

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 30, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-223  
SCI No. 3195/19

Carlos De La Cruz,  
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about November 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 November 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.

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

**CORRECTED ORDER - April 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 April 30, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

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

-against-

M-224  
Ind. Nos. 2583/18  
2239/17

Durwin Mercer,  
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about November 25, 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 November 7, 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.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28<sup>th</sup> 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 April 30, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-226  
Ind. No. 2738N/18

Sidney Monk,  
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about November 15, 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 30, 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.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28<sup>th</sup> 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 April 30, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-227  
Ind. No. 3244/18

Keith Woody,  
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about October 1, 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 September 23, 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.

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 April 30, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-228  
Ind. No. 2067/19

Luis Espinal,  
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about October 1, 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 September 26, 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.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28<sup>th</sup> 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 April 30, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-510  
Ind. No. 2343/13

James Thomas,  
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about October 29, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about October 29, 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.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28<sup>th</sup> 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 April 30, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-513

Ind. No. 1453/2018

Elvin Garcia,  
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about October 30, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about October 11, 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.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28<sup>th</sup> 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 April 30, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-678  
Ind. No. 1850/19

Michael Hill,  
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about November 22, 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 January 7, 2020,

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.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28<sup>th</sup> 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 April 30, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-679  
Ind. No. 2336/18

Keith Kinsey,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about November 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, 28<sup>th</sup> 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 April 30, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-693  
Ind. No. 1111/18

Nicholas Button,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about September 24, 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, 28<sup>th</sup> 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 April 30, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-752

Ind. No. 1503/18

Jorge Rivera,  
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about January 2, 2020, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about December 11, 2019,

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

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

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

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 30, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-753  
Ind. No. 832/18

Yaritza Flores,  
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about January 14, 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 January 14, 2019,

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

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

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

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

ENTERED:

  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 30, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-758

Ind. Nos. 1462/19  
1469/19

Jamir Pruitt,  
Defendant-Appellant.

-----X

Orders of the Supreme Court, Bronx County, having been entered on or about January 7, 2020, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgments of the Supreme Court, Bronx County, rendered on or about January 7, 2020,

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

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

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

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 30, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-804  
Ind. No. 2379/18

Jason Plummer,  
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about January 7, 2020, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about January 7, 2020,

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

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

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

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 30, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,  
Respondent,

-against- M-805  
Ind. No. 1913/18

Jeffrey Tartt,  
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about January 7, 2020, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about January 7, 2020,

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

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

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

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 30, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-806  
Ind. No. 2201/19

Lamont Banner,  
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about December 6, 2019 inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about November 7, 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.

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 April 30, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-861  
Ind. No. 816/19

Jason Sabater,  
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about January 7, 2020, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about January 7, 2020,

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

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

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

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 30, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-863  
Ind. No. 2250/19

Tyrell Mack,  
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about January 11, 2020, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about January 11, 2020,

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

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

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

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 30, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-866  
Ind. No. 3965/18

Robert Moore,  
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about January 7, 2020 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 December 17, 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.

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 April 30, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-874

Ind. No. 2652/18

Cordal Malloy,  
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about January 10, 2020 inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about January 10, 2020,

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

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

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

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

ENTERED:

  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 30, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-876  
Ind. No. 1743/19

Kenneth Smith,  
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about January 8, 2020, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about January 8, 2020,

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

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

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

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 30, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-879  
Ind. No. 2312/18

Shaquan Cummings,  
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about January 2, 2020, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about January 2, 2020,

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

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

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

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 30, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,  
Respondent,

-against- M-880  
Ind. No. 1610/17

Joseph Owens,  
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about January 10, 2020, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about January 10, 2020,

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

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

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

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 30, 2020.

Present: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

In the Matter of

Jayden J.,

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

**CONFIDENTIAL**

M-1250

Docket No. B-44347/15

- - - - -  
The New York Foundling Hospital,  
Petitioner-Respondent,

Florence J.,  
Respondent-Appellant.

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

-----X

Kenneth Walsh, Esq., court attorney for the subject child, having moved on the child's behalf for leave to respond, as a poor person, to the appeal taken from the order of the Family Court, New York County, entered on or about February 22, 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 Kenneth Walsh, Esq., dated March 2, 2020, 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, Kenneth M. Tuccillo, Esq., 591 Warburton Avenue, No. 576, Hastings on Hudson, New York, 10701, Telephone No. 914-439-4843, as counsel for the child 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 respondent-appellant and an

original, five hard copies and, if represented by counsel, one digital copy of such brief filed, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division. Sua sponte the appeal (Cal. No. 1631) is adjourned to the October 2020 Term of this Court.

