

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 24, 2019.

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

-----x
Riverbridge Court Condominium, by its
Board of Managers,
Plaintiff-Respondent,

-against-

M-7120
Index No. 112056/09

The Gospel Missionary Baptist Church,
Defendant-Appellant,

The New York City Parking Violations
Bureau, The New York City Environmental
Control Board,
Defendants.

-----x
Defendant-appellant having moved to stay enforcement of the order of the Supreme Court, New York County, entered on or about June 20, 2019, as well as a collateral New York County Housing Court proceeding, pending hearing and determination of the appeal taken from the Supreme Court's order,

Now, upon reading and filing the papers with respect to the motion, and the correspondence from counsel for defendant-appellant dated September 19, 2019, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn in accordance with the aforesaid correspondence.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 24, 2019.

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

-----X
Kevin Schneller,
Plaintiff-Respondent,

-against-

M-7293

Index No. 108517/11

New York City Health and Hospitals Corporation, Toni M. McLaurin, Caron Rockman, Pierre B. Saadeh, The City of New York (New York Department of Environmental Protection),
Defendants-Respondents,

Silverite Construction Company, Inc., and Silverite Contracting Corporation,
Defendants-Respondents-Appellants,

Malcolm Pirnie, Inc. and Hazen and Sawyer, P.C.,
Defendants-Appellants-Respondents.

-----X
Hazen & Sawyer, P.C.,
Third-Party Plaintiff-Respondent-Appellant,

-against-

Index No. 590417/12

Silverite Trucking Company LLC,
Third-Party Defendant-Appellant-Respondent.

-----X
Malcolm Pirnie, Inc.,
Second Third-Party Plaintiff-Appellant-Respondent,

-against-

Index No. 590507/12

New York City Health and Hospitals Corporation, Toni M. McLaurin, Caron Rockman and Pierre B. Saadeh, Second Third-Party Defendants.

-----X

City of New York (New York City Department of Environmental Protection) Third Third-Party Plaintiff,

-against-

Index No. 590843/12

New York City Health and Hospitals Corporation, Toni M. McLaurin, Caron Rockman and Pierre B. Saadeh, Third Third-Party Defendants.

-----X

Silverite Construction Company, Inc., Silverite Contracting Corporation and Silverite Trucking Company, LLC, Fourth Third-Party Plaintiffs- Respondents-Appellants,

-against-

Index No. 590925/13

New York City Health and Hospitals Corporation, Toni M. McLaurin, Caron Rockman and Pierre B. Saadeh, Fourth Third-Party Defendants.

-----X

Hazen & Sawyer, P.C., Fifth Third-Party Plaintiff- Respondent-Appellant,

-against-

Index No. 311057/17

New York City Health and Hospitals Corporation, Toni M. McLaurin, Caron Rockman and Pierre B. Saadeh, Fifth Third-Party Defendants.

-----X

Appeals and a cross appeal having been taken from an order of the Supreme Court, New York County, entered on or about July 3, 2018,

(M-7293)

-3-

October 24, 2019

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 24, 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-7318
Ind. No. 1939/15

Khalilah Mattocks,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about June 2, 2016,

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 24, 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

Angelica A.,
Yarineth A.,

Confidential
M-7339

Docket No. NA-11772-23/17

Children Under 18 Years of Age Alleged
to be Abused and/or Neglected.

Amalia R.,
Angel A.,
Respondents-Appellants.

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

Michael DeMattio, Esq., Attorney for
the Child Yarineth A..

-----X
Respondent-appellant mother Amalia R. having taken an appeal from an order of the Family Court, Bronx County, entered on or about July 16, 2018,

Now, upon reading and filing the correspondence from counsel for respondent-appellant mother Amalia R. dated August 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 October 24, 2019.

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

-----X

Cypress Group Holdings, Inc.,
Plaintiff-Respondent,

-against-

M-7343X

Index No. 653408/15

Onex Corporation, et al.,
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about February 28, 2019,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" August 5, 2019, and due deliberation having been had thereon,

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 24, 2019.

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

-----X
Kelsey Cowan,
Plaintiff-Respondent,

-against-

M-7349X

Index No. 24024/13

New York City Transit Authority and
Anthony Sal Gerald,

Defendants-Appellants.
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about January 10, 2019,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 11, 2019, and due deliberation having been had thereon,

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 24, 2019.

