

At a 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 9, 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 the Application of
247-253 West 116 LLC,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78
of the CPLR,

M-8110
Index No. 100541/17

-against-

New York State Division of Housing
and Community Renewal, and Constance
Jones,
Respondents-Respondents.

-----X
An appeal having been taken to this Court from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about July 5, 2018, and said appeal having been perfected,

And respondent-respondent Constance Jones having moved to remand this proceeding to the New York State Division of Housing and Community Renewal for rulings consistent with the Housing Stability and Tenant Protection Act of 2019, and for related relief,

Now, upon reading and filing the stipulation of the parties hereto, dated December 13, 2019, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn in accordance with the aforesaid stipulation.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 9, 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-8506
SCI. No. 2677/17

Andrew Burgos,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, rendered on or about April 23, 2018,

Now, upon reading and filing the correspondence from defendant-appellant dated November 20, 2019, and due deliberation having been had thereon,

It is ordered that the appeal is deemed withdrawn in accordance with the aforesaid correspondence.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 9, 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 a Proceeding for
Custody/Visitation Under Article 6
of the Family Court Act.

Chantal C.,
Petitioner-Respondent,

-against-

CONFIDENTIAL

M-8406

Docket No. V-3988/19

Gloria D.,
Respondent-Appellant,

-and-

Luis M. C.,
Respondent.

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

Now, upon reading and filing the papers with respect to the motion, and the certification of Katherine Tracey, Esq., dated November 19, 2019, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Leslie S. Lowenstein, Esq., 567 Sunset Drive, Woodmere, NY 11598, Telephone No. 516-374-1962, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the

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

ENTERED:


CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 9, 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 a Proceeding for
Custody/Visitation Under Article 6
of the Family Court Act.

- - - - -
Pedro C., III,
Petitioner-Appellant,

-against-

CONFIDENTIAL
M-8423
Docket No. V-12071-18/19A

Renee W.,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, Bronx County, entered on or about October 10, 2019, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of Veronica H. Mandel, Esq., dated November 20, 2019, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Thomas R. Villecco, Esq., 366 North Broadway, Suite 410, Jericho, NY 11753, Telephone No. 516-942-4221, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City

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

ENTERED:


CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 9, 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

Kahlani G.,

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

CONFIDENTIAL

M-8428

Docket No. NN-15506/17

- - - - -
Administration for Childrens Services,
Petitioner-Respondent,

Kalesky G.,
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from orders of the Family Court, Bronx County, entered on or about October 7, 2019 and October 25, 2019, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of Tal D. Eisenzweig, Esq., dated November 22, 2019, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Thomas R. Villecco, Esq., 366 North Broadway, Suite 410, Jericho, NY 11753, Telephone No. 516-942-4221, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City

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

ENTERED:


CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 9, 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

Myah G.-C., and
Isabella G.-C.,

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

CONFIDENTIAL

M-8454

Docket Nos. NN-6759/18
NN-6760/18

Administration for Children's
Services,
Petitioner-Respondent,

James G.,
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from orders of the Family Court, New York County, entered on or about January 22, 2019 and July 10, 2019, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of Jennifer Feinberg, Esq., dated November 22, 2019, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Andrew J. Baer, Esq., 299 Broadway, Suite 1415, New York, NY 10007, Telephone No. 212-233-0318, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the

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

ENTERED:


CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 9, 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

Ishmael S.,
Isaiah S.,
Hussan-Jaheim F., and
Moniyah T.,

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

CONFIDENTIAL
M-8464
Docket Nos.
NN-46458-61/10

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

Katherine F.,
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from orders of the Family Court, New York County, entered on or about June 23, 2011 and July 12, 2012, respectively, 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 Maura Keating, Esq., dated November 25, 2019, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Bruce A. Young, Esq., 100 Church Street, Suite 800, New York, NY 10007, Telephone No. 646-775-8994, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the

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

ENTERED:


CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 9, 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-8086
Ind. No. 282/19

Vicente Contreras,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about March 18, 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 9, 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-8217
Ind. No. 1844/18

Kelvin Arzu,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about August 6, 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 9, 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-8252
Ind. No. 1273/17

Davon Stallings,
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 June 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.

