

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2020.

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

-----X

Sorghum Investment Holdings Limited,
Plaintiff-Respondent,

-against-

M-8319X
Index No. 655372/18

China Commercial Credit, Inc.,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 6, 2019,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" November 20, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 January 7, 2020.

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

-----X

One Bryant Park LLC, Durst Development,
LLC and Tishman Construction Corporation
of New York,
Plaintiffs-Appellants,

M-8320
Index No. 655640/17

-against-

AXA Insurance Company, et al.,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about April 22, 2019,

Now, upon reading and filing the correspondence from counsel for plaintiffs-appellants, dated November 15, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid correspondence.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 January 7, 2020.

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

-----X

The Mayor Gallery Ltd.,
Plaintiff-Appellant,

-against-

M-8321
Index No. 655489/16

The Agnes Martin Catalogue Raisonné
LLC, et al.,
Defendants-Respondents.

-----X

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

Now, upon reading and filing the correspondence from counsel for plaintiff-appellant, dated November 18, 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 January 7, 2020.

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

-----X

Joseph DeMartino,
Plaintiff-Respondent,

-against-

Manhattan College and Pavarini North
East Construction Co., Inc.,
Defendants-Appellants,

M-8322
Index No. 24799/14

Total Safety Consulting LLC,
Defendant.

-----X

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

Now, upon reading and filing the correspondence from counsel for defendants-appellants, dated November 12, 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 January 7, 2020.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Barbara R. Kapnick
Angela M. Mazzarelli
Troy K. Webber, Justices.

-----x
HSBC Bank USA, N.A.,
Plaintiff-Respondent,

-against-

Jose M. Santos, etc., et al., M-8323
Defendants, Index No. 35755/15E

-and-

A & E R.E. Management Corp.,
Non-Party Appellant.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, Bronx County, entered on or about January 30, 2019, and said appeal having been perfected,

And non-party appellant having moved for a stay of the instant action, including the submission of plaintiff's motion for summary judgment and the execution of a judgment or order in this matter, pending hearing and determination of the aforesaid appeal,

And an interim stay of pending motion practice in Supreme Court having been granted by order of a Justice of this Court on November 7, 2019,

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

It is ordered that the motion is 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 January 7, 2020.

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

-----X

Jose Buestan,
Plaintiff-Respondent,

-against-

M-8523X
Index No. 306599/14

Cornell Tech, et al.,
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about August 22, 2019,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" November 26, 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 January 7, 2020,

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

-----X
Christiane Trust, A Division of
Wilmington Savings Fund Society,
FSB, as Trustee for Stanwich
Mortgage Loan Trust, Series 2012-13,
Plaintiffs-Respondents,

-against-

Markos G. Maheras, also known as
Mark Maheras, Dana M. White, also known
as Dana Whittle, Christina V. Kelsey,
also known as Christina Victoria Solomon,
Christina Solomon, as Executrix of
Adrian D. Solomon, also known as
Adrian Solomon,
Defendants-Appellants,

M-8324
M-8317
Index No. 850098/16

Commissioner of Juror Criminal
Court of the City of New York, et al.,
Defendants.

-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about June 13, 2019 and December 18, 2018,

Now, upon reading and filing the stipulation of the parties hereto, dated November 18, 2019, and due deliberation having been had thereon,

It is ordered that the appeals 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 January 7, 2020.

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

-----X

American Empire Surplus Lines
Insurance Company,
Plaintiff-Appellant,

M-8325
Index No. 651319/18

-against-

Tokio Marine Specialty Insurance
Company,
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about April 29, 2019,

Now, upon reading and filing the correspondence from counsel for plaintiff-appellant, dated November 13, 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 January 7, 2020.

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

-----X
IN RE: NEW YORK CITY ASBESTOS LITIGATION
-----X

Linda English and Patricia Rasso,
Plaintiffs-Respondents,

-against-

Avon Products, Inc., et al.,
Defendants,

M-8326
Index No. 190346/18

-and-

Colgate-Palmolive Company,
Defendant-Appellant.