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

-----X
Residential Board of Trump Tower
Condominium,
Plaintiff-Respondent,

-against-

M-7351X
Index No. 810195/11

721 5455B Condo, LLC, et al.,
Defendants,

-and-

Virginia Pope, as Administrator
of the Estate of Kenneth Roberts,
Defendant-Appellant.

-----X

An appeal having been taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about December 20, 2018,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 12, 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 October 24, 2019.

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

-----X
Sharnell Baker,
Plaintiff-Respondent,

-against-

M-7356
Index No. 152839/16

Eric Rivera, MV Public Transportation,
Inc. and New York City Transit Authority
Defendants-Appellants,

Jessika Depas,
Defendant.

-----X

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

Now, upon reading and filing the correspondence from counsel for defendants-appellants, dated September 10, 2019, and due deliberation having been had thereon,

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 24, 2019.

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

-----X
110 Fifth Realty Corp., et al.,

Plaintiffs-Respondents,

-against-

M-7357
Index No. 653055/18

Town Flatiron LLC, et al.,

Defendants-Appellants.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about July 19, 2019,

Now, upon reading and filing the correspondence from counsel for defendants-appellants dated September 16, 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 October 24, 2019.

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

-----X
Gaja Djokic,
Plaintiff-Respondent,

-against-

Trinity Boxing and Athletic Club, Inc., M-7367
Defendant-Respondent, Index No. 155114/15

-and-

110 Greenwich Street Associates, LLC,
Defendant-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about November 27, 2018,

Now, upon reading and filing the stipulation of the parties hereto, dated August 12, 2019, and due deliberation having been had thereon,

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 24, 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
The State of New York,
Petitioner-Respondent,

Confidential
M-7375

-against-

Index No. 391/16

Kevin F.,
Respondent-Appellant,

For Civil Management Pursuant to Article
10 of the Mental Hygiene Law.

-----X

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

Now, upon reading and filing the correspondence from counsel for respondent-appellant dated September 11, 2019, and due deliberation having been had thereon,

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 24, 2019.

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

-----X
Times Square Souvenirs, Inc., a New
York Corporation,
Plaintiff-Respondent-Appellant,

-against-

M-7376
Index No. 650686/17

Big Apple Entertainment Partners, LLC,
doing business as Ripley's Believe It or
Not, a Delaware Limited Liability Company,
Defendant-Appellant-Respondent.
-----X

An appeal and cross appeal having been taken from an order of the Supreme Court, New York County, entered on or about September 11, 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 and cross appeal, previously perfected, are withdrawn in accordance with the aforesaid stipulation.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 24, 2019.

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

-----X

Rocio Bello,
Plaintiff,

-against-

M-7377
Index No. 305687/10

New York City Health & Hospitals Corp.,
et al.,
Defendants.

-----X

New York City Health & Hospitals Corp.,
Third-Party-Plaintiff-Respondent,

-against-

Index No. 43061/17

New York-Presbyterian Hospital/
Columbia University Medical Center,
Third-Party Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about August 30, 2018,

Now, upon reading and filing the correspondence from counsel for third-party defendant-appellant, dated September 11, 2019, and due deliberation having been had thereon,

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 24, 2019.

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

-----X

David Mercedes,
Plaintiff-Respondent,

-against-

Matrix Crossroads, LLC,
Defendant-Respondent,

M-7378
Index No. 162055/15

-and-

Liberty Elevator Corporation,
Defendant-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about June 17, 2019,

Now, upon reading and filing the correspondence from counsel for defendant-appellant dated September 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 October 24, 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 Claim of
John Orlando,
Petitioner-Appellant,

-against-

M-7380
Index No. 158807/18

For permission to serve a late
Notice of Claim upon

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

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about December 4, 2018,

Now, upon reading and filing the correspondence from counsel for petitioner-appellant dated September 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 October 24, 2019.

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

-----X
Jarolin Perez,

Plaintiff-Respondent,

M-7383

Index No. 303235/15

-against-

1779 Southern LLC,

Defendant-Appellant.
-----X

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

Now, upon reading and filing the correspondence from counsel for defendant-appellant dated September 16, 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 October 24, 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 Pursuant
to Civil Practice Law and Rules
Article 78

Edwards Zarins,
Petitioner,

M-7393
Index No. 160293/18

-against-

Theresa L. Egan, as Executive Deputy
Commissioner of the New York State
Department of Motor Vehicles,
Respondent.