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 9, 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-8253
Ind. No. 2396/16

Christopher Hiram Cano,
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 June 13, 2019, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

(M-8253)

-2-

January 9, 2020

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 9, 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-8274
Ind. No. 3251/16

Maria Ramirez,
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 November 28, 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.

(M-8274)

-2-

January 9, 2020

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 9, 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-8283
Ind. No. 2863/18

Franklin Quiles,
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 29, 2019, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

(M-8283)

-2-

January 9, 2020

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 9, 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-8279
SCI. No. 1583N/18

Melvin Johnson, Jr.,
Defendant-Appellant.

-----X

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

(M-8279)

-2-

January 9, 2020

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 9, 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-8281
Ind. No. 4497/17

Myron Roundtree,
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 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, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

(M-8281)

-2-

January 9, 2020

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 9, 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-8524
SCI. No. 2080/19

Daniel Beltran,
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 13, 2019, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

(M-8524)

-2-

January 9, 2020

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 9, 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-8081
Ind. No. 3124/15

Michael Canaj,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about March 22, 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 9, 2020.

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

-----X
Osvaldo Negron,

Plaintiff-Appellant,

-against-

M-7997

Index No. 303183/15

Promesa Residential Health Care Facility Inc.,

Defendant-Respondent,

"John Doe", also known as "Anthony";
a fictitious name, intended to be a
fellow resident of the defendant's
premises,
Defendant.

-----X

Defendant-respondent having moved to dismiss the appeal taken from the order of the Supreme Court, Bronx 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 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 9, 2020.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-8276
Ind. No. 1072/19

Johonil Jose-Casso,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file an untimely notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about June 16, 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 9, 2020.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-8277

Ind. No. 1582/18

Edward Jones,
Defendant-Appellant.

-----X

Defendant having moved, pro se, for an enlargement of time in which to file an untimely notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about June 21, 2018,

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

It is ordered that the motion is granted to the extent of deeming the 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 9, 2020.

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

-----X
Olivia Ross, an Infant, by her Mother
and Natural Guardian, Victoria Ross,
Plaintiff-Appellant,

M-8501
Index No. 805116/14

-against-

Marilyn Morris, M.D., et al.,
Defendants-Respondents.

-----X

An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, entered on or about February 13, 2019, and the order upon which the judgment is based, same Court, entered on or about December 6, 2018,

And plaintiff-appellant having moved to enlarge the record on appeal, to compel witnesses and counsel to provide findings to this Court, for an extension of time to perfect this appeal, and to expedite this motion,

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

It is ordered that the motion is deemed one to vacate the dismissal of the appeal and, as such, is granted, the dismissal is vacated, the appeal reinstated and the time to perfect said appeal is extended to the May 2020 Term of this Court. Plaintiff-appellant is directed to notify her counsel of this Court's order; 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 9, 2020.

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

-----X
In the Matter of the Application of
Clear Channel Outdoor, Inc.,
Petitioner,

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

-against-

M-8632
Index No. 153537/18

The City of New York, Fidel F. Del Valle,
as Commissioner and Chief Judge of the
New York City Office of Administrative
Trials and Hearings, and Rick D.
Chandler, as Commissioner of the
New York City Department of Buildings,
Respondents.

-----X

An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about October 10, 2018,

And petitioner having moved for an extension of time in which to perfect the aforementioned proceeding,

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

It is ordered that the motion is granted to the extent of extending petitioner's time to perfect the proceeding 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 9, 2020.

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

-----X
In the Matter of the Application of
Ryan Lee Properties, LLC.,
Petitioner,

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

-against-

M-8642
Index No. 153526/18

The City of New York, Fidel F. Del Valle,
as Commissioner and Chief Judge of the
New York City Office of Administrative
Trials and Hearings, and Rick D.
Chandler, as Commissioner of the
New York City Department of Buildings,
Respondents.

