

Respondent-respondent having moved for leave to respond, as a poor person, to the appeal taken from the order of the Family Court, Bronx County, entered on or about October 26, 2018, and for assignment of counsel, a free copy of the transcript, and to adjourn the perfected appeal,

Now, upon reading and filing the papers with respect to the motion, and the affirmation of Sergio Villaverde, Esq., dated October 14, 2019, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to §1120 of the Family Court Act, Geoffrey P. Berman, Esq., 2005 Palmer Avenue, #176, Larchmont, NY 10538, Telephone No. 914-419-8407, 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. The appeal is adjourned to the March 2020 Term of Court.

ENTERED:

A handwritten signature in black ink, appearing to read "Eric Schuck", written in a cursive style.

DEPUTY CLERK

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

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Cynthia S. Kern
Peter H. Moulton, Justices.

-----X

In Re: New York City Asbestos Litigation

- - - - -

Russell Leavitt and Joyce Leavitt,
Plaintiffs-Respondents,

-against-

M-7610

Index No. 190240/17

A.O. Smith Water Products Co., et al.,
Defendants,

-and-

Rogers Corporation,
Defendant-Appellant.

-----X

Defendant-appellant having moved for a stay of trial pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about February 22, 2019,

And an interim stay having been issued by a Justice of this Court on October 2, 2019, staying the trial of the underlying matter pending determination of the within motion or upon a decision on the aforesaid appeal,

And by decision and order entered on October 15, 2019, this Court having decided the appeal,

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

It is ordered that the motion is denied as moot, and the interim stay is vacated.

ENTERED:



DEPUTY CLERK

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

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Troy K. Webber
Ellen Gesmer
Jeffrey K. Oing, Justices.

-----x
Amadeo Angiolillo, et al.,
Plaintiffs-Respondents,

-against-

M-8026
Index No. 650871/15

Christies, Inc., et al.,
Defendants-Appellants.
-----x

Separate appeals having been taken to this Court from orders of the Supreme Court, New York County, entered on or about April 26, 2019 and October 17, 2019, and the appeal from the order entered on or about April 26, 2019 having been perfected,

And an order of this Court having been entered on October 31, 2019 (M-7532/M-7533), inter alia, granting a stay of trial pending hearing and determination of the perfected appeal from the order entered on or about April 26, 2019,

And plaintiffs-respondents having moved for reargument of the order of this Court entered on October 31, 2019, which granted a stay of trial pending hearing and determination of the perfected appeal (M-7533),

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:


DEPUTY CLERK

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

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,
Peter Tom
Barbara R. Kapnick
Ellen Gesmer
Anil C. Singh, Justices.

-----X
Francisco Blandino, Jr.,
Plaintiff-Appellant,

-against-

M-7636
Index No. 301991/15

Cesar Guerrero, et al.,
Defendants-Respondents.

-----X

Defendant-respondent Rosalie Perez, having moved for dismissal of the appeal taken from an order of the Supreme Court, Bronx County, entered on or about January 4, 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, as unnecessary (see, 22 NYCRR Section 1250.10[a]).

ENTERED:



DEPUTY CLERK

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

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,
Peter Tom
Barbara R. Kapnick
Ellen Gesmer
Anil C. Singh, Justices.

-----X
Donnell Baines,

Plaintiff-Appellant,

-against-

M-7395
Index No. 401845/13

Daily News, L.P., et al.,

Defendants-Respondents.
-----X

Plaintiff-appellant having moved 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 September 6, 2019, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that said motion is denied.

ENTERED:



DEPUTY CLERK

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

PRESENT: Hon. Sallie Manzanet-Daniels, Justice Presiding,
Peter Tom
Barbara R. Kapnick
Ellen Gesmer
Anil C. Singh, Justices.

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

-against-

M-7550
Ind. No. 179/05

Adolf Gutt,
Defendant-Appellant.