-----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 February 5, 2019, to review a determination of respondent,

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 proceeding is deemed withdrawn in accordance with the aforesaid stipulation.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 24, 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
Cutlass Enterprises, Inc.,

Petitioner-Appellant,

-against-

M-7416

Index No. 260519/16

The City of New York,
Respondent-Respondent.

-----X

An appeal having been taken from the order and judgment (one paper) of the Supreme Court, Bronx County, entered on or about April 16, 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, previously perfected, is deemed withdrawn in accordance with the aforesaid stipulation.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 24, 2019.

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

-----X
Colony Insurance Company and Gemstar
Development Corp.,
Plaintiffs-Appellants,

-against-

M-7425

Index No. 654273/15

The Burlington Insurance Company,
Defendant-Respondent,

Orly Hakimsefat, Chana Krausz, Hershey
Krausz and Dangriga Custom Woodworking,
Ltd.

Nominal Defendants.

-----X

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

Now, upon reading and filing the stipulation of the parties hereto, dated August 22, 2019, and due deliberation having been had thereon,

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 24, 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-7429
Ind. No. 1740/15

Kiralayn Ilina,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about March 13, 2018,

Now, upon reading and filing the stipulation of the parties hereto, dated August 2, 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 October 24, 2019.

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

-----X
SW Productions, Inc.,

Plaintiff-Appellant-Respondent,

-against-

M-7438

Index No. 652990/14

CBGB Festival, LLC and 315 Bowery
Holdings, LLC,
Defendants-Respondents-Appellants,

CBGB Holdings, LLC,
Defendants-Respondents.

-----X

An appeal and cross appeal having been taken from an order of the Supreme Court, New York County, entered on or about September 18, 2015, and the appeal having been perfected,

Now, upon reading and filing the stipulation of the parties hereto, dated August 27, 2019, and due deliberation having been had thereon,

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 24, 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-7397
SCI. No. 700/15

Alian Perez,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, rendered on or about February 26, 2017,

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:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 24, 2019.

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

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

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

CONFIDENTIAL
M-7222

Docket No. O-16722/18

-against-

Curtis Jermaine C.,
Respondent-Appellant.

- - - - -
Larry S. Bachner, Esq.,
Attorney for the Children
Tai'Shaun C. and Tre'Shaun C.

-----X
Petitioner-respondent 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 March 15, 2019, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of William O'Hern, Esq., dated September 11, 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, Leslie S. Lowenstein, Esq., 567 Sunset Drive, Woodmere, New York, 11598, 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

(M-7222)

-2-

October 24, 2019

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 October 24, 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

Jaylen H.
Adan H.

Confidential
M-7261
Docket No. NN-02356-7/19

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,
Petitioner-Respondent,

Ronald H.
Respondent-Appellant.

- - - - -
Michael Conroy, Esq.,
Attorney for the Children.

-----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 3, 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 Rebecca Swarm, Esq., dated September 10, 2019, and due deliberation having been had thereon, it is

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

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

ENTERED:


CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 24, 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.

- - - - -
Alicia A.,
Petitioner-Respondent,

-against-

Confidential

M-7263

Docket No.V-15577-17/17A

Raymond H.,
Respondent-Appellant.

- - - - -
Mark Leiter, Esq., Lawyers for Children,
Attorney for the Child.

-----X
Respondent-appellant father 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 February 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 Brian J. Carley, Esq., dated August 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, Daniel R. Katz, Esq., 339 West 88th Street, Apartment No. 3, New York, New York 10024, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from

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

ENTERED:


CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 24, 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.

Colette J.,
Petitioner-Appellant,

Confidential
M-7264

Docket No. V-7214/17

-against-

Ilonga L., Christina R., ACS-NY and
Little Flower Children Services,
Respondents-Respondents.

Myra Elgabory, Esq., Lawyers for Children,
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, New York County, entered on or about March 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 the certification of Brian J. Carley, Esq., dated August 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, Daniel R. Katz, Esq., 339 West 88th Street, Apartment No. 3, New York, New York 10024, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from

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

ENTERED:


CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 24, 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.

- - - - -
Milagros R.,
Petitioner-Appellant,

CONFIDENTIAL

M-7266

Docket No. V-47098/15

-against-

Quazay S.-R., K'Shonna J., and
Administration for Children's
Services of the City of New York,
Respondents-Respondents.

