

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

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

-----X

Skanska USA Building Inc.,
Plaintiff-Appellant,

-against-

M-1562
Index No. 652680/14

Atlantic Yards B2 Owner, LLC, Forest
City Ratner Companies, LLC, ABC
Companies #'s 1-25, and John Does #'s
1-25 (names being fictitious and
unknown),
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about October 8, 2019, and said appeal having been perfected,

Now, upon reading and filing the Stipulation of Withdrawal of the parties hereto, filed in this Court on April 22, 2020, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid Stipulation of Withdrawal.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 July 9, 2020.

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

-----X

KMR LLP,
Plaintiff-Appellant,

-against-

M-1563
Index No. 656907/17

Pickled Punk Pictures Inc., also known
as, Post Factory NY,
Defendant-Respondent,

-and-

SIM International, doing business as,
SIM Post New York,
Defendant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about October 16, 2019, and said appeal having been perfected,

Now, upon reading and filing the Stipulation of Discontinuance with Prejudice of the parties hereto, dated April 20, 2020, and due deliberation having been had thereon,

It is ordered that the appeal is deemed withdrawn in accordance with the aforesaid Stipulation of Discontinuance.

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 July 9, 2020.

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

-----X

Douglas Booth,
Plaintiff-Respondent,

-against-

M-1564
Index No. 150531/13

Ecozone, Inc. and Maurice Kohanbash,
Defendants-Appellants,

-and-

Management Inc., also known as and/or
doing business as Top Broadway, Ltd.,
and/or Top Broadway, et al.,
Defendants.

-----X

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

Now, upon reading and filing the correspondence of counsel for defendants-appellants, dated April 21, 2020 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 July 9, 2020.

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

-----X
Skybridge Capital II, LLC, Skybridge
Multi-Adviser Hedge Fund Portfolios,
LLC - Series G, Legion Strategies, Ltd.,
Skybridge G II Fund, LLC, and Skybridge
Opportunity Fund LP,
Plaintiffs-Appellants-Respondents,

-against-

M-1565
Index No. 653172/18

U.S. Bancorp Fund Services LLC,
Defendant-Respondent-Appellant,

-and-

Premium Point Investments LP, et al.,
Defendants.

-----X

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

Now, upon reading and filing the correspondence of counsel for plaintiffs-appellants-respondents and defendant-respondent-appellant, dated April 21, 2020, and due deliberation having been had thereon,

It is ordered that the appeal and cross appeal 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 July 9, 2020.

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

-----X

Those Interested Underwriters At
Lloyd's, London who subscribed to
the policy of insurance/certificate
numbered B1098S140100,
Plaintiffs-Appellants,

-against-

M-1566
Index No. 651010/18

AU Trading 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 September 23, 2019,

Now, upon reading and filing the correspondence of counsel for plaintiffs-appellants, dated April 22, 2020, 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 July 9, 2020.

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

-----X

Robert Todd Huckleberry,
Plaintiff-Appellant,

-against-

M-1569X
Index No. 350030/18

Thomas John Wilcox,
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about August 12, 2019,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" on or about April 20, 2020, 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 July 9, 2020.

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

-----X
The Board of Managers of Manhattan
Place Condominium, etc., et al.,
Plaintiffs,

-against-

M-1572
Index No. 652240/17

616 First Avenue LLC, et al.,
Defendants.

-----X
Peterson Geotechnical Construction, LLC.,
Defendant/Third-Party Plaintiff-
Appellant,

-against-

Moretrench American Corporation,
Third-Party Defendant-Respondent.

-----X

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

Now, upon reading and filing the Stipulation Withdrawing Appeal of the parties hereto, filed in this Court on April 24, 2020, and due deliberation having been had thereon,

It is ordered that the appeal is deemed withdrawn in accordance with the aforesaid Stipulation Withdrawing 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 July 9, 2020.

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

-----X

The Board of Managers of Manhattan Place
Condominium On its Own Behalf and on
Behalf of Individual Unit Owners and
Manhattan Place Condominium,
Plaintiffs-Appellants,

-against-

M-1576
Index No. 652240/17

616 First Avenue LLC, et al.,
Defendants-Respondents.

- - - - -
[And a Third-Party Action]

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 29, 2018, and said appeal having been perfected,

Now, upon reading and filing the Stipulation of Discontinuance with Prejudice of the parties hereto, dated April 24, 2020, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid Stipulation of Discontinuance.

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 July 9, 2020.

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

-----X
Rickey Gardner, Individually, and
on behalf of all others similarly
situated,
Plaintiffs-Appellants,

-against-

M-1577
Index No. 160249/18

D&D Electrical Construction Company
Inc.,
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about August 9, 2019,

Now, upon reading and filing the correspondence of counsel for plaintiff-appellant, dated April 27, 2020 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 July 9, 2020.