-----X

An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about October 10, 2018,

And petitioner having moved for an extension of time in which to perfect the transferred proceeding,

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

It is ordered that the motion is granted to the extent of extending petitioner's time to perfect the proceeding to the June 2020 Term of this Court.

ENTERED:


CLERK

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

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

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

M- 8105
Ind. No. 941/2017

-against-

CERTIFICATE
DENYING LEAVE

David Williams,
a/k/a Melvin Williams,
Defendant.

-----X
I, Dianne T. Renwick, a Justice of the Appellate Division,
First Judicial Department, do hereby certify that, upon
application timely made by the above-named defendant for a
certificate pursuant to Criminal Procedure Law, sections 450.15
and 460.15, and upon the record and proceedings herein, there is
no question of law or fact presented which ought to be reviewed
by the Appellate Division, First Judicial Department, and
permission to appeal from the order of the Supreme Court,
New York County, entered on or about July 3, 2019 is hereby
denied.


Justice

Dated: January 8, 2020
New York, New York

ENTERED: JAN 21 2020

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

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

-----X

Gabriel Diaz,
Petitioner,

M-8029
Index. No. 100444/2018

-against-

James P. O'Neill, as Police
Commissioner of the City of
New York, and as Chairman of the
Board of Trustees of the Police
Pension Fund, Article II, The
Board of Trustees of the Police
Pension Fund, Article II, and
The City of New York,

Respondents.

-----X

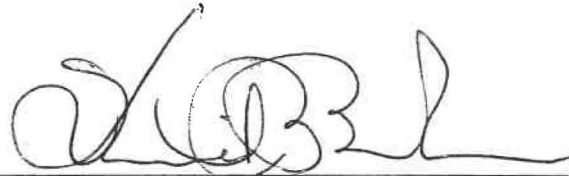
Respondents having moved, pursuant to CPLR 5701(c), for leave to
appeal to the Appellate Division, First Department, from the order of
Supreme Court, New York County, entered on or about January 23, 2019,

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

Ordered that the application for leave to appeal is denied.

Dated:

1/9/20
New York, New York



Hon. Dianne T. Renwick
Associate Justice

ENTERED

JAN 21 2020

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

BEFORE: Hon. Troy K. Webber
Justice of the Appellate Division

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

M-8338
Ind. Nos. 4352/09
36/10

-against-

CERTIFICATE
GRANTING LEAVE

James Smith,
Defendant-Appellant.

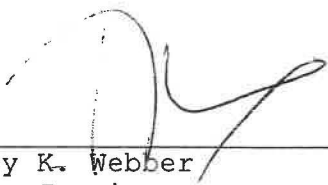
-----X

I, Troy K. Webber, a Justice of the Appellate Division, First Judicial Department, do hereby certify that in the proceedings herein questions of law or fact are involved which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is hereby granted to the above-named defendant to appeal to the Appellate Division, First Judicial Department, from the order of the Supreme Court, New York County (Ruth Pickholz, J), entered on or about July 3, 2019.¹

Dated: January 3, 2020
New York, New York

ENTERED

JAN 21 2020



Hon. Troy K. Webber
Associate Justice

NOTICE: Within 15 days from the date hereon, an appeal must be taken, and this certificate must be filed with the notice of appeal. An appeal is taken by filing, in the Clerk's office of the criminal court in which the order sought to be appealed was rendered, a written notice in duplicate that appellant appeals to the Appellate Division, First Judicial Department (Section 460.10, subd. 4, CPL), together with proof that another copy of the notice of appeal has been served upon opposing counsel. The appeal (or consolidated appeals; see footnote) must be argued within 120 days from the date of the notice of appeal, unless the time to perfect the appeal(s) is enlarged by the court or a justice thereof.

¹In the event defendant has an existing (direct) appeal from a judgment, such appeal shall be consolidated with the appeal from the aforesaid order; and any poor person relief granted with respect to the appeal from the judgment shall be extended to cover the appeals so consolidated.

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

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

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

Respondent


-against-

Bruce Sweeper

Defendant.