-----X
In the Matter of Guardianship
Proceeding

Charlotte J.,
Petitioner,

Docket No. G-15789/17

-against-

Quazay S.-R., K'Shonna J., and
Administration for Children's
Services of the City of New York,
Respondents-Respondents.

-----X

Petitioner-appellant Milagros R. having moved for leave to prosecute, as a poor person, the appeals taken from two orders of the Family Court, New York County, entered on or about November 27, 2018 and November 28, 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 the certification of Brian J. Carley, Esq., dated February 11, 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, Daniel R. Katz, Esq., 339 West 88th Street, Apartment 3, New York, New York 10024, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk**; (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order**; and (4) directing appellant to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:


CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 24, 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-7313

Reginald M.,
Petitioner-Appellant,

Docket No. O-13338-18

-against-

Marilyn M.,
Respondent-Respondent.

Cassandra Celestin, Esq., Children's
Law Center, Attorney for the Child.

-----x

Respondent-respondent having moved for leave to respond, as a poor person, to the appeal taken from an order of the Family Court, Bronx County, entered on or about March 5, 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 Israel Premier Inyama, Esq., dated September 10, 2019, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to §1120 of the Family Court Act, Douglas H. Reiniger, Esq., 801 Second Avenue, 10th Floor, New York, New York 10017, Telephone No. 646-627-8875, 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 October 24, 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-6889
Ind. No. 4375/16

Richard Magloire,
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 January 16, 2019, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 24, 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-6902
Ind. Nos. 737/17
4349/17

Christion Cummings
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 June 27, 2019, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 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 October 24, 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-6903
Ind. Nos. 3816/17
4308/18

Levon McEachern, also known as
Levon McEachera,
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 8, 2019, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 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 October 24, 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-7153
Ind. No. 2635/16

Hector Hernandez,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about April 30, 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.

(M-7153)

-2-

October 24, 2019

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 October 24, 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-7345
Ind. No. 1147/17

Robert Fecu,
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, Bronx County, rendered on or about June 19, 2019, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 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 October 24, 2019.

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

-----X

The People of the State of New York,
Respondent,

M-7392

-against-

Ind. No. 2399/17

Evan Wald,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about July 8, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about July 8, 2019,

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

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

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

(M-7392)

-2-

October 24, 2019

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 October 24, 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,

CONFIDENTIAL

M-7269

-against-

Ind. Nos. 6992/88

Anthony Washington,
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, Bronx County (Bruce, J.), entered on or about October 27, 2017, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

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

The Clerk of the Supreme Court shall expeditiously make and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Bruce as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Janet E. Sabel, Esq., The Legal Aid Society, 199 Water Street, 5th Floor, New York, New York, 10038, Telephone No. 212-577-3688, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

(M-7269)

-2-

October 24, 2019

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 October 24, 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,

CONFIDENTIAL

M-7312

-against-

Ind. No. 2297/04

Vinerio Franceschini,
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, Bronx County (Barrett, J.), entered on or about August 15, 2019, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

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

The Clerk of the Supreme Court shall expeditiously make and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Barrett as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Janet E. Sabel, Esq., The Legal Aid Society, 199 Water Street, 5th Floor, New York, New York, 10038, Telephone No. 212-577-3688, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

(M-7312)

-2-

October 24, 2019

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 October 24, 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,

CONFIDENTIAL

M-7359

-against-

Ind. No. 1280/80

Lawrence Jones,
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, Bronx County (Bruce, J.), entered on or about August 23, 2019, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

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

The Clerk of the Supreme Court shall expeditiously make and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Bruce as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Janet E. Sabel, Esq., The Legal Aid Society, 199 Water Street, 5th Floor, New York, New York, 10038, Telephone No. 212-577-3688, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

(M-7359)

-2-

October 24, 2019

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 October 24, 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,

CONFIDENTIAL

M-7360

-against-

Ind. Nos. 3023/09
5059/00

Angel Lopez,
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, Bronx County (Bruce, J.), entered on or about June 21, 2019, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

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

The Clerk of the Supreme Court shall expeditiously make and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Bruce as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Janet E. Sabel, Esq., The Legal Aid Society, 199 Water Street, 5th Floor, New York, New York, 10038, Telephone No. 212-577-3688, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

(M-7360)

-2-

October 24, 2019

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 October 24, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Rosalyn H. Richter
Angela M. Mazzarelli
Troy K. Webber
Cynthia S. Kern, Justices.