-----X

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

Now, upon reading and filing the correspondence from counsel for defendant-appellant, Colgate-Palmolive Company, dated November 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 January 7, 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,
Appellant,

-against-

M-8479
Ind. No. 486/18

Patrick Williams,
Defendant-Respondent.

-----X

Appeals having been taken from orders of the Supreme Court, Bronx County, entered on or about November 2, 2018 and August 7, 2018,

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

It is ordered that the appeals 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 January 7, 2020.

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

-----X
Kevin Frankel, individually and
derivatively in the right of The
392 Central Park West Condominium,
Plaintiff-Appellant,

-against-

M-8515
Index No. 654501/17

Board of Managers of the 392
Central Park West Condominium,
et al.,
Defendants-Respondents.

-----X

An appeal having been taken from the "so ordered" transcript of the Supreme Court, New York County, entered on or about May 8, 2019,

Now, upon reading and filing the correspondence from counsel for plaintiff-appellant dated November 25, 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 January 7, 2020.

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

-----X

Fior D. Brito, as Guardian of the Person
and Property of Carlos Brito, an
Incapacitated Person and Fior D. Brito,
Individually,
Plaintiff-Respondent,

-against-

M-8539
Index No. 23609/15

Corey Green, et al.,
Defendants,

Hunts Point Cooperative Market, Inc.,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about August 6, 2019,

Now, upon reading and filing the stipulation of the parties hereto, dated December 3, 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 January 7, 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 Commitment of the Guardianship and Custody of

Navaeh W.,

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

CONFIDENTIAL

M-8648

Docket No. B-16280/14

Heartshare St. Vincent's Services and Commissioner of Social Services of the City of New York,
Petitioners-Respondents.

Larry S. Bachner, P.C.,
Attorney for Appellant-Child.

-----x

Larry S. Bachner, Esq., court attorney for the subject appellant-child, having moved on said child's behalf to withdraw the appeal taken from an order of the Family Court, Bronx County, entered on or about February 15, 2019,

Now, upon reading and filing the Stipulation of Withdrawal 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 of Withdrawal.

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 January 7, 2020.

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

-----X
Shakilla Noorzi, As Administratrix of
the Estate of Ata Noorzi also known as
Ata U. Noorzi also known as Ata Ullah
Noorzi,
Claimant-Appellant,

M-8687
Court of Claims
Nos. 123824 and 124666

-against-

The State of New York,
Defendant-Respondent.

-----X
Rebecca Sheehan, as Executrix of the
Estate of John Patrick Sheehan, Rebecca
Sheehan, Individually, as the spouse of
John Patrick Sheehan, deceased, George
Sheehan, as son of John Patrick Sheehan,
deceased, Thaddeus Sheehan, as son of
John Patrick Sheehan, deceased and
Rebecca Sheehan, as mother and natural
guardian of Nathaniel Sheehan, an infant,
son of John Patrick Sheehan, deceased,
Claimants-Appellants,

-against-

The State of New York,
Defendant-Respondent.

-----X

Consolidated appeals having been taken to this Court by the Sheehan claimants-appellants (Claim No. 124666), and the Noorzi claimants-appellants (Claim No. 123824) from a decision of the Court of Claims entered on or about August 29, 2018, and from two separate judgments of the same Court, both entered on or about September 10, 2018,

And claimant-appellant Rebecca Sheehan, as Executrix of the Estate of John Patrick Sheehan, having moved for an order permitting oral argument on her behalf,

Now, upon reading and filing the correspondence from counsel for claimant-appellant Rebecca Sheehan, dated December 12, 2019, and due deliberation having been had thereon,

It is ordered that the motion 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 January 7, 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,

M-7881

-against-

Ind. No. 1662/18

Michael Julio,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about June 4, 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 May 20, 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 January 7, 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-8083
Ind. No. 2342/18

Michael McNeil,
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 May 14, 2019, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 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-8100
Ind. No. 1115/18

Richard Johnson,
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 May 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.

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 - January 10, 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 January 7, 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-8353
Ind. No. 3042/17

Luders Lafontant,
Defendant-Appellant.