M-8684
Ind. No.
4625/06
CERTIFICATE
DENYING LEAVE

-----X
I, Hon. Anil C. Singh, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, section 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County (Robert Stolz, J.), entered on or about July 31, 2019 is hereby denied.



Hon. Anil C. Singh
Associate Justice

Dated: January 6, 2020
New York, New York

ENTERED: JAN 21 2020

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

BEFORE: Hon. Lizbeth González
Justice of the Appellate Division

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

- against -


John Draper,

Defendant.
-----x

M - 8472
Ind. No. 589/12

CERTIFICATE
DENYING LEAVE

I, Lizbeth González, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about August 14, 2019, is hereby denied.



Hon. Lizbeth González
Associate Justice

Dated: January 3, 2020
New York, New York

ENTERED: JAN 21 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 9, 2020.

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

-----X
Dr. Judith Hellman,
Plaintiff-Appellant,

-against-

M-8670

Index No. 151429/18

The St. Tropez Condominium,
The Board of Managers of The St.
Tropez Condominium and Christopher
Klein,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for a further extension of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about October 1, 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 extension 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 9, 2020.

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

-----X
Pauline Clarke, as Administrator of
the Estate of Damian Lawrence
Oliver Dalrymple, Deceased, and
Pauline Clarke, Individually,
Plaintiffs-Respondents,

-against-

M-8677
Index No. 24253/18E

Nadra Scott, Any Sajjan Itty, Soni
Abraham, Molly Serunkuuma,
Richmond Children's Center, Inc.
and Richmond Community Services
Foundation, Inc.,
Defendants-Appellants.

-----X

Defendants-appellants having moved for an extension of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about February 14, 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 deemed as one to vacate the dismissal of the appeal and, as such, is granted, the dismissal vacated, the appeal reinstated, and the time to perfect said appeal is extended 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 9, 2020.

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

-----X
342 East 50th Street, LLC,
Plaintiff-Appellant,

-against-

Deborah Privitello,
Defendant-Respondent.

-----X

M-8679
Index No. 154507/18

Appeals having been taken to this Court from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about June 18, 2019, which, inter alia, awarded defendant-respondent judgment against plaintiff-appellant in the amount of \$118,712.00, and from five previous orders of the same court and Justice, two each entered on or about April 1, 2019 and March 19, 2019, and one entered on or about June 18, 2019,

And plaintiff-appellant having moved for an extension of time to perfect the aforementioned 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, 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 9, 2020.

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

-----X
Arnold Rossman,
Plaintiff-Respondent,

-against-

M-8688

Index No. 108350/11

Windermere Owners LLC and
Windemere Chateau, Inc.,
Defendants-Appellants.

-----X

Defendants-appellants having moved for an extension of time to perfect the appeal taken from the judgment of the Supreme Court, New York County, entered on or about January 24, 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 extension the time to perfect the appeal 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 9, 2020.

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

-----X
Aviation Distributors, Inc. - Formed
May 1945 and Diane Haslett,
Plaintiffs-Respondents,

-against-

M-8691
Index No. 155301/15

Aviation Distributors, Inc. Formed
February 2014 and Kojo Global Property
Development Inc.,
Defendants-Appellants,

Community Preservation Neighborhood Inc.,
Future Holding Trust, et al.,
Defendants-Respondents.

-----X

Defendants-appellants having moved for leave to prosecute, as poor persons, the appeal taken from the order of the Supreme Court, New York County, entered on or about June 11, 2019, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that said motion is denied.

ENTERED:


CLERK

At a 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 9, 2020.

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

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

-against-

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

-----X

CONFIDENTIAL
M-8692

Index No. 350138/06

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

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

It is ordered that the motion is granted to the extent of extension the time to perfect the appeals 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 9, 2020.

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

-----X
Anastasia Xenias as Administrator of
the Estate of Mike S. Xenias,
Plaintiff-Appellant,

M-8699
Index No. 100988/14

-against-

The City of New York, and the
Fire Department of New York,
Defendants-Respondents.

-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about December 21, 2018, on or about January 17, 2019 and on or about June 3, 2019,

And plaintiff-appellant having moved for a further extension of time to perfect the aforementioned 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 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 9, 2020.