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

-----X

Edwin Robles,
Plaintiff-Respondent,

-against-

M-1593
Index No. 303822/13

JP Morgan Chase & Co.,
Defendant-Appellant,

Van Eerden Trucking, Co., and
WB Wood,
Defendants.

-----X

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

Now, upon reading and filing the correspondence of counsel for defendant-appellant, JP Morgan Chase & Co., dated April 29, 2020 and due deliberation having been had thereon,

It is ordered that the appeal taken by defendant-appellant J.P. Morgan 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 July 9, 2020.

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

-----X

Edwin Robles,
Plaintiff-Respondent,

-against-

M-1598
Index No. 303822/13

Van Eerden Trucking Co., and
J.P. Morgan Chase & Co.,
Defendants-Respondents,

WB Wood,
Defendant-Appellant.

-----X

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

Now, upon reading and filing the correspondence from counsel for defendant-appellant WB Wood dated April 29, 2020, and due deliberation having been had thereon,

It is ordered that the appeal taken by defendant-appellant WB Wood 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 July 9, 2020.

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

-----X

Phyllis Dianne Cordell Dendy,
Plaintiff-Respondent,

-against-

M-1599
Index No. 150404/11

605 West 42nd Owner LLC,
Defendant-Appellant,

The City of New York, New York City
Department of Transportation, Westside
Builders LLC, HRH Construction LLC and
Consolidated Edison Company of New York,
Inc.,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about November 7, 2019,

Now, upon reading and filing the correspondence from counsel for defendant-appellant dated April 30, 2020, 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 July 9, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Rosalyn H. Richter
Angela M. Mazzairelli
Troy K. Webber
Lizbeth González, Justices.

-----x
Adam Kaplan, et al.,

Plaintiffs,

-against-

M-1478
Index No. 158060/17

Conway & Conway, et al.,

Defendants.
-----x

Plaintiffs having moved, pursuant to CPLR 5704(a), for an order directing the Supreme Court, New York County, to sign an order to show cause which it declined to sign on February 4, 2020, and to hear arguments on that 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 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 July 9, 2020.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-1550
Ind. No. 4987/15

Donald Chambers,
Defendant-Appellant.

-----X

Assigned counsel for defendant-appellant having moved to be relieved, or in the alternative, for an order dismissing defendant's appeal taken from a judgment of the Supreme Court, New York County, rendered on or about April 28, 2017, without prejudice to reinstatement,

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 appeal withdrawn, and 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 July 9, 2020.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-1553
Ind. No. 1501/09

Jonlabarro Seay, also known as
Jonlabarron Seay,
Defendant-Appellant.

-----X

Assigned counsel for defendant-appellant having moved to be relieved, or in the alternative, for an order dismissing defendant's appeal taken from a judgment of the Supreme Court, New York County, rendered on or about June 15, 2020, without prejudice to reinstatement,

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 appeal withdrawn, and 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 July 9, 2020.

Present - Hon. David Friedman, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Angela M. Mazzarelli, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-1772
Ind. No. 1476/16

Dillan Roldan,
Defendant-Appellant.

-----X

An order of this Court having been entered on May 29, 2018 (M-1196) granting defendant leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about November 3, 2017, and assigning Christina Swarns, Esq., Office of the Appellate Defender, as counsel to prosecute said appeal,

And assigned counsel having moved for an order relieving her as such counsel, or in the alternative, dismissing the appeal without prejudice,

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 appeal 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 July 9, 2020.

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

-----X
In the Matter of

Navaya Joelee T., and
Joyce Angeleena T.,

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

- - - - -
Administration for Children's Services, **CONFIDENTIAL**
Petitioner-Respondent, M-1621
Docket Nos. NN-50103/16
NN-50102/16

Asheena Marie M.P.,
Respondent,

Rodney T.,
Non-Respondent-Appellant.

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

-----X

An appeal having been taken from an order of the Family Court, New York County, entered on or about March 12, 2019, and said appeal having been perfected,

And petitioner-respondent having moved to dismiss the aforesaid appeal as moot,

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

Ordered that the motion is granted and the appeal is dismissed.

ENTERED:



CLERK

STATE OF NEW YORK
APPELLATE DIVISION: FIRST DEPARTMENT

BEFORE: Hon. Sallie Manzanet-Daniels
Justice of the Appellate Division

-----X

The People of the State of New York,

-against-

M-01727
Ind. No. 3895/18

Maleak Hill,

Defendant.