-----X

An order of this Court (M-1409) having been entered on May 28, 2019, granting defendant's motion for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about April 2, 2019, to the extent of deeming the moving papers a timely filed notice of appeal,

And defendant having moved for leave to prosecute, as a poor person, the appeal taken from the aforementioned judgment of the Supreme Court, New York County, rendered on or about April 2, 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 January 7, 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,

CONFIDENTIAL

M-8388

-against-

Ind. No. 4308/01

Edwin Feliciano,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, New York County (Mullen, J.), entered on or about October 31, 2019, for leave to have the appeal heard upon 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 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 Mullen as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Robert S. Dean, Esq., 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

CORRECTED ORDER - JANUARY 22, 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 January 7, 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,

CONFIDENTIAL

M-8391

-against-

Ind. No. 344/16

Raymond Johnson,
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 December 20, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2020.

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

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

Respondent,

-against-

M-8392

SCI No. 3114/18

Laye Ndai,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about October 31, 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 January 7, 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-8435

Ind. No. 4967N/17

Darren Lee,
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 January 4, 2019, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 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,

CONFIDENTIAL

M-8438

-against-

Ind. No. 2025/14

Tara McDonald,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, New York County (Antignani, J.), entered on or about March 8, 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 Antignani as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Janet E. Sabel Esq., 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 January 7, 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-8446

Ind. Nos. 3130/17
2445/17

Jansel Mejia,
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 2, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 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-8449
Ind. No. 1314/16

Sharonda Hart,
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 June 19, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 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-8450

Ind. Nos. 5651N/14
4089N/15

Jay Rudy,
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 June 5, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 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-8451

Ind. No. 1656/18

Ajaron Beauford,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about September 17, 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 August 21, 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 January 7, 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,

CONFIDENTIAL

M-8452

-against-

Ind. No. 2741/16

David Gonzalez,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, New York County (Wiley, J.), entered on or about October 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 Wiley as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Janet E. Sabel Esq., 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 January 7, 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,

CONFIDENTIAL

M-8507

-against-

Ind. No. 3865/15

Mark A. White,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about July 23, 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.

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 January 7, 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-8525
Ind. Nos. 4822/16
930/17

Valentino Mosquera,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about October 31, 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.

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 January 7, 2020.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-8010

Ind. No. 8131/97

Carl Dushain,
Defendant-Appellant.

-----X

An order of this Court having been entered on November 20, 2018(M-4604) 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 January 8, 2018, and a Certificate having been issued by a Justice of this Court on September 25, 2019 (M-2165) granting defendant leave to appeal from orders, same Court, entered on or about December 21, 2016 and January 9, 2018, and Marianne Karas, Esq. having been assigned as counsel to prosecute the appeals; and a motion having been made by defendant, pro se, to relieve such 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 Marianne Karas, Esq., as assigned counsel to prosecute defendant's appeals, and substituting, pursuant to Section 722 of the County Law, Janet E. Sabel, Esq., The Legal Aid Society, 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688 as such counsel.

The poor person relief previously granted is continued, and the time in which to perfect the appeals 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 January 7, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Sallie Manzanet-Daniels
Barbara R. Kapnick
Jeffrey K. Oing, Justices.

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

-against-

Andrew Summa,
Defendant-Appellant.

M-8340
Ind. Nos. 464/16
2630/16

-----X

An order of this Court having been entered on October 26, 2017 (M-5114), granting defendant 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 11, 2017, and assigning Seymour W. James, Jr., Esq., predecessor counsel to Janet E. Sabel, Esq., The Legal Aid Society, as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of Janet E. Sabel, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing 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 January 7, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Cynthia S. Kern, Justices.

-----x
Avi Dorfman, et al.,

Plaintiffs-Respondents,

-against-

M-8644
Index No. 652269/14

Robert Reffkin, et al.,

Defendants-Appellants.
-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about October 1, 2019, and said appeal having been perfected,

And defendants-appellants having moved for a preference in hearing of the appeal,

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

It is ordered that the motion is granted to the extent of granting a calendar preference for the first week of 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 January 7, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Cynthia S. Kern
Jeffrey K. Oing, Justices.