-----x
In the Matter of the Application of
Dogwood Residential LLC,
Petitioner-Appellant,

-against-

M-7387
Index No. 157564/17

Stable 49 Limited, Kim Youngberg,
Marianne Matanic, Tewfic El-Sawy
individually and as members of the Board
of Directors of Stable 49 Limited, and
the Board of Directors of Stable 49
Limited,
Respondents-Respondents.

For Relief Pursuant to Article 78 of the
Civil Practice Law and Rules of the State
of New York and BCL §619.

-----x
Petitioner-appellant having moved for a further enlargement
of time to perfect the appeal taken from an order and judgment
(one paper) of the Supreme Court, New York County, entered on or
about November 2, 2018,

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

(M-7387)

-2-

October 24, 2019

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 24, 2019.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Barbara R. Kapnick
Ellen Gesmer
Cynthia S. Kern, Justices.

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

-against-

M-7030
Ind. No. 1788/17

Cesar Rivera,
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, Bronx County, rendered on or about September 5, 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 is denied, with leave to renew, upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101 and 22 NYCRR 1250.4(d)(1) and (4), setting forth his indigency and the amount and sources of funds utilized to retain trial counsel, and to post bail in the Supreme Court, the disposition thereof, and an explanation as to why similar funds are not available to prosecute this appeal.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 24, 2019.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Barbara R. Kapnick
Ellen Gesmer
Cynthia S. Kern, Justices.

-----X

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

- - - - -

Eddie S.
Petitioner-Respondent,

CONFIDENTIAL

M-7131

Docket Nos. V-27327-10/15B
V-27328-10/15B

-against-

Sylvia S.,
Respondent-Appellant.

- - - - -

Katherine Tracey, Esq.,
Attorney for the Children.

-----X

An order of this Court having been entered on June 25, 2019 (M-2411) granting respondent-appellant leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, Bronx County, entered on or about March 18, 2019, and assigning Steven N. Feinman, Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and to assign new 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 to the extent of striking the designation of Steven N. Feinman, Esq., as assigned counsel to prosecute respondent-appellant's appeal, and substituting, pursuant to Section 722 of the County Law, Bruce A. Young, Esq., 100 Church Street, Suite 800, New York, New York, 10007, Telephone No. 646-775-8994, as such counsel. The poor person

(M-7131)

-2-

October 24, 2019

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:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 24, 2019.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Barbara R. Kapnick
Ellen Gesmer
Cynthia S. Kern, Justices.

-----x
Marion S. Mishkin, Esq.,

Plaintiff-Appellant,

M-7158
Index No. 152788/15

-against-

Frank Andrea, Esq., et al.,

Defendants-Respondents.
-----x

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about September 14, 2018,

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

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 24, 2019.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Barbara R. Kapnick
Ellen Gesmer
Cynthia S. Kern, Justices.

-----x
In the Matter of the Application of
Theresa D. Gonzales,
Petitioner-Appellant,

For an Order and Judgment Pursuant
to Article 78 of the CPLR,

M-7246
Index No. 400163/11

-against-

NYC Department of Citywide
Administrative Services, et al.,
Respondents-Respondents.

-----x

Petitioner-appellant having moved, pursuant to 22 NYCRR 1250.10(c), to vacate the dismissal of the appeal taken from two orders of the Supreme Court, New York County, entered on or about January 19, 2018 and January 4, 2018 and, upon vacatur, for an enlargement of time to perfect said appeal,

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

It is ordered that the motion is granted to the extent of vacating the dismissal, reinstating the appeal, and enlarging the time to perfect same to the March 2020 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 October 24, 2019.

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

Justice Presiding,

Justices.

-----x

Anthony Varriano,
Plaintiff-Respondent,

CONFIDENTIAL

M-7183

-against-

Index No. 301005/16

Maria Proietti Varriano,
Defendant-Appellant.

-----x

An appeal having been taken to this Court from the judgment of divorce of the Supreme Court, New York County, entered on or about June 8, 2018, the appeal having been perfected and calendared for the November 2019 Term of this Court,

And defendant-appellant having moved for a calendar preference for the earliest date possible for the November 2019 Term,

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 Clerk of the Court is directed to maintain the appeal taken from the aforesaid order on this Court's calendar for the November 2019 Term.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 24, 2019.