-----X

An order of this Court having been entered on March 7, 2019 (M-6685) granting defendant leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about June 29, 2018, and assigning Christina Swarns, Esq., Office of the Appellate Defender, as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of Christina Swarns, Esq., Office of the Appellate Defender, as assigned counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Janet E. Sabel, Esq., The Legal Aid Society, 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the receipt of the complete record, whichever is later.

ENTERED:



DEPUTY CLERK

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

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,
Peter Tom
Barbara R. Kapnick
Peter H. Moulton, Justices.

-----x
Dana Escoffier,
Plaintiff-Appellant,

-against-

M-7414
Index No. 151487/14

Amalgamated Bank,
Defendant-Respondent.

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

-----x
An appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about November 15, 2017,

And an order of this Court having been entered on September 13, 2018 (M-3727), inter alia, denying plaintiff-appellant's motion for poor person relief, and granting an enlargement of time to perfect the appeal to the January 2019 Term,

And an order of this Court having been entered on November 27, 2018 (M-4843), denying plaintiff-appellant's motion for reconsideration of the order entered on September 13, 2018, and denying a further enlargement of time to perfect the appeal,

And an order of this Court having been entered on May 30, 2019 (M-1485), denying plaintiff-appellant's motion to vacate the dismissal of the appeal, and denying a further enlargement of time to perfect the appeal,

And an order of this Court having been entered on August 27, 2019 (M-3220), denying plaintiff-appellant's motion for renewal/reconsideration of the order of this Court entered on May 30, 2019 (M-1485),

And defendant-appellant having moved for renewal/ reconsideration of the order of this Court entered on August 27, 2019, (M-3220), denying reconsideration of plaintiff-appellant's motion to vacate the dismissal of the appeal, and denying a further 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 denied.

ENTERED:

A handwritten signature in black ink, appearing to read "Eric Schuck", written in a cursive style.

DEPUTY CLERK

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

PRESENT: Hon. Judith J. Gische, Justice Presiding,
Troy K. Webber
Cynthia S. Kern
Peter H. Moulton, Justices.

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

-against-

M-7719
Ind. No. 2872/12

Ronald Jackson,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about April 8, 2014, and said appeal having been perfected and calendared for the March 2020 Term of this Court,

And assigned counsel for defendant-appellant having moved to file a supplemental brief in light of this Court's decision in *People v Rodriguez*, 158 AD3d 143 [1st Dept. 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 directing counsel to serve and file the requested number of copies of the supplemental brief, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, for the March 2020 Term of this Court.

ENTERED:



DEPUTY CLERK

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

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Barbara R. Kapnick
Ellen Gesmer
Peter H. Moulton, Justices.

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

-against-

M-7746
Ind. No. 3815N/17

Teuri Corona,
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 30, 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:



DEPUTY CLERK

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

Present - Hon. Angela M. Mazzairelli, Justice Presiding,
Barbara R. Kapnick
Ellen Gesmer
Peter H. Moulton, Justices.

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

-against-

M-7716
Ind. No. 4903/12

Christopher Wilson,
Defendant-Appellant.

-----X

Defendant having moved for an extension of time to perfect the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about July 31, 2015,

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 extending the time to perfect the appeal to the March 2020 Term.

ENTERED:



DEPUTY CLERK

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

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Barbara R. Kapnick
Troy K. Webber
Ellen Gesmer
Cynthia S. Kern, Justices.

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

Respondent,

-against-

Damon Flagg,

Defendant-Appellant.
-----X

M-3217
Ind. Nos. 4892N/11
4689N/10
5588N/10

A decision and order of this Court having been entered on April 13, 2017 (Appeal No. 3717), unanimously affirming a judgment of the Supreme Court, New York County (Carol Berkman, J.), rendered on November 14, 2012,

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

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

It is ordered that said application is denied.

ENTERED:



DEPUTY CLERK

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

BEFORE: Hon. Anil C. Singh
Justice of the Appellate Division

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

Respondent

-against-


Lance Stewartson

Defendant.