-----x

Chi Hung Ngo,
Plaintiff-Respondent,

-against-

Chi Vy Ngo, also known as Chivy Ngo, M-8690
New Angle Realty Corp., Index No. 154173/16
Defendants-Appellants,

-and-

69 Clinton NPG, LLC,
Defendant.

-----x

An appeal having been taken to this Court from the order and judgment of the Supreme Court, New York County, entered on or about November 30, 2018, and from the judgment of said Court, entered on or about January 2, 2019, and said appeal having been perfected,

And plaintiff-respondent having moved to dismiss the aforesaid appeal or, in the alternative, to adjourn plaintiff's time to file a respondent's brief,

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

It is ordered that the motion is granted to the extent of adjourning the appeal to the May 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 January 7, 2020.

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

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

-against-

M-6881
Ind. No. 3940/02

Johnnie Cooks,
Defendant-Appellant.

-----X

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

And an order of this Court having been entered on July 30, 2019 (M-2427), denying defendant-appellant's application for reargument of an order of this Court entered on May 29, 2018 (M-4150), denying defendant-appellant's application for a writ of error coram nobis, for a review of his claim of ineffective assistance of counsel,

And defendant-appellant having again moved for a writ of error coram nobis on the ground he was denied effective assistance of appellate 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 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 January 7, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Troy K. Webber
Peter H. Moulton, Justices.

-----X

Jacek Wikiera,
Plaintiff-Respondent,

-against-

M-8429
Index No. 307404/13

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

New York City School Construction
Authority,
Defendant.

-----X

Defendants-appellants the City of New York and New York City Department of Education 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 September 24, 2019 (Appeal No. 9897),

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 January 7, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Cynthia S. Kern
Jeffrey K. Oing, Justices.

-----x
Daniel Weir,

Plaintiff-Respondent,

CONFIDENTIAL

-against-

M-8672

Index No. 313319/11

Pam Thur Weir,
Defendant-Appellant.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about July 31, 2019,

And defendant-appellant having moved for (1) a stay of enforcement of the order pending hearing and determination of the appeal taken therefrom; (2) an injunction to prohibit the hearing before the Special Referee; (3) leave to appeal from the aforesaid order entered on or about July 31, 2019 to the extent it is not appealable as of right; (4) a preference in hearing of the appeal, and (5) an enlargement of the record on appeal to include the order of the same court entered on or about November 19, 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, to the extent it seeks leave to appeal, is denied as unnecessary. The motion 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 January 7, 2020.

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

-----X
Renee Thompson,
Plaintiff-Respondent,

-against-

M-8470
Index No. 307475/11

Joseph Rodney and Joe Rod Corporation,
Defendants-Appellants.

-----X

Plaintiff-respondent having moved to dismiss the appeal taken from a judgment of the Supreme Court, Bronx County, entered on or about October 8, 2019,

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

It is ordered that the motion is denied.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2020.

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

-----X

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

CONFIDENTIAL

M-8371

Anthony G.,
Petitioner-Respondent,

Docket No. V-27648/17

-against-

Stephanie H.,
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from orders of the Family Court, Bronx County, entered on or about October 2, 2019, and for assignment of counsel, a free copy of the transcript, and 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 respondent-appellant's submission of a detailed notarized affidavit, pursuant to CPLR 1101, setting forth facts sufficient to establish she has no funds or assets with which to prosecute the appeal, including the amount and sources of her income and a list of her property with its value.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2020.

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

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

M-8144
Ind. Nos. 3173/16
2546/17
1228/17
1498/16

-against-

Fatir Bowie,
Defendant-Appellant.

-----X

An order of this Court having been entered on June 27, 2019 (M-2099) granting defendant leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about March 5, 2019, and an order of this Court having been entered on September 17, 2019 (M-3357) substituting Robert S. Dean, Esq., Center for Appellate Litigation, as assigned counsel to prosecute the appeal and continuing the previously granted poor person relief; and a motion having been made to relieve such counsel, and for related relief,

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2020.