ORDER DENYING ROR OR
BAIL PENDING APPEAL

-----X

An appeal having been taken to this Court by the above-named defendant from the judgment of the Supreme Court, New York County, rendered on March 5, 2020, and defendant having moved, pursuant to CPL 460.50 and 530.50 for an order of recognizance or to be admitted to bail pending hearing and determination of the aforesaid appeal,

Now, upon reading and filing the notice of motion, with proof of due service thereof, and the papers filed in support of said motion, and further papers filed in relation thereto; and due deliberation having been had thereon,

It is ordered that the motion be and the same hereby is denied, without prejudice to renew in the event the conditions as it relates to COVID-19 worsen in any facility that confines defendant pending the hearing and determination of the appeal.

Dated: June 25, 2020
New York, New York


Justice of the Appellate Division

ENTERED:

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

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Angela M. Mazzarelli, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-1708
Ind. No. 1453/18

Elvin Garcia,
Defendant-Appellant.

-----X

An order of this Court having been entered on April 30 2020 (M-513), 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 October 11, 2019, and assigning Robert S. Dean, Esq., 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 Robert S. Dean, Esq., as assigned counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Christina Swarns, Esq., Office of the Appellate Defender, 11 Park Place, Suite 1601, New York, New York 10007, Telephone No. 212-402-4100 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 July 9, 2020.

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

-----X
In the Matter of

Jonayris D.L.C.,

CONFIDENTIAL
M-1349

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

Docket No. NN-19980/18

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

Raul D.L.C.L.,
Respondent-Appellant.

-----X

An order of this Court having been entered on January 16, 2020(M-8798) granting respondent-appellant leave to prosecute, as a poor person, the appeal taken from order of the Family Court, New York County, entered on or about November 18, 2019, and assigning Douglas H. Reiniger, Esq., Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and to dismiss 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 dismissing the appeal, as moot, and striking the designation of Douglas H. Reiniger, Esq., as assigned counsel to prosecute the appeal.

ENTERED:



CLERK

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

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Angela M. Mazzarelli, Justices.

-----X
640 Realty B LLC.,

Plaintiff-Appellant,

M-1570

Index No. 651853/17

-against-

Chicago Title Insurance Company,
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about November 8, 2019,

And defendant-respondent having moved to dismiss the appeal, on the grounds the order is non-appealable,

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 addressing the issue directly 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 July 9, 2020

PRESENT: Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Angela M/ Mazzarelli, Justices.

-----X
In the Matter of

Kayla C.

CONFIDENTIAL

A Child Under 18 Years of Age

M-1643
Docket No. NA-32217/16

Alleged to be Neglected by

Stephanie C.,
Respondent-Appellant,

Administration for Children's Services,
Petitioner-Respondent.

- - - - -
Richard Herzfeld, Esq.,
Attorney for the Child.

-----X
Petitioner-respondent having moved to dismiss the perfected appeal taken from an order of the Family Court, Bronx County, entered on or about February 6, 2019, as moot,

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 petitioner-respondent raising the issue as to why the appeal should be dismissed in its respondent's brief and upon argument of the appeal. Respondent-appellant may include a response to petitioner-respondent's arguments in favor of dismissal in her reply brief.

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 July 9, 2020.

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

-----X

In the Matter of the Application of
8430985 Canada Inc.,
Petitioner-Respondent,

-against-

M-1083
Index No. 154932/16

Jacob Frydman, JFURTI LLC, Jacob
Frydman 2000 Irrevocable Trust and
Monica Libin 2000 Irrevocable Trust,
Respondents-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 25, 2019, and said appeal having been perfected,

And petitioner-respondent having moved to dismiss the aforesaid appeal, or in the alternative, for leave to file a supplemental record on appeal with a certain motion and exhibits,

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

It is ordered that that branch of the motion seeking to dismiss the appeal is denied, without prejudice to petitioner raising the issue in its respondent's brief. That branch of the motion seeking leave to supplement the record on appeal is granted to include the memoranda of law for the subject motions and the second amended petition, with exhibits; respondent is ordered to file the supplemental record by August 1, 2020.

ENTERED:


CLERK

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

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Angela M. Mazzarelli, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-1596
Ind Nos. 3906/11
5118/11

Jai Oriz, also known as Jia Ortiz,
Defendant-Appellant.

-----X

An order of this Court having been entered on October 16, 2018 (M-4159), granting defendant-appellant leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, entered on or about December 7, 2017, and assigning Christina Swarns, Esq., Office of the Appellate Defender, as counsel to prosecute said appeal,

And assigned counsel having moved for an order relieving her as such counsel, or in the alternative, dismissing the appeal without prejudice,

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

It is ordered that the motion is granted to the extent of relieving Christina Swarns, Esq., Office of the Appellate Defender, as assigned counsel, and deeming the appeal 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 July 9, 2020.

Present - Hon. David Friedman, Justice Presiding,
Angela M. Mazzarelli
Ellen Gesmer
Anil C. Singh
Lizbeth González, Justices.