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

-----x
Abel Sotarriba,
Plaintiff-Respondent-Appellant,

-against-

M-7335
Index No. 113027/11

346 West 17th Street LLC, Northquay
Properties LLC and McGowan Builders, Inc.,
Defendants-Respondents-Appellants.

-----x
346 West 17th Street LLC, Northquay
Properties LLC and McGowan Builders, Inc.,
Third-Party Plaintiffs-Respondents-
Appellants,

-against-

Sigma Electric, Inc.
Third-Party Defendant-Respondent-
Appellant.

-----x
Sigma Electric, Inc.
Second Third-Party Plaintiff-
Respondent-Appellant,

-against-

Technetek Ltd.,
Second Third-Party Defendant-Appellant-
Respondent.

-----x

Appeals having been taken to this Court from an order of the Supreme Court, New York County, entered on or about March 9, 2019, and the appeals having been perfected,

And defendants/third-party plaintiffs-respondents-appellants, 346 West 17th Street LLC, Northquay Properties, LLC and McGowan Builders, Inc., having moved for an order granting leave to supplement the Joint Record on Appeal, and extending the time for all parties to file their respective Reply Briefs,

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

It is ordered that the motion is granted to the extent of adjourning the perfected appeal to the January 2020 Term, and is otherwise denied.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 24, 2019

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Peter Tom
Angela M. Mazzarelli
Jeffrey K. Oing
Anil C. Singh, Justices.

-----x
Lolita C. Hallman,
Plaintiff-Appellant,

M-6805
Index No. 162787/14

-against-

Wollman Rink Operations LLC and The
City of New York,
Defendants-Respondents,

-----x

Plaintiff-appellant having moved, pursuant to 22 NYCRR 1250.10(c), to vacate the dismissal of the appeal taken from a judgment of the Supreme Court, New York County, entered on or about December 26, 2018, 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 dismissal vacated, the appeal reinstated, and the time to perfect said appeal is enlarged to the February 2020.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 24, 2019.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Peter Tom
Angela M. Mazzarelli
Jeffrey K. Oing
Anil C. Singh, Justices.

-----X
Marc Bogatin,
Plaintiff-Respondent,

-against-

M-7170
Index No. 103489/11

Windermere Owners LLC and
Windemere Cheateau, Inc.,
Defendants-Appellants.
-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about November 30, 2018,

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 24, 2019.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Peter Tom
Angela M. Mazzarelli
Jeffrey K. Oing
Anil C. Singh, Justices.

-----X
The People of the State of New York
ex rel. Jane White, Esq., on
behalf of Naseer Shaheed,
Petitioner-Appellant,

-against-

Cynthia Brann, Commissioner, New
York City Department of Correction,
Respondent-Respondent.

M-7201
Index No. 451335/18
Ind. No. 1777/18

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about July 19, 2018, which denied and dismissed petitioner's application for a writ of habeas corpus,

And respondent-respondent having moved to dismiss the appeal on the ground that petitioner's appeal challenged his pre-conviction detention, and petitioner has now been sentenced pursuant to a judgment of conviction, rendering the appeal academic.

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 24, 2019.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Peter Tom
Angela M. Mazzarelli
Jeffrey K. Oing
Anil C. Singh, Justices.

-----X
In the Matter

William Maragh E.,

CONFIDENTIAL

M-7253

Docket No. NN-29213/16

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

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

Shaunette W.,
Respondent-Appellant,

Leroy R.,
Respondent.

- - - - -
Eugene P. McGloin, Esq.,
Attorney for the Child.

-----X
An order of this Court having been entered on March 12, 2019 (M-5748) granting respondent-appellant leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, Bronx County, entered on or about November 1, 2018, and assigning Andrew J. Baer, Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and to withdraw the appeal,

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

(M-7253)

-2-

October 24, 2019

Ordered that the motion is granted to the extent of deeming the appeal withdrawn, and striking the designation of Andrew J. Baer, Esq., as assigned counsel.

ENTERED:


CLERK

is vacated, the appeal reinstated, and the time to perfect said appeal is enlarged to the February 2020 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 October 24, 2019.

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

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

Anthony S.,
Petitioner-Respondent,

-against-

CONFIDENTIAL

M-7295
Docket Nos. F-6820/14
F-3544/18

Monique B.,
Respondent-Appellant.