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

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

-against-

Anonymous,
Defendant-Appellant.

SEALED
M-8431
Ind. No. 5046/15

-----X

Defendant-appellant having moved for an order granting movant anonymity in connection with an appeal from a judgment of the Supreme Court, New York County, rendered on or about April 21, 2017, sealing this application and all future filings in this matter, and designating defendant as anonymous in all briefs, decisions, orders and filings under Ind. No. 5046/15,

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 record on appeal, briefs and all future filings are to be sealed. The Clerk is directed to calendar the appeal under *People v Anonymous*.

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 January 7, 2020.

Present - Hon. David Friedman, Justice Presiding,
Troy K. Webber
Ellen Gesmer
Cynthia S. Kern, Justices.

-----x
Board of Managers of the 28 Cliff
Street Condominium, et al.,

Plaintiffs-Appellants-Respondents,

-against-

M-8210
Index No. 653115/14

Philomena Maguire, et al.,

Defendants-Respondents-Appellants.
-----x

An appeal and cross appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about September 9, 2019,

And plaintiffs-appellants-respondents having moved for a stay of the hearing by a special referee pending hearing and determination of the direct appeal,

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

It is ordered that the motion is granted on condition plaintiffs-appellants-respondents perfect their appeal for the May 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 January 7, 2020.

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

-----X
Mohammed Razzak, et al.,
Plaintiffs-Appellants-Respondents,

-against-

Juno, Inc., et al.,
Defendants-Respondents-Appellants.
-----X

M-8369
Index No. 656428/17

Plaintiffs-appellants 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 January 25, 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 and cross appeal to the June 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 January 7, 2020.

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

-----x
Elizabeth Velez, as Mother and Natural
Guardian of R.M. and Elizabeth Velez,
Individually, Marta Morales and Juan
Matos,

Plaintiffs-Respondents,

M-8437

Index No. 24703/14E

-against-

The City of New York, The New York City
Police Department and The New
York City Fire Department,
Defendants-Appellants.

-----x

Defendants-appellants having moved for a further extension of time to perfect the appeal taken from the order of the Supreme Court, Bronx County, entered on or about June 15, 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, deemed to include a request to vacate the dismissal of the appeal (see 22 NYCRR 1250.10[c]) is granted, the appeal reinstated, and the time to perfect same is extended to the September 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 January 7, 2020.

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

-----x
Sean Torres, an Infant Under the Age
of 14 Years, by His Mother and Natural
Guardian, Rita Jaiman, and Rita
Jaiman, Individually,
Plaintiffs-Appellants,

M-8526
Index No. 350020/08

-against-

1727-29 LLC, L.B. Associates LLC,
Irvin Jaska, also known as Yasgar
and Baulc, LLC,
Defendants-Respondents.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, Bronx County, entered on or about March 8, 2019, and said appeal having been perfected,

And plaintiffs-appellants having moved for a stay of trial, pending hearing and determination of the aforesaid appeal,

And a stay of trial, pending the determination of the within motion, having been granted by order of a Justice of this Court dated December 3, 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 continuing the interim stay granted on December 3, 2019, pending hearing and determination of the aforesaid 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 January 7, 2020.

PRESENT: Hon. David Friedman, Justice Presiding,
Rosalyn H. Richter
Judith J. Gische
Ellen Gesmer, Justices.

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

-against-

M-3558
Ind. No. 4517/08

Hector Matos,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on April 5, 2016 (Appeal No. 734), unanimously affirming a judgment of the Supreme Court, Bronx County (Margaret Clancy, J.), rendered on February 25, 2013,

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

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

It is ordered that said application is denied.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2020.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Barbara R. Kapnick
Angela M. Mazzairelli
Troy K. Webber, Justices.

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

-against-

M-8386
Ind. No. 43/19

Lawrence Rhodes,
Defendant-Appellant.