-----x

Landenburg Thalmann & Co., Inc.,
Plaintiff-Respondent,

-against-

M-1404
Index No. 151984/15

Arkin Kaplan Rice LLP in Dissolution,
Defendant-Respondent,

Howard J. Kaplan and Michelle A. Rice,
Non-Party Appellants.

-----X

Non-party appellants having moved for an extension of time in which to perfect the appeal taken from two orders of the Supreme Court, New York County, both entered on or about February 4, 2019,

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

It is ordered that the motion is granted to the extent of extending the time to perfect the appeal to the November 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 July 9, 2020.

Present - Hon. David Friedman, Justice Presiding,
Rosalyn H. Richter
Ellen Gesmer
Jeffrey K. Oing
Anil C. Singh, Justices.

-----X
Ronald Dickinson as Executor of the
Estate of Frances Dean, and Ronald
Dickinson, Individually,
Plaintiffs-Appellants,

-against-

M-1408
Index No. 28770/17E

Wayne Center for Nursing and
Rehabilitation, LLC,
Defendant-Respondent,

-and-

Westchester Medical Center,
Defendant.

-----X

Plaintiffs-appellants having moved for an extension of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about June 12, 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 November 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 July 9, 2020.

Present - Hon. David Friedman, Justice Presiding,
Rosalyn H. Richter
Ellen Gesmer
Jeffrey K. Oing
Anil C. Singh, Justices.

-----x
Reinaldo Estrella,

Plaintiff-Appellant,

-against-

M-1457

Index No. 28030/18E

East Tremont Medical Center, et al.,

Defendants-Respondents.
-----x

Plaintiff-appellant having moved for an extension of time to perfect the appeal taken from the order of the Supreme Court, Bronx County, entered on or about September 5, 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 plaintiff's time to perfect the appeal to the November 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 July 9, 2020.

Present - Hon. David Friedman, Justice Presiding,
Angela M. Mazzarelli
Ellen Gesmer
Anil C. Singh
Lizbeth González, Justices.

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

Respondent,

-against-

M-1482
Ind. No. 12131/91

Lorenzo Martinez,

Defendant-Appellant.
-----x

Defendant-appellant having moved for a further extension of time to perfect the appeal taken from only that part of the order of the Supreme Court, New York County, entered on or about February 1, 2016, which is appealable as of right,

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

It is ordered that the motion is granted to the extent of extending the time to perfect the appeal to the November 2020 Term 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 July 9, 2020.

Present - Hon. David Friedman, Justice Presiding, [
Angela M. Mazzairelli
Ellen Gesmer
Anil C. Singh
Lizbeth González, Justices.

-----x
Michael A. Johnson II,
Plaintiff-Respondent,

-against-

M-1521
Index No. 22688/15E

The New York and Presbyterian Hospital,
et al.,
Defendant-Appellant,

-and-

Weill Cornell Medical Center, et al.,
Defendants.

-----x

Defendant-appellant having moved for an extension of time to perfect the appeal taken from the order of the Supreme Court, Bronx County, entered on or about March 4, 2019,

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

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

ENTERED:


CLERK

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

Present - Hon. David Friedman, Justice Presiding,
Angela M. Mazzarelli
Ellen Gesmer
Anil C. Singh
Lizbeth González, Justices.

-----x
Anaisa Hernandez,

Plaintiff-Appellant,

-against-

M-1418
Index No. 805273/16

Soumitra Eachempati, M.D., et al.,

Defendants-Respondents.
-----x

Plaintiff-appellant having moved, pursuant to 22 NYCRR 1250.10(c), to vacate the dismissal of the appeal taken from the order of the Supreme Court, New York County, entered on or about April 26, 2019 and, upon reinstatement, for an extension of time to perfect same,

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

It is ordered that the motion is granted, the dismissal vacated, the appeal reinstated, and the time to perfect said appeal is extended to the November 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 July 9, 2020.

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

-----X
Lucy Engelman, Bridget Dolan, Tara
Bruno, Angela Joachim, J.J., Maria
Elena Armijo, Danielle Ornelas, Cindy
Sptiko, I.R., Tracy Parker and
Heather Blasko, on behalf of
other similarly situated
individuals,
Plaintiffs-Appellants,

M-1537
Index No. 152072/18

-against-

Peter Rofe and PDR Voice, Inc.,
Defendants-Respondents.

-----X
An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 13, 2019,

And plaintiff-appellant having moved to vacate the dismissal of the appeal and, upon vacatur, for an extension of time to perfect same,

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

It is ordered that the motion is granted, the dismissal vacated, the appeal reinstated, and the time to perfect said appeal is extended to the November 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 July 9, 2020.