-----X

M-6770
Ind. No.
5219/09
CERTIFICATE
DENYING LEAVE

I, Hon. Anil C. Singh, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, section 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County (Hayes, J.), entered on or about July 9, 2019 is hereby denied.



Hon. Anil C. Singh
Associate Justice

Dated: September 11, 2019
New York, New York

ENTERED: NOV 26 2019

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

BEFORE: Hon. Barbara Kapnick,
Justice of the Appellate Division

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

M-7354
Ind. No. 2935/03

-against-

CERTIFICATE
DENYING LEAVE

Benjamin E. Thompson,

Defendant.

-----X

I, Barbara R. Kapnick, 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 (Clancy, J.), entered on or about August 21, 2019, is hereby denied.


Justice Barbara R. Kapnick

Dated: New York, New York
November 15, 2019

ENTERED

NOV 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,

-against-

Elbert Mitchell,
Defendant.

CONFIDENTIAL


M-7544

Ind. No. 4099/99

ORDER DENYING LEAVE
UPON REARGUMENT

-----X

I, Jeffrey K. Oing, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application made by the above-named defendant for reargument of the order of a Justice of this Court (M-3391), entered on September 17, 2019, which denied his motion for a certificate pursuant to Criminal Procedure Law, section 460.15, and no question of law or fact having been misapprehended or overlooked, permission to reargue the denial of leave to appeal from the order of the Supreme Court, New York County (Robert M. Mandelbaum, J.), entered on or about June 4, 2019 is hereby denied.



Hon. Jeffrey K. Oing
Associate Justice

Dated: November 12, 2019
New York, New York

ENTERED: NOV 26 2019

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

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Barbara R. Kapnick
Troy K. Webber
Ellen Gesmer
Cynthia S. Kern, Justices.

-----x
Susan A.,

Petitioner-Respondent,

-against-

Christopher O.,
Respondent-Appellant.

-----x

CONFIDENTIAL

M-7725

Docket No. F-44460-10/16L

An appeal having been taken to this Court by respondent from an order of the Family Court, New York County, entered on or about April 10, 2019, amended by an order entered on or about May 23, 2019,

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

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

It is ordered that the motion is denied.

ENTERED:



DEPUTY CLERK

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

BEFORE: Hon. Dianne T. Renwick
Justice of the Appellate Division

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

M- 7804
Ind. No. 3308/2016

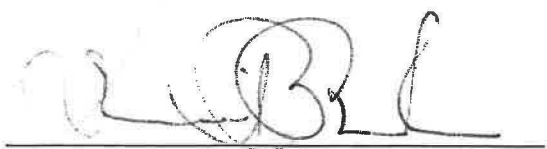
-against-

CERTIFICATE
DENYING LEAVE

Manuel Gordon,
Defendant.

-----X

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


Justice

Dated: November 7, 2019
New York, New York

ENTERED: NOV 26 2019

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

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Peter Tom
Jeffrey K. Oing
Anil C. Singh, Justices.

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

-against-

M-7721
Ind. No. 2295/15

Bayna-Lekheim El-Amin,
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to file a pro se supplemental brief in connection with an appeal taken from a judgment of the Supreme Court, New York County, rendered on or about September 15, 2016, for a copy of the trial transcripts and for an enlargement of time in which to file said pro se supplemental brief,

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

It is ordered that the motion is granted to the extent of directing defendant to serve and file an original and 5 copies of his pro se supplemental brief for the April 2020 Term, to which Term the appeal is adjourned. The Clerk of the Court is directed to forward to the Warden at the State correctional facility wherein defendant is incarcerated a transcript of the minutes relating to defendant's appeal, said transcript to be made available to appellant and returned by appellant to this Court when submitting the pro se supplemental brief hereto. The appeal will not be heard unless and until all material furnished to appellant has been returned.

ENTERED:



DEPUTY CLERK