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

-----X
Adrienne Dugger, as Preliminary
Executor of the Estate of Patricia
Sage,
Plaintiff-Appellant,

-against-

M-8712
Index No. 156911/16

Barbara Smith Conrad, also known as
Barbara Louis Smith, Reverse Mortgage
Solutions, Inc., Everbank Reverse
Mortgage LLC, Metlife Bank, N.A.,
Metlife Inc., Metlife Home Loans, LLC,
Christiana Trust, Wilmington Savings
Fund Society, FSB, WSFS Financial
Corporation,
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 February 6, 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 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 9, 2020.

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

-----x

Michele Schindler,
Plaintiff-Respondent,

-against-

Plaza Construction LLC,
Defendant-Appellant,

M-8713
Index No. 153291/16

Plaza Construction Group, Inc., et al.,
Defendants,

-and-

Plaza Construction LLC,
Cross-Claimant,

-against-

Jordan Panel Systems Corp., et al.,
Cross-Claim Defendants.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about October 26, 2018, and said appeal having been perfected,

And defendant-appellant having moved to withdraw the aforesaid appeal,

Now, upon reading and filing the stipulation of the parties hereto, dated November 11, 2019, and due deliberation having been had thereon,

It is ordered that the appeal is deemed withdrawn.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 9, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Barbara R. Kapnick
Troy K. Webber, Justices.

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

-against-

M-3389
Ind. No.3821/01

Eddie Tarafa,
Defendant.

-----X

Orders of this Court having been entered on June 17, 2008 (M-2165) and December 14, 2017 (M-837), inter alia, denying defendant's motions for a writ of error coram nobis and/or an extension of time in which to file a notice of appeal from the judgment of the Supreme Court, Bronx County, rendered on or about December 10, 2004,

And defendant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of trial counsel by reason of counsel's failure to file a timely notice of appeal on his behalf and, accordingly, for an extension of time to file said notice of appeal from the aforesaid judgment,

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 9, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Rosalyn H. Richter
Angela M. Mazzarelli
Ellen Gesmer, Justices.

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

-against-

M-1992
Ind. No. 465/16

Michael Gaines,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on December 28, 2017 (Appeal No. 5277), unanimously affirming a judgment of the Supreme Court, New York County (Miriam Best, J.), rendered on September 15, 2016,

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 9, 2020.

Present - Hon. David Friedman, Justice Presiding,
Rosalyn H. Richter
Angela M. Mazzarelli
Cynthia S. Kern, Justices.

-----X
The St. Luke's-Roosevelt Hospital Center,
Petitioner-Landlord-Respondent,

-against-

M-8505
Index No. 570215/18

Westside Radiology Associates, P.C.,
also known as West Side Radiology
Associates, P.C.,
Respondent-Tenant-Appellant,

Radnet, Inc.,
Respondent-Undertenant-Appellant,

"XYZ Corp.", "John Doe" and Jane
Doe",
Respondent-Undertenants.

-----X

Respondents-appellants having moved for leave to appeal to this Court from the decision and order of the Appellate Term, First Department, entered in the office of the Clerk of the Supreme Court, New York County, on or about October 1, 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. Respondents-appellants shall file a copy of the informational statement, pursuant to section 1250.3(a) of the Practice Rules of the Appellate Division, and a copy of this order, with the Clerk of the Appellate Term, with proof of service, pursuant to section 1250.14(f) of the Practice Rules of the Appellate Division.

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 9, 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-

M-8384

Ind. No. 933N/17

Steven Sylvester,
Defendant-Appellant.

-----X

An order of this Court having been entered on July 10, 2018 (M-2104), inter alia, granting defendant's motion for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about February 21, 2018, under Indictment No. 933N/17, and assigning counsel therefor,

And defendant-appellant having moved for an order amending the aforementioned order of assignment to include a judgement of **resentence** of the same court, rendered on or about October 29, 2019, under Indictment No. 933N/17,

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

It is ordered that said motion is granted to the extent of amending this Court's order of assignment to include the judgment of **resentence** under Indictment No. 933N/17 and extending the poor person relief previously granted to cover same. The time within which appellant shall perfect this appeal is hereby enlarged 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 9, 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-

M-8439

Ind. No. 4891/17

Emanuel Marks,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about February 19, 2019, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

(M-8439)

-2-

January 9, 2020

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 9, 2020.