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

-----X
Nancy Rivera,
Plaintiff-Appellant,

-against-

M-1534
Index No. 21829/18E

Yolanda G. Haywood,
Defendant-Respondent.
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about August 14, 2019,

And plaintiff-appellant having moved to vacate the dismissal of the appeal and, upon reinstatement, for an extension of time to perfect same,

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

It is ordered that the motion is granted, the dismissal vacated, the appeal reinstated, and the time to perfect said appeal is extended to the November 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 July 9, 2020.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Angela M. Mazzarelli, Justices.

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

-against-

M-1910
Ind. No. 1561/16

Joseph Urgitano,
Defendant-Appellant.

-----X

Defendant having moved for an extension of time to perfect the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about November 7, 2018,

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

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

ENTERED:



CLERK

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

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

-----X
Jose N. Gonzales, as Administrator
of the Estate of Maria Del Rosario,
Deceased, and Jose N. Gonzales,
Individually,
Plaintiffs-Appellants,

M-1536
Index No. 805174/12

-against-

Gulbhar Donn, M.D., et al.,
Defendants-Respondents.

-----X

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

And plaintiff-appellant having moved for an extension of time to perfect said appeal,

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

It is ordered that the motion is 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 November 2020 Term.

ENTERED:



CLERK

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

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Angela M. Mazzarelli, Justices.

-----X

Ari Kramer, as Executor of the Estate
of Virginia Casey Bush and as
Administrator D.B.N. of the Estate of
Irving T. Bush,
Plaintiff-Appellant,

M-1862
Index No. 101978/05

-against-

Ioannis Danalis,
Defendant-Respondent.

-----X

Appeals having been taken from an order of the Supreme Court, New York County, entered on or about May 14, 2019, and from a subsequent judgment, same court, entered on or about August 13, 2019,

And plaintiff-appellant having moved for an extension of time to perfect said 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, deemed to include a request to vacate the dismissal of the appeal taken from the May 14, 2019 order, is granted, the dismissal of the appeal from that order is vacated, the appeal reinstated, and the time to perfect both appeals is extended to the November 2020 Term.

ENTERED:



CLERK

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

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Angela M. Mazzarelli, Justices.

-----X

New York City Housing Authority, et al.,
Plaintiffs-Respondents,

-against-

M-1814
Index No. 155714/16

Scottsdale Insurance Company and Shawn
Construction, Inc.,
Defendants-Appellants.

-----X

Appeals having been taken to this Court from orders of the Supreme Court, New York County, entered on or about July 24, 2019 and April 23, 2020, same Court and Justice,

And defendants-appellants having moved for an order, pursuant to 22 NYCRR 1250.10, vacating the dismissal of the appeal taken from the aforementioned July 24, 2019 order, and, upon reinstatement, granting an extension of time to perfect same and consolidating said appeal with the appeal taken from the aforementioned April 23, 2020 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. The appeal taken from the July 24, 2019 order is reinstated and the time to perfect the consolidated appeals is extended to the February 2021 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 July 9, 2020.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Angela M. Mazzarelli, Justices.

-----X
Roger Rowe,
Plaintiff-Appellant,

-against-

Carefree Alarms Inc., etc., et al.,
Defendants-Respondents.

M-1605
Index No. 154212/15

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about July 8, 2019,

And plaintiff-appellant having moved for an extension of time to perfect the aforementioned appeal and pursuant to 22 NYCRR 1250.7(g), for a waiver of certification,

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, is granted to the extent of reinstating the appeal, and upon reinstatement, waiving certification of the proposed appendix and extending the time to perfect the appeal to the November 2020 Term.

ENTERED:



CLERK

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

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Angela M. Mazzarelli, Justices.

-----X
In the Matter of the Application of
Andrea Clarke,
Petitioner,

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

M-1654
Index No. 154061/17

-against-

New York State Office of Children
and Family Services, et al.,
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 August 28, 2018, to review a determination of respondents,

And petitioner having moved to vacate the dismissal of the transferred proceeding and, upon reinstatement, for leave to prosecute the proceeding as a poor person, upon the original record and reproduced petitioner'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 reinstating the transferred proceeding and extending the time to perfect same to the November 2020 Term.

(M-1654)

-2-

July 9, 2020

The application for poor person relief is denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, in compliance with CPLR 1101(a), and 22 NYCRR 1250.4(d), setting forth, inter alia, the terms of defendant's retainer agreement with counsel, the amount and sources of funds for counsel's fee and an explanation as to why similar funds are not available to prosecute this appeal.