ENTERED:

  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 30, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
Dianne T. Renwick  
Sallie Manzanet-Daniels  
Barbara R. Kapnick, Justices.

-----X

Jeffrey Feuer,  
Plaintiff-Appellant,

-against-

Rhoda Feuer,  
Defendant-Respondent.

-----X

**CONFIDENTIAL**

M-215

Index No. 151738/16

Plaintiff-appellant having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on December 3, 2019 (Appeal Nos. 10484-10484A),

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 April 30, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
Dianne T. Renwick  
Barbara R. Kapnick  
Angela M. Mazzarelli, Justices.

-----X  
Justin Lerner,  
Plaintiff-Appellant,

-against-

M-201  
Index No. 657273/17

Newmark & Company Real Estate,  
Inc., et al.,  
Defendants-Respondents.

-----X

Defendants-respondents having moved for leave to appeal to the Court of Appeals from the decision and order of this Court, entered on December 3, 2019 (Appeal No. 10488),

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 April 30, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Dianne T. Renwick  
Sallie Manzanet-Daniels  
Barbara R. Kapnick  
Lizbeth González, Justices.

-----X  
In re Carlos Fernandez,

Petitioner-Appellant,

-against-

New York City Transit Authority,

Respondent-Respondent.  
-----X

M-730  
Index No. 26176/17E

Petitioner-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court, entered on December 19, 2019 (Appeal No. 10597),

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 April 30, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Judith J. Gische  
Barbara R. Kapnick, Justices.

-----x

Elliot Shalom, individually, and  
derivatively on behalf of IEB  
Associates, LLC, et al.,  
Plaintiffs-Respondents-Appellants,

M-902  
M-903  
Index No. 656326/16

-against-

Isaac Shalom, et al.,  
Defendants-Appellants-Respondents.

-----x

Appeals and cross appeals having been taken to this Court from orders of the Supreme Court, New York County, entered on or about November 14, 2018 and December 12, 2018,

And defendants-appellants-respondents having moved for a further extension of time to perfect their appeal from the order entered on or about November 14, 2018 (M-903),

And plaintiffs-respondents-appellants having moved for a further extension of time to perfect their appeal from the order entered on or about December 12, 2018 (M-902),

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 are granted to the extent of extending the time to perfect all appeals and cross appeals from the orders entered on or about November 14, 2018 and December 12, 2018 to the October 2020 Term, with leave to seek further extensions, if necessary.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 30, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Judith J. Gische  
Barbara R. Kapnick, Justices.

-----X  
Catherine E. Napolitano,  
Plaintiff-Appellant,

-against-

M-987  
Index No. 800281/11

Susan M. Gustavson, R.V.T. and  
Mount Sinai Medical Center also  
known as Mount Sinai Hospital,  
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an extension of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about April 15, 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 October 2020 Term of this Court.

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 30, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Judith J. Gische  
Barbara R. Kapnick, Justices.

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

Michels Corporation,

Petitioner-Appellant,

M-1084  
Index No. 161540/18

For an Order Pursuant to Article 78 of the Civil Practice Laws and Rules Directing Respondent to Award to Petitioner a Certain Public Improvement Contract Known as "John F. Kennedy International Airport - Reconstruction Of Runway 136-31R and Associated Taxiway Project Contract No. JFK-164.020"

-against-

The Port Authority of New York and New Jersey and Walsh Construction Company II LLC,  
Respondent-Respondent.

-----X

Petitioner-appellant having moved for an extension of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about April 19, 2019, which dismissed the petition,

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

(M-1084)

-2-

April 30, 2020

It is ordered that the motion is granted to the extent of extending the time to perfect the proceeding to the October 2020 Term of this Court.

ENTERED:

  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 30, 2020.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rosalyn H. Richter  
Cynthia S. Kern  
Anil C. Singh, Justices.

-----X

Marie J. Rodriguez, etc.,  
Claimant-Appellant,

Court of Claims

M-1058

-against-

Claim No. 121369

City University of New York,  
Defendant-Respondent.

-----X

Claimant-appellant having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on January 16, 2020 (Appeal No. 10792),

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 April 30, 2020.

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

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

Respondent,

-against-

M-696  
Ind. No. 4097/14

Robert Moco,

Defendant-Appellant.  
-----X

Defendant-appellant having moved for reargument of the decision and order of this Court, entered on October 31, 2019 (Appeal No. 10249),

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 April 30, 2020.

PRESENT: Hon. David Friedman, Justice Presiding,  
Troy K. Webber  
Cynthia S. Kern  
Lizbeth González, Justices.