-----x

An appeal having been taken to this Court from the order of the Family Court, Bronx County, entered on or about September 4, 2019, and said appeal having been perfected,

And respondent-appellant having moved for a stay of enforcement of the Family Court orders issued in this matter, pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is granted to the extent of staying so much of the Family Court orders which required respondent-appellant pay child support, and staying all proceeding in the Family Court, pending hearing and determination of the appeal.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 24, 2019.

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

-----X
The People of the State of New York
ex rel. Diane Word,
Petitioner,

-against-

M-7155
Ind. No. 12241/92

State of New York, Department of
Corrections and Community Supervision,
Respondent.

-----X

An order of this Court entered on June 4, 2019 (M-2130) having denied a motion by petitioner for, inter alia, a writ of habeas corpus to be issued from this Court,

And an order of this Court entered on September 10, 2019 (M-3150) having denied petitioner's motion for clarification of the aforementioned order,

And petitioner having moved for renewal and reargument of her original writ of habeas corpus, denied by this Court on June 4, 2019 (M-2130),

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 October 24, 2019.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Judith J. Gische
Peter Tom
Ellen Gesmer
Peter H. Moulton, Justices.

-----X

Lisette Lopez,
Plaintiff,

-against-

M-7171
Index No. 305744/10

GP Castle Realty, LLC,
Defendant-Appellant.

-----X

GP Castle Realty, LLC,
Third-Party Plaintiff-Appellant,

-against-

Third-Party
Index No. 84018/12

M&M Castle Deli Grocery Corp.,
Third-Party Defendant,

-----X

G.P. Castle Realty, LLC,
Second Third-Party Plaintiff-
Appellant,

-against-

Second Third-Party
Index No. 83985/14

Ahmed Alsaedi,
Second Third-Party Defendant-
Respondent.

-----X

Defendant/third-party plaintiff/second third-party plaintiff-appellant, GP Castle Realty, LLC, having moved for a stay of trial pending hearing and determination of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about April 16, 2019, which granted second third-party defendant-respondent Alsaedi's motion to dismiss the second third-party action, and denied GP Castle Realty, LLC's motion for summary judgment as against Alsaedi for contractual indemnification,

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

(M-7171)

-2-

October 24, 2019

It is ordered that the motion is denied and the interim relief granted by an order of a Justice of this Court, dated August 29, 2019, is hereby 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 October 24, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Judith J. Gische
Troy K. Webber
Anil C. Singh, Justices.

-----x
In the Matter of

Gabriel R.,
Liam B.,
Arianna B.,
Alexia B., and
Nadya R.,

CONFIDENTIAL

M-1386
Docket Nos.
NA-23662-5/17
NA-16938/18

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

Administration for Children's Services,
Petitioner-Respondent,

Shameeza K.,
Respondent,

Jose R.,
Respondent-Appellant.

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

Now, upon reading and filing the papers with respect to the motion, and the certification of Janette Cortes-Gomez, Esq., dated February 22, 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, NY 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) directing appellant to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:


CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 24, 2019.

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

-----X
Efrain Galicia, Florencia Tejada
Perez, Gonzalo Cruz Franco, Miguel
Villalobos and Norberto Garcia,
as Administrator of the Estate of
Johnny Hosvaldo Garcia Rojas,
Plaintiffs-Respondents,

-against-

M-7413
M-7603
Index No. 24973/15E

Donald J. Trump,
Defendant-Appellant,

-and-

Donald J. Trump for President, Inc.,
The Trump Organization LLC, Keith
Schiller, Gary Uher, Edward Jon
Deck Jr., and John Does 3-4,
Defendants.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about September 20, 2019,

And defendant-appellant having moved having moved to stay enforcement of the aforesaid order pending hearing and determination of the appeal taken therefrom (M-7413),

And plaintiffs-respondents having cross-moved for a stay of trial pending hearing and determination of the aforesaid appeal, only in the event defendant-appellant's motion is granted (M-7603),

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-7413) and cross motion (M-7603) are granted on condition that the appeal is perfected for the February 2020 Term.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 24, 2019.

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,
Judith J. Gische
Troy K. Webber
Peter H. Moulton, Justices.

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

-against-

M-7059
Ind. No. 3721/10

Ricky Moore,
Defendant-Appellant.