ENTERED:



CLERK

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

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

-----x

Nationstar Mortgage LLC,
Plaintiff-Respondent,

-against-

Clevon McCallum and Nicola McCallum,
Defendants-Appellants,

M-1810
Index No. 382890/09

-and-

Mortgage Electronic Registration
System, Inc., as Nominee for
Fremont Investment & Loan, et al.,
Defendants.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, Bronx County, entered on or about September 23, 2019, and said appeal having been perfected,

And defendants-appellants having moved for an extension of time to perfect the appeal,

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

It is ordered that the motion is granted to the extent of deeming the appeal timely perfected and adjourning the perfected appeal to the November 2020 Term, with a filing deadline of October 7, 2020 for the respondent brief and October 16, 2020 for the reply brief, and continuing the previously granted stay of enforcement of the underlying order pending hearing and determination of the appeal.

ENTERED:



CLERK

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

Present - Hon. David Friedman, Justice Presiding,
Angela M. Mazzarelli
Ellen Gesmer
Anil C. Singh
Lizbeth González, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

Mason McAllister,

M-773
Ind. No. 563N/17
990N/17

Defendant-Appellant.

-----X

Defendant having moved for an extension of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about April 11, 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 July 9, 2020.

PRESENT: Hon. David Friedman, Justice Presiding,
Barbara R. Kapnick
Cynthia S. Kern
Anil C. Singh
Lizbeth González, Justices.

-----X

Eugenia Pinkard,
Petitioner-Appellant,

-against-

M-1440
Index No. 101610/19

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

-----X

Plaintiff-appellant, pro se, having moved, pursuant to CPLR 1101 and 1102, for leave to prosecute, as a poor person, the appeal taken from an order of the Supreme Court, New York County, rendered on or about February 18, 2020, 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 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 attorney for respondent 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. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record. The court reporter shall promptly make and file with the Supreme Court one transcript of the stenographic minutes of any proceedings in this matter related to the order on appeal, if any, and the Clerk shall furnish a copy of such transcripts to

(M-1440)

-2-

July 9, 2020

appellant, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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 July 9, 2020.

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

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

-against-

M-1547
Ind. No. 2989/18

Irving Talavera,
Defendant-Appellant.

-----X

Defendant having moved for an extension of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about May 9, 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 only to the extent of deeming the moving papers a timely filed notice of appeal.

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

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 July 9, 2020.

Present - Hon. David Friedman, Justice Presiding,
Angela M. Mazzarelli
Ellen Gesmer
Anil C. Singh
Lizbeth González, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

CONFIDENTIAL

M-1601

Ind. No. 1653/18

Reginald Tolliver,
Defendant-Appellant.

-----X

Defendant having moved for an extension of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about May 29, 2019, for leave to prosecute the appeal as a poor person, on the original record and upon a reproduced appellant's brief, and for related relief,

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

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

The motion, to the extent that it seeks poor person relief, is denied, with leave to renew, upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a) and 22 NYCRR 1250.4(d)(1) and (4), setting forth, inter alia, defendant's indigency and facts sufficient to establish that defendant has no funds or assets with which to prosecute the appeal.

ENTERED:



CLERK

CORRECTED ORDER - JULY 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 July 9, 2020.

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

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

-against-

M-1627
Ind. No. 48/18

Elisah Brown,
Defendant-Appellant.
-----X

An order of this Court having been entered on April 16, 2020 (M-620), inter alia, assigning 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., The Legal Aid Society, as assigned counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, **Marianne Karas, Esq., 980 Broadway, Suite 324, Thornwood, NY 10594-1139, Telephone No. 914-434-5935**, as assigned 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. **The designation of Robert S. Dean, Esq., Center for Appellate Litigation,, as assigned counsel, is stricken.**

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 July 9, 2020.

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

-----X
Eaglehill GenPar LLC and Eaglehill
Advisors LLC,
Plaintiffs-Respondents,

-against-

M-1555
Index No. 655135/19

FPCG, LLC, doing business as
Focuspoint Private Capital Group,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about January 31, 2020, and said appeal having been perfected,

And plaintiffs-respondents having moved for leave to file a supplemental record on 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 deeming plaintiffs' previously submitted supplemental record on appeal as filed.

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 July 9, 2020.

PRESENT: Hon. David Friedman, Justice Presiding,
Rosalyn H. Richter
Ellen Gesmer
Jeffrey K. Oing
Anil C. Singh, Justices.

-----X

In the Matter of a Family Offense
Proceeding
Katharine B.,
Petitioner-Respondent,

CONFIDENTIAL
M-1467

-against-

Docket Nos. O-00164/20
V-00165/20
V-00167/20

Thomas L.,
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to appeal from two orders of the Family Court, New York County, entered on or about February 14, 2020 and March 5, 2020, to stay enforcement and any further proceedings arising out of those orders, pending the hearing and determination of the appeal taken therefrom, and to vacate the order of protection for the child Renzo L.