-----X

Defendant having moved, pursuant to CPL 460.30, for an extension of time in which to file an untimely notice of appeal from judgment of the Supreme Court, New York County, rendered on or about October 29, 2019,

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

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2020.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Barbara R. Kapnick
Angela M. Mazzarelli
Troy K. Webber, Justices.

-----X
Hudson Insurance Company,
Plaintiff-Respondent,

-against-

M-8497
Index No. 155869/16

Kaleil Isaza Tuzman,
Defendant-Appellant,

-and-

Robin Smyth,
Defendant.

-----X

Defendant-appellant having moved for a further extension of time to perfect the consolidated appeals taken from two orders of the Supreme Court, New York County, both entered on or about September 27, 2017,

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

It is ordered that the motion is granted to the extent of extending the time to perfect the consolidated appeals to the May 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 January 7, 2020.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Barbara R. Kapnick
Angela M. Mazzarelli
Troy K. Webber, Justices.

-----X

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

- - - - -
Jessi M. H.,
Petitioner-Respondent,

CONFIDENTIAL
M-8238
Docket No. F-2657-93/16H

-against-

Rita F. H.,
Respondent-Appellant.

-----X

Respondent-appellant having moved, pro se, to vacate the dismissal of appeal, and upon reinstatement, for an extension of time to perfect the appeal taken from an order of the Family Court, New York County, entered on or about December 4, 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 vacating the dismissal of appeal and extending the time to perfect said appeal to the May 2020 Term, with no further extensions 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 January 7, 2020.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Barbara R. Kapnick
Angela M. Mazzarelli
Troy K. Webber, Justices.

-----x
John Kuzmich, et al.,
Plaintiffs-Respondents,

-against-

50 Murray Street Acquisition LLC,
Defendant-Appellant.
-----x

M-8440
M-8483
Index No. 155266/16

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

And defendant-appellant having moved for a stay the order and a JHO/Special Referee hearing arising therefrom, pending hearing and determination of the appeal(M-8440),

And plaintiffs-respondents having cross moved to dismiss the appeal (M-8483),

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-8440) for a stay is granted on condition appellant perfects the appeal for the April 2020 Term. The cross motion (M-8483) to dismiss the appeal is denied. Sua Sponte, defendant's timely filed notice of appeal is deemed an application for leave to appeal, and is granted.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2020.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Barbara R. Kapnick
Angela M. Mazzarelli
Troy K. Webber, Justices.

-----x
HSBC Bank USA, N.A.,
Plaintiff-Respondent,

-against-

Jose M. Santos, etc., et al., M-8323
Defendants, Index No. 35755/15E

-and-

A & E R.E. Management Corp.,
Non-Party Appellant.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, Bronx County, entered on or about January 30, 2019, and said appeal having been perfected,

And non-party appellant having moved for a stay of the instant action, including the submission of plaintiff's motion for summary judgment and the execution of a judgment or order in this matter, pending hearing and determination of the aforesaid appeal,

And an interim stay of pending motion practice in Supreme Court having been granted by order of a Justice of this Court on November 7, 2019,

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

It is ordered that the motion is 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 January 7, 2020.

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

-----X

Joseph Motta,
Plaintiff-Respondent,

CONFIDENTIAL

M-8434

-against-

Index No. 3360/11

Jacquelin Motta,
Defendant-Appellant.

-----X

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

And defendant-appellant having moved for reconsideration of the order of this Court entered on October 31, 2019 (M-7388), denying her application to vacate the dismissal 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 January 7, 2020.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Angela M. Mazzaelli
Troy K. Webber
Cynthia S. Kern, Justices.

-----X
Summer Zervos,

Plaintiff-Respondent,

-against-

M-8288
Index No. 150522/17

Donald J. Trump,

Defendant-Appellant.
-----X

Defendant-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 March 14, 2019 (Appeal No. 7610), and, if leave to appeal to the Court of Appeals is granted, for a stay of proceedings in the Supreme Court, New York County, pending hearing and determination of the appeal by the Court of Appeals,

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

It is ordered that the motion, to the extent it seeks reargument, is denied. The motion, to the extent it seeks leave to appeal to the Court of Appeals, is granted and this Court, pursuant to CPLR 5713, certifies that the following question of law, decisive of the correctness of its determination, has arisen, which in its opinion ought to be reviewed by the Court of Appeals:

"Was the order of Supreme Court, as affirmed by the this Court, properly made?"