-----X

In re Maria Nazor, et al.,  
Petitioners,

M-810

-against-

Index No. 159870/18

New York City Loft Board, et al.,  
Respondents.

- - - - -

Mushlam, Inc.,  
Plaintiff-Respondent,

-against-

Index No. 100207/08

Maria Nazor, et al.,  
Defendants-Appellants.

-----X

Petitioners having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on January 28, 2020 (Appeal No. 10910, 10910A, 10911N, 10911NA),

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 April 30, 2020.

PRESENT: Hon. David Friedman, Justice Presiding,  
Troy K. Webber  
Cynthia S. Kern  
Lizbeth González, Justices.

-----X  
Anthony J. Russo,  
Plaintiff-Appellant,

-against-

M-957  
Ind. No. 100394/18

United Federation of Teachers and  
New York City Department of Education,  
Defendants-Respondents.

-----X

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

And plaintiff-appellant having moved for reargument of the order of this Court entered January 30, 2020 (M-8975), which denied his motion to vacate the dismissal of the aforesaid appeal and 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 of the appeal vacated and the time to perfect same is extended to the October 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 April 30, 2020.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,  
Rosalyn H. Richter  
Angela M. Mazzarelli  
Anil C. Singh, Justices.

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

-against-

M-920  
Ind. No. 4977/12

Leroy Bundy,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for an extension of time to perfect the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about February 11, 2016,

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

It is ordered that the motion is granted to the extent of extending the time to perfect the appeal to the October 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 April 30, 2020,

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

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

-against-

Axel Barahona,  
Defendant-Appellant.

**CONFIDENTIAL**

M-977

Ind. No. 185/17

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about August 22, 2017, and said appeal having been perfected,

And the People having moved to dismiss the aforesaid appeal,

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

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

ENTERED:



A handwritten signature in black ink, appearing to read "Susan R. Jones", is written over a horizontal line.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 30, 2020.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,  
Angela M. Mazzairelli  
Ellen Gesmer  
Anil C. Singh, Justices.

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

-against-

M-922  
Ind. No. 1428/13

Thea Gurley,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court from a judgment of the Supreme Court, Bronx County, rendered on or about November 16, 2015,

And defendant-appellant having moved for an extension of time within which to perfect the appeal, if necessary, until 180 days after the Supreme Court, Bronx County (Judith Lieb, J.) renders a decision on appellant's pending C.P.L. § 440.10 motion, or, if that motion is denied, the resolution of any motion for leave to appeal that denial to this Court,

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

Ordered that the motion is granted to the extent of extending the time to perfect the appeal to the November 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 April 30, 2020.

PRESENT: Hon. Judith J. Gische, Justice Presiding,  
Ellen Gesmer  
Jeffrey K. Oing  
Peter H. Moulton, Justices.

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

-against-

M-614  
Ind. No. 4883/17

Juan Zubiaga Baez,  
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 November 12, 2019, for leave to prosecute the appeal as a poor person, on the original record and upon a reproduced appellant's brief, and for related relief,

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

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

The motion, to the extent that it seeks poor person relief, is denied, with leave to renew upon defendant's submission of a notarized affidavit, in compliance with CPLR 1101(a), and 22 NYCRR 1250.4(d)(1) and (4), setting forth, inter alia, his indigency and the terms of defendant's retainer agreement with trial counsel, the amount and sources of funds for trial counsel's fee, 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 April 30, 2020.

PRESENT: Hon. Judith J. Gische, Justice Presiding,  
Ellen Gesmer  
Jeffrey K. Oing  
Peter H. Moulton, Justices.

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

-against-

M-646  
Ind. No. 4279/17

Raimundo Batista,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about January 23, 2019, for leave to prosecute the appeal as a poor person, on the original record and upon a reproduced appellant's brief, and for related relief,

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

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

The motion, to the extent that it seeks poor person relief, is denied, with leave to renew upon defendant's submission of a notarized affidavit, pursuant to CPLR 1101(a), and 22 NYCRR 1250.4(d)(1) and (4), setting forth, inter alia, his indigency and the amount and sources of funds utilized 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

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

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

-----X

THE PEOPLE OF THE STATE OF NEW YORK,  
Respondent-Appellee,

M-994  
Ind. No. 3228-2007

-against

CERTIFICATE  
DENYING LEAVE

ANGEL BEAUCHAMP  
Defendant-Appellant.

-----X

I, Jeffrey K. Oing, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-name defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County (Villegas, J.), entered on or about January 16, 2020 is hereby denied.



Hon. Jeffrey K. Oing  
Associate Justice

Dated: March 23, 2020  
New York, New York

ENTERED

APR 30 2020