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

It is ordered that the motion is granted only to the extent of granting respondent-appellant leave to appeal the aforementioned orders; 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 July 9, 2020.

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

-----X
Alexandr Moiseenko and Alexsandr
Kudinov,
Plaintiffs-Respondents,

-against-

M-1515
Index No. 653454/15

AGA Management Corp. and Gary
Cortell,
Defendants-Appellants.

-----X
AGA Management Corp. and Gary
Cortell,
Third-Party Plaintiffs-Appellants,

-against-

CH Media, Inc., et al.,
Third-Party Defendants.

-----X

Defendants/third-party plaintiffs-appellants having moved for an order staying the trial in the above-entitled action pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about September 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.

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 July 9, 2020.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Angela M. Mazzarelli, Justices.

-----x

NBCUniversal Media, LLC, E!
Entertainment Television, LLC, and
Leftfield Entertainment LLC,
Petitioners-Appellants,

M-1869
Index No. 653349/19

-against-

Robert Strauser and Christi Addis
Strauser,
Respondents-Respondents.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about February 21, 2020,

And petitioners-appellants having moved for an order staying the arbitration proceeding commenced by respondents-respondents against petitioners-appellants pending the hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is granted.

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 July 9, 2020.

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

-----X
In the Matter of

Charles A.,
Hiram A.,
Patricia A.,

Children under Eighteen Years of Age
Alleged to be Neglected by

CONFIDENTIAL
M-1504

April W. A.,
Respondent-Appellant,

Docket Nos. NA-42059-61/12
B-40760-62/14

Norman A.,
Respondent.

-----X
Cardinal McCloskey Community Services
and Administration for Children's
Services,
Petitioners-Respondents.

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

An appeal having been taken from an order of the Family Court, New York County, entered on or about March 11, 2020, and respondent-appellant having moved for a stay of enforcement of that order pending hearing and determination of the appeal taken therefrom,

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 an order of a Justice of this Court, entered on March 24, 2020, is vacated.

(M-1504)

-2-

July 9, 2020

ENTERED:


CLERK

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

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

-----X

The People of the State of New York,
Respondent,

-against-

Anonymous,
Defendant-Appellant.

-----X

SEALED
M-1642
Ind. Nos. 645/17
3725/16

Defendant-appellant having moved for an order granting anonymity of the records in connection with an appeal taken from a judgment of the Supreme Court, New York County, rendered on or about April 3, 2019, designating the case and all future filings as *People v Anonymous*, and sealing the Supreme Court record and the record on appeal, including the minutes of the proceedings and the appellate briefs and motion papers and orders, and all future filings in 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, and the records on appeal and all briefs and orders, as well all future filings are to be sealed. The Clerk is directed to calendar the appeal under *People v Anonymous*, and all records pertaining to this case are to refer to appellant as "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 July 9, 2020.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Angela M. Mazzarelli, Justices.

-----x

Ayelet Olsen,
Plaintiff-Appellant,

M-1528
Index No. 100164/18

-against-

David S. Smith and David S. Smith, LLC,
Defendants-Respondents.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about February 27, 2019, and said appeal having been perfected,

And defendants-respondents having moved for an order extending the time to file their respondents' brief; adjourning the appeal to the September 2020 Term, which adjournment has previously been granted by order of this Court dated April 4, 2020; striking certain portions of the record on appeal that was served and filed by plaintiff-appellant; and for leave to file a supplemental record on 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 directing plaintiff-appellant to redact, from the digitally filed record on appeal that has been filed in this Court, pp. 11-23, pp. 127-54, and pp. 190-246, and to physically excise those pages from each filed hard copy of the record on appeal. Defendants-respondents are granted leave to file a supplemental record on appeal for the September 2020 Term to include Unredacted Confidential Documents (as defined in the Affirmation in Support

of the Motion) from the underlying Family Court proceeding, to be filed, under seal, in this Court for *in camera* review.

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 July 9, 2020.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Cynthia S. Kern
Peter H. Moulton, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

Darius Moore,
Defendant-Appellant.

M-1475
M-1476
Ind. No. 2005/17
SCI No. 552/17

-----X

Separate appeals having been taken to this Court from judgments of the Supreme Court, New York County, rendered on or about October 10, 2017 and May 18, 2017,

And assigned counsel for defendant-appellant having moved for an order relieving it as assigned counsel or, in the alternative, dismissing the aforesaid appeals, without prejudice,

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

It is ordered that the motion is granted to the extent that the appeals are 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 July 9, 2020.

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

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

Margarita Vega,
Petitioner,

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

M-1220
M-1415
Index No. 100278/17

-against-

New York City Housing Authority,
Respondent.