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

Ordered that the motion, to the extent it seeks a stay of proceedings pending hearing and determination of the appeal by the Court of Appeals, is granted.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2020.

Present: Hon. Rosalyn H. Richter, Justice Presiding,
Judith J. Gische
Angela M. Mazzarelli
Ellen Gesmer, Justices.

-----X

In the Matter of

Michele S.,

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

CONFIDENTIAL
M-8219
Docket No. NN-36672/15

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

Yi S.,
Respondent-Appellant.

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

-----X

An appeal having taken from an order of the Family Court, New York County, entered on or about October 22, 2019,

And respondent-appellant having moved for an order vacating the order appealed from and directing the Family Court conduct a de novo hearing to enlarge the record,

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

It is ordered that the motion is denied, without prejudice to a properly filed motion for poor person relief and assignment of counsel, if eligible.

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 January 7, 2020.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Judith J. Gische
Ellen Gesmer
Cynthia S. Kern
Lizbeth González, Justices.

-----x

Kenneth Swezey, et al.,
Plaintiffs-Respondents,

-against-

M-8345
Index No. 654837/17

A. Trenkman Estate, Inc.,
Defendant-Appellant.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about January 22, 2018,

And defendant-appellant having moved for an extension of time to perfect the appeal until 90 days following the final determination by the New York City Loft Board in the case entitled *Kenneth Swezey and Laura Lindgren v A. Trenkman Estate, Inc.* (Docket No. TR-1325), or for alternative 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 extending the time to perfect the appeal to the June 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 January 7, 2020.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Judith J. Gische
Ellen Gesmer
Cynthia S. Kern
Lizbeth González, Justices.

-----X
Encore Equity Holdings LLC,
Plaintiff-Respondent,

-against-

M-8413
Index No. 25118/16

JCIL Corp.,
Defendant-Appellant.
-----X

Appeals having been taken to this Court from orders of the Supreme Court, Bronx County, entered on or about January 31, 2019 and on or about September 16, 2019,

And defendant-appellant having moved for an extension of time to perfect the appeal from the aforesaid January 31, 2019 order,

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

It is ordered that the motion is granted to the extent of extending the time to perfect the appeals, which may be consolidated as of right, to the June 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 January 7, 2020.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Judith J. Gische
Angela M. Mazzarelli
Ellen Gesmer, Justices.

-----X

In the Matter of the Application of
Kenneth Sonders,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78 M-8062
of the Civil Practice Law and Rules, Index No. 101378/19

-against-

New York State Department of Motor
Vehicles Traffic Violation Bureau,
Respondent-Respondent.

-----X

Petitioner-appellant having moved to stay all proceedings related to this matter pending hearing and determination of the appeal taken from an order of the Supreme Court, New York County, entered on or about September 30, 2019, which denied and dismissed his Article 78 petition,

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, pending hearing and determination of the appeal, the revocation of petitioner's driver's license pursuant to the determination at issue, on the condition that appellant perfects the appeal for the April 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 January 7, 2020.

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,
Ellen Gesmer
Jeffrey K. Oing
Peter H. Moulton
Lizbeth González, Justices.

-----X

Daourou Bizounouya,
Plaintiff-Appellant,

-against-

M-8504
Index No. 303243/16

Walter F. Ciacci,
Defendant-Respondent.

-----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, Bronx County, entered on or about January 30, 2017, and upon vacatur, for a further extension of time to perfect said appeal,

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

It is ordered that said motion is denied.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2020.

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,
Ellen Gesmer
Jeffrey K. Oing
Peter H. Moulton
Lizbeth González, Justices.

-----X
The People of the State of New York, **CONFIDENTIAL**
Respondent, M-8389
Ind. Nos. 2850/15
-against- 1275/15

Latisha Fisher,
Defendant-Appellant.