Present - Hon. David Friedman, Justice Presiding,
Troy K. Webber
Cynthia S. Kern
Peter H. Moulton, Justices.

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

-against-

M-8040
Ind. No. 1630/17

Tavares Gaston,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file an untimely notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about May 31, 2019,

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

It is ordered that the motion is granted to the extent of 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 9, 2020.

Present - Hon. David Friedman, Justice Presiding,
Troy K. Webber
Cynthia S. Kern
Peter H. Moulton, Justices.

-----x

Elizabeth M.,
Plaintiff-Respondent,

-against-

Alfonse M.,
Defendant-Appellant.

-----x

CONFIDENTIAL

M-8232

Index No. 301969/17

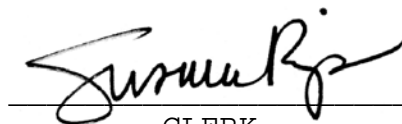
Defendant-appellant having moved for a stay of all Supreme Court proceedings, including the payment of sanctions, pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about October 10, 2019,

And an interim stay having been granted by an order of a Justice of this Court, entered on October 25, 2019, staying Supreme Court proceedings and the payment of sanctions,

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 of Supreme Court proceedings and the payment of sanctions granted by the order of a Justice of this Court on October 25, 2019, and further staying arbitration between the parties, pending hearing and determination of the aforesaid appeal, on condition the appeal is perfected for the May 2020 Term of this Court; the within determination is made without prejudice to either party's arguments on 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 9, 2020.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Troy K. Webber
Ellen Gesmer, Justices.

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

-against-

M-7713
Ind. No. 908/17

Karl Mosler,
Defendant.

-----X

Defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of trial counsel, and/or for an extension of time within which to file an untimely notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about March 2, 2018,

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 9, 2020.

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

-----X

Saikou Sinera,
Plaintiff-Respondent,

-against-

M-8398

Index No. 24647/13E

Embassy House Eat LLC and
Stellar Management, LLC,
Defendants-Appellants,

Stellar Management Group, Inc.,
Defendant.

-----X

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

And defendants-appellants having moved, pursuant to 22 NYCRR 1250.10(c), to vacate the dismissal of said appeal, and upon reinstatement, for an enlargement of time to perfect the appeal,

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

It is ordered that the motion is granted, the dismissal vacated, the appeal reinstated, and the time perfect said appeal is enlarged 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 9, 2020.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Judith J. Gische
Cynthia S. Kern
Anil C. Singh, Justices,

-----x
Jose Silverio,
Plaintiff-Appellant,

-against-

M-8481
Index No. 302990/12

Ford Motor Company & Samuel R. Gaines,
Defendants-Respondents.

-----x

Separate appeals having been taken to this Court by defendants from a judgment of the Supreme Court, Bronx County, entered on or about July 5, 2019, and by plaintiff from two orders of the Supreme Court, Bronx County, entered on or about October 15, 2019, granting defendants' motion to vacate the aforesaid judgment, and on or about October 30, 2019, denying plaintiff's motion to deem any requirement that he submit to an independent medical examination (IME) waived and granting defendants' motion to compel plaintiff to undergo an IME,

And plaintiff having moved to consolidate the aforementioned appeals, and to stay enforcement of the aforesaid orders and all proceedings in the trial court pending hearing and determination of the consolidated 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 branch of the motion seeking to consolidate plaintiff's appeals from the orders entered on or about October 15, 2019 and on or about October 30, 2019 is granted. Plaintiff it is permitted to prosecute the consolidated appeals from the aforesaid orders upon an original, five hard copies and, if represented by counsel, one digital copy of a single record and brief, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division, and

It is further ordered that the branch of the motion seeking to consolidate defendants' appeal from the judgment entered on or about July 5, 2019, with plaintiff's appeals from the orders entered on or about October 15, 2019 and on or about October 30, 2019, is denied, without prejudice to renew, if necessary, and

It is further ordered that the branch of the motion seeking to stay enforcement of the aforementioned orders entered on or about October 15, 2019 and on or about October 30, 2019, and all proceedings before the trial court, pending hearing and determination of the consolidated appeals 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 9, 2020.