-----X

An Article 78 proceeding to challenge a New York City Housing Authority determination having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about June 20, 2018,

And a order of this Court having been entered on October 17, 2019 (M-3782), vacating a prior dismissal of this proceeding and extending petitioner's time to perfect the proceeding to the March 2020 Term of this Court, with no further extensions to be granted,

And respondent having moved for an order dismissing the proceeding as untimely (M-1220),

And petitioner having moved to vacate the automatic dismissal of the proceeding, and upon reinstatement, for leave to prosecute the proceeding as a poor person, upon the original record and reproduced petitioner's brief, and for an extension of time to perfect same (M-1415),

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

(M-1220 & M-1415)

-2-

July 9, 2020

It is ordered that respondent's motion is denied as unnecessary, the appeal having been automatically dismissed (M-1220). It is further ordered that petitioner's motion is denied in its entirety (M-1415).

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 July 9, 2020.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Angela M. Mazzarelli
Troy K. Webber
Cynthia S. Kern
Peter H. Moulton, Justices.

-----X
Oliver Vaughan Douce Al-Dey, etc.,

Plaintiff-Appellant,

-against-

M-1805
Index No. 102047/16

The City of New York, et al.,

Defendants-Respondents.
-----X

Plaintiff-appellant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, New York County, entered on or about January 17, 2020, 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 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 July 9, 2020.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Angela M. Mazzarelli
Troy K. Webber
Cynthia S. Kern
Peter H. Moulton, Justices.

-----X
Dalia Soto,
Plaintiff-Appellant-Respondent,

-against-

M-1458
Index No. 300434/15

Edward A. Diggs and Don Thomas
Buses, Inc.,
Defendants-Respondents-Appellants.
-----X

An appeal and cross appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about December 23, 2016,

And plaintiff-appellant-respondent having moved for an extension of time to perfect the appeal taken from the aforementioned 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 appeal and cross appeal to the November 2020 Term.

ENTERED:



CLERK

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

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Barbara R. Kapnick
Cynthia S. Kern
Jeffrey K. Oing, Justices.

-----X
191 Realty Associates, L.P.,
Petitioner-Landlord-Respondent,

-against- M-1359
Index No. 570227/19
L&T Index No. 64959/17

Ivan Tejeda and Josefina Tejeda,
Respondents-Tenants-Appellants.
-----X

Respondents-tenants 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 November 22, 2019, and for a stay of all Civil Court, Housing Part proceedings pending hearing and determination of the appeal,

And an interim stay of all Civil Court, Housing Part proceedings, pending hearing and determination of the motion, having been granted by order of a Justice of this Court dated March 9, 2020, conditioned on respondents-tenants remitting to petitioner-landlord the sum of \$5,000 on or before March 16, 2020 and an additional \$20,000 if leave to appeal is granted,

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

It is ordered that the branch of the motion seeking leave to appeal to this Court is granted. 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, and

It is further ordered that the branch of the motion seeking a stay of all Civil Court, Housing Part proceedings pending hearing and determination of the appeal is granted on condition

(M-1359)

-2-

July 9, 2020

that respondents-tenants remit to the petitioner-respondent the sum of \$20,000 within thirty (30) days of the entry of this order.

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 July 9, 2020.

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

-----X

In re LEK Securities Corporation,
et al.,
Petitioners-Respondents,

-against-

M-1509
Index No. 653120/19

Istvan Elek,
Respondent-Appellant.

-----X

Petitioners-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 February 18, 2020 (Appeal No. 10763N), and for a stay of arbitration pending the determination of this motion and their direct application to the Court of Appeals for leave to 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 in its entirety.

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 July 9, 2020.

PRESENT: Hon. Angela M. Mazzairelli, Justice Presiding,
Troy K. Webber
Cynthia S. Kern
Peter H. Moulton, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-1495
Ind. No. 3120/09

Joel Cruz,
Defendant-Appellant.

-----X

Assigned counsel for defendant-appellant, Christina Swarns, Esq., having moved for an order relieving her counsel or dismissing the appeal taken from an order of the Supreme Court, Bronx County, rendered on or about August 5, 2013,

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 appeal withdrawn.

ENTERED:



CLERK

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

BEFORE: Hon. Sallie Manzanet-Daniels
Justice of the Appellate Division
-----X

The People of the State of New York,

M-1629
Ind. No. 1154/13

-against-

CERTIFICATE
GRANTING LEAVE

Sammy Lopez,

Defendant.
-----X

I, Sallie Manzanet-Daniels, 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, Bronx County, entered on or about April 28, 2020.¹ It is noted that this Court previously granted leave to appeal from the order of the Supreme Court, Bronx County, entered on or about September 27, 2018 (M-5132).

Dated: June 24, 2020
New York, New York

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.

Allie Margaret-Daniels
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.