-----X

An order of this Court having been entered on October 2, 2018 (M-3607), inter alia, granting defendant's motion for an extension of time to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about November 20, 2017, for leave to prosecute said appeal as a poor person, and assigning counsel therefor,

And defendant-appellant having moved for an order amending the aforementioned order of assignment to include an appeal from a judgment of **resentence** of the same Court, rendered on or about November 6, 2019, under Indictment No. 2850/15,

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 amending this Court's order of assignment to include the appeal from a judgment of **resentence**, rendered on or about November 6, 2019, under Indictment No. 2850/15, and extending the poor person

relief previously granted to cover same. Appellant's time in which to perfect the appeal is extended 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 January 7, 2020.

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,
Ellen Gesmer
Jeffrey K. Oing
Peter H. Moulton
Lizbeth González, Justices.

-----X

Tenzin Choephel,
Plaintiff,

-against-

M-8496
Index No. 156398/15

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

-and-

Thyssenkrupp Elevator Corporation,
Defendant-Appellant-Respondent.

-----X

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

-against-

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

-----X

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

And defendant/third-party plaintiff-respondent/appellant A/R Retail, LLC, having moved for an extension of time to perfect the appeals,

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

It is ordered that the motion is granted to the extent of extending the time to perfect the appeals to the May 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 January 7, 2020.

PRESENT: Hon. Sallie Manzanet-Daniels, Justice Presiding,
Ellen Gesmer
Jeffrey K. Oing
Peter H. Moulton
Lizbeth González, Justices.

-----x
Amy F. Hartzog and J.B., a minor by his
mother and natural guardianm, Sorfonie
Hartzog,
Plaintiffs-Appellants,

-against-

M-8510
Index No. 24547/16E

Mohammed Yousuf and American United
Transportation, Inc.,
Defendants-Respondents,

Kemar C. Barker,
Defendant.

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

And plaintiffs-appellants having moved to vacate the dismissal of the appeal, pursuant to 22 NYCRR 1250.10(c) and, upon vacatur, for an extension of time to perfect 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, the dismissal vacated, the appeal reinstated, and the time to perfect said appeal is extended to the May 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 January 7, 2020.

PRESENT: Hon. Sallie Manzanet-Daniels, Justice Presiding,
Ellen Gesmer
Jeffrey K. Oing
Peter H. Moulton
Lizbeth González, Justices.

-----X

In the Matter of a Petition for
Probate in the Estate of

Judith Dornstein Loe,

Deceased.

SURROGATE'S COURT

M-8494

File No. 2013-1058

-----X

Plaintiff having moved for an extension of time to perfect the appeals taken from two orders of the Surrogate's Court, New York County, entered on or about February 4, 2019 and February 13, 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 appeals to the May 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 January 7, 2020.

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,
Judith J. Gische
Angela M. Mazzarelli
Troy K. Webber
Ellen Gesmer, Justices.

-----x

In the Matter of

Jose Verdugo,

An Incapacitated Person.

- - - - -

Michael Flomenhaft,
Non-Party Appellant,

M-8804
Index No. 500137/09

Schwartz Goldstone Campisi, LLP,
Non-Party Respondents.

-----x

Appeals having been taken to this Court from orders of the Supreme Court, New York County, entered on or about January 4, 2019 and January 7, 2019, and said appeals having been perfected,

And non-party appellant having moved for a preliminary appellate injunction staying discovery and the underlying fee apportionment proceeding, pending hearing and determination of the aforesaid appeals,

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

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2020.

PRESENT: Hon. Sallie Manzanet-Daniels, Justice Presiding,
Ellen Gesmer
Cynthia S. Kern
Jeffrey K. Oing, Justices.

-----X
Simon Conway, et al.,
Plaintiffs-Appellants,

-against-

M-8306
Index No. 652236/14

Marcum & Kliegman LLP, et al.,
Defendants-Respondents.
-----X

Defendants-respondents 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 October 10, 2019 (Appeal No. 10047),

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