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

-----X

Quik Park 808 Garage LLC,
Plaintiff-Appellant,

-against-

M-8784
Index No. 159396/19

808 Columbus Commercial Owner LLC,
Defendant-Respondent.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about November 25, 2019, which, inter alia, denied plaintiff's motion for a Yellowstone injunction,

And plaintiff-appellant having moved for an appellate injunction tolling the running of the cure period of the Notice of Default dated August 19, 2019, pending the hearing and determination of the appeal,

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

It is ordered that the motion is granted on condition that plaintiff perfects the appeal for the May 2020 Term and continues to timely make all payments to the defendant as required by the lease.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in in the County of New York on January 9, 2020.

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

-----X

CUCS Housing Development Fund
Corporation IV, CUCS West 127th Street
LLC, and Center for Urban Community
Services, Inc.,
Petitioners-Respondents,

M-8796
M-8797

Index No. 159303/18

-against-

Clifford S. Aymes,
Respondent-Appellant.

-----X

An appeal (Case No. 2019-21230) having been taken by respondent from an order of the Supreme Court, New York County, entered on or about February 26, 2019, and the appeal having been perfected,

And respondent-appellant, having moved, pro se, for an order (1) striking petitioners-respondents' appendix; (2) striking the portions of petitioners-respondents' brief which are allegedly false, unsupported or based on materials dehors the record; (3) striking questions and/or arguments allegedly raised by petitioners-respondents in their brief for the first time on appeal; (4) prohibiting Christopher M. Slowik, Esq. from appearing for petitioners-respondents at oral argument; (5) sanctioning petitioners-respondents; (6) allowing respondent-appellant to present a certain exhibit during oral argument; and (7) requiring petitioners-respondents to file a replacement brief removing all segments that are stricken by this Court (M-8796),

And petitioners-respondents having cross-moved for an order enjoining respondent-appellant from further motion practice in this Court, without prior leave, and for sanctions pursuant to 22 NYCRR 130-1.1 (M-8797),

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-8796) is granted to the extent of deeming those portions of petitioners-respondents' appendix relating to events that post-date the February 26, 2019 order appealed from, stricken, and is otherwise denied, and

It is further ordered that the cross motion (M-8797) 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 9, 2020.

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

-----X
Josefina Cruz,
Plaintiff-Appellant,

-against-

Board of Managers of Towers on the Park
Condominium,
Defendant-Respondent.

M-8492
Index No.158208/14
Action No. 1

-----X
Board of Managers of Towers on the Park
Condominium,
Plaintiff-Respondent,

-against-

Josefina Cruz,
Defendant-Appellant,

Index No. 157132/17
Action No. 2

City of New York Parking
Violations Bureau, City of New York
Environmental Control Board, et al.,
Defendants.

-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about October 25, 2018 (Action No. 1), and May 13, 2019 (Action No. 2),

And plaintiff-appellant/defendant-appellant, pro se, having moved to vacate the dismissal of the aforementioned appeals,

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

(M-8492)

-2-

January 9, 2020

It is ordered that the motion is granted to the extent of reinstating the appeal taken from the May 13, 2019 order in Action No. 2 and extending the time to perfect same to the May 2020 Term, and is otherwise denied.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 9, 2020.

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

-----X

Linda Macklowe,
Plaintiff-Appellant,

-against-

Harry Macklowe,
Defendant-Respondent.