-----X

An order of this Court having been entered on November 30, 2017 (M-4714) granting defendant leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about May 12, 2011, 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 substitute retained counsel, to enlarge the time to perfect the appeal, and to continue the poor person relief previously granted,

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 relieving Christina Swarns, Esq., as assigned counsel and otherwise continuing the poor person relief previously granted. That branch of the motion which seeks to substitute retained counsel is denied as unnecessary. Appellant's time in which to perfect the appeal is enlarged until the March 2020 Term.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 24, 2019.

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,
Judith J. Gische
Troy K. Webber
Peter H. Moulton, Justices.

-----x

Jeffrey Sklar,
Plaintiff-Appellant,

-against-

M-7121
Index No. 154067/19

Itria Ventures, LLC, et al.
Defendants-Respondents.

-----x

An appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about June 21, 2019, insofar as it denied plaintiff-appellant's motion to stay the enforcement of eleven judgments by confession without the posting of a bond,

And plaintiff-appellant having moved for an order staying enforcement of all of the aforesaid judgments by confession pending the hearing and determination of the appeal,

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

It is ordered that the motion is 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 October 24, 2019

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,
Judith J. Gische
Troy K. Webber
Peter H. Moulton, Justices.

-----x
U Joon Sung,

Plaintiff-Appellant,

M-7133

Index No. 159279/15

-against-

Andrew I. Park, Esq., Junghyun Choi, Esq.,
Sim & Park, LLP and Andrew Park, P.C.,
Defendants-Respondents,

-----x

Plaintiff-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 January 14, 2019, 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 dismissal vacated, the appeal reinstated, and the time to perfect said appeal is enlarged to the February 2020.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 24, 2019.

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,
Judith J. Gische
Troy K. Webber
Peter H. Moulton, Justices.

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

-against-

M-7141
Ind. No. 4233/17

Damone Luke,
Defendant-Appellant.

-----X

An order of this Court having been entered on August 27, 2019 (M-3251), 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 April 3, 2019, and assigning counsel therefor,

And defendant-appellant having moved for an order granting leave to file a late notice of appeal, or in the alternative, deeming the within motion papers a timely filed notice of appeal, from a subsequent judgment of **resentence**, same Court, rendered on or about May 15, 2019 and to amend the aforementioned order of assignment, entered on August 27, 2019 (M-3251), to include said judgment of **resentence**,

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 motion papers a timely filed notice of appeal, and amending the aforementioned order of assignment to include the judgment of **resentence**, and extending the poor person relief granted therein 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 October 24, 2019.

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,
Judith J. Gische
Troy K. Webber
Peter H. Moulton, Justices.

-----X
Jeffrey P. Squitieri,
Plaintiff-Appellant,

-against-

M-7186
Index No. 350138/06

Beth Kaufman formerly known as
Beth Squitieri,
Defendant-Respondent.

-----X

Plaintiff-appellant, *pro se*, having moved for an enlargement of time to perfect the appeals taken from three orders of the Supreme Court, New York County, entered on or about November 15, 2018, March 19, 2013 and June 8, 2018,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeals to the February 2020 Term.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 24, 2019.

PRESENT: Hon. Sallie Manzanet-Daniels, Justice Presiding,
Cynthia S. Kern
Jeffrey K. Oing
Anil C. Singh, Justices.

-----X

Stanley Kruger,
Plaintiff-Respondent,

-against-

The City of New York,
Defendant-Appellant.

-----X

M-7365
M-7114
Index No. 162574/15

Defendant-appellant having moved for an order staying the trial in the above-entitled action pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about December 14, 2018, and said appeal having been perfected,

Now, upon reading and filing the papers with respect to the motion, and the Stipulation Discontinuing Appeal dated September 20, 2019, and due deliberation having been had thereon,

It is ordered that the appeal is deemed withdrawn pursuant to the stipulation and the motion is denied as academic.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 24, 2019.

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,
Cynthia S. Kern
Jeffrey K. Oing
Anil C. Singh, Justices.

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

-against-

M-7163
Ind. No. 893/17

Tyrone Rodriguez,
Defendant-Appellant.

-----X

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

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

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

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

Christina Swarns, Esq., Office of the Appellate Defender, 11 Park Place, 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 October 24, 2019.

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,
Cynthia S. Kern
Jeffrey K. Oing
Anil C. Singh, Justices.

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

-against-

M-7165
Ind. No. 3097/15

Tyrone Rodriguez,
Defendant-Appellant.

-----X

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

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

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

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

Christina Swarns, Esq., Office of the Appellate Defender, 11 Park Place, 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