-----X

CONFIDENTIAL

M-7796

M-7906

M-7908

Index No. 350044/16

Plaintiff-appellant having moved for reargument of (M-7908), or in the alternative, for leave to appeal to the Court of Appeals (M-7796), from the decision and order of this Court, entered on October 10, 2019 (Appeal No. 10040),

And defendant-respondent having moved (M-7906) to vacate the stay of the final sale of certain artwork granted by an order of this Court, entered March 21, 2019 (M-502/M-503),

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

Ordered that the motions for reargument (M-7908), and for leave to appeal to the Court of Appeals (M-7796) are denied, and it is further

Ordered that the motion to vacate the stay granted by an order of this Court dated March 21, 2019 (M-7906), 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 9, 2020.

Present - Hon. Barbara R. Kapnick, Justice Presiding,
Angela M. Mazzaelli
Anil C. Singh
Peter H. Moulton, Justices.

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

-against-

M-2700
Ind. No. 1609/05

Isheah Young,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on June 26, 2007 (Appeal No. 1426), unanimously affirming a judgment of the Supreme Court, New York County (William A. Wetzel, J.), rendered on October 11, 2005,

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

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

BEFORE: Hon. Rosalyn H. Richter
Justice of the Appellate Division

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

M-8068
Ind. No. 1957/2016

-against-

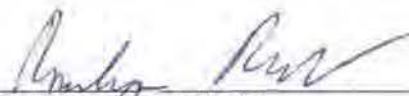
CERTIFICATE
GRANTING LEAVE

Guillermo Ortiz,
Defendant-Appellant.
-----X

I, Rosalyn H. Richter, a Justice of the Appellate Division, First Judicial Department, do hereby certify that in the proceedings herein questions of law or fact are involved which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is hereby granted to the above-named defendant to appeal to the Appellate Division, First Judicial Department, from the order of the Supreme Court, New York County, dated October 7, 2019.¹

Dated: December 19, 2019
New York, New York





Hon. Rosalyn H. Richter
Associate Justice

NOTICE: Within 15 days from the date hereon, an appeal must be taken, and this certificate must be filed with the notice of appeal. An appeal is taken by filing, in the Clerk's office of the criminal court in which the order sought to be appealed was rendered, a written notice in duplicate that appellant appeals to the Appellate Division, First Judicial Department (Section 460.10, subd. 4, CPL), together with proof that another copy of the notice of appeal has been served upon opposing counsel. The appeal (or consolidated appeals; see footnote) must be argued within 120 days from the date of the notice of appeal, unless the time to perfect the appeal(s) is enlarged by the court or a justice thereof.

¹ In the event defendant has an existing (direct) appeal from a judgment, such appeal shall be consolidated with the appeal from the aforesaid order; and any poor person relief granted with respect to the appeal from the judgment shall be extended to cover the appeals so consolidated.

At a 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 9, 2020.

Present - Hon. Barbara R. Kapnick, Justice Presiding,
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

-----X
Michael Besen, individually and
derivatively, on behalf of 94-16 Road
LLC, 34 Road LLC, 223 West 20 LLC,
East 116th LLC, 42 Mulberry LLC, 1320
Fulton LLC, 1320 Fulton Avenue
Management Corp., 2721 Heath LLC,
34447 Equities Inc., Besen &
Associates Inc.,
Plaintiffs-Appellants,

-against-

Amit Doshi, Robert Farhadian,
Jackson Partners LLC,
Defendants-Respondents,

M-8920

Index No. 652691/18

-and-

223 West 29 LLC, et al.,
Defendants,

Morrit Hock & Hamroff, LLP,
Non-Party Respondent.

-----X

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

And plaintiff-appellant Michael Besen having moved for an order (i) pursuant to CPLR 5518, enjoining and/or restraining defendants-respondents Jackson Partners, LLC and 94-16 34 Road LLC, as well as their members, assigns, successors and affiliates, from taking any further steps to foreclose a property located at 94-16 34 Road, Jackson Heights, New York, pending hearing and determination of the aforesaid appeal, (ii) directing counsel for Jackson Partners, LLC to immediately inform the referee of the relief granted by this Court with respect to the motion; and (iii) granting a calendar preference in the 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 denied.

ENTERED:


CLERK