

August 30, 2018

**MOTIONS**

1                    Mo. No. 2018-579  
In the Matter of 141 Avenue A Associates,  
                         Respondent,  
                         v.  
Jay Klein,  
                         Appellant.

Motion for leave to appeal dismissed upon the ground that this Court does not have jurisdiction to entertain a motion for leave to appeal from the order of the Appellate Division entered in this proceeding commenced in the Civil Court of the City of New York (see NY Const, art VI, § 3[b][7]; CPLR 5602[a]).

2                    Mo. No. 2018-607  
In the Matter of Jayden M. A.-M.  
  
Jennifer A.,  
                         Appellant;  
Gregory M. et al.,  
                         Respondents.  
(And Another Proceeding)

Motion for reargument of motion for leave to appeal denied.  
Judge Feinman took no part.

2                    Mo. No. 2018-610  
In the Matter of Azimjon A.  
  
Administration for Children's Services,  
                         Respondent;  
Adolat K.,  
                         Appellant,  
et al.,  
                         Respondent.  
(And Another Proceeding)

Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the proceedings within the meaning of the Constitution.

3                    Mo. No. 2018-650  
In the Matter of Cheryl Ackerman,  
                          Appellant,  
                          v.  
New York State Department of Health,  
                          Respondent.

Motion for reargument of motion for leave to appeal denied.

1                    Mo. No. 2018-819  
The Alliance to End Chickens as Kaporos, et al.,  
                          Appellants,  
                          v.  
New York City Police Department, et al.,  
                          Respondents,  
et al.,  
                          Defendants.

Motion by Animal Legal Defense Fund for leave to file a brief amicus curiae on the appeal herein granted and the proposed brief is accepted as filed. The brief must be submitted in digital format within seven days.  
Judge Feinman took no part.

2                    Mo. No. 2018-555  
The People &c.,  
                          Respondent,  
                          v.  
Alfred E. Balcuns,  
                          Appellant.

Motion for leave to appeal denied.  
Motion for poor person relief dismissed as academic.

4                    Mo. No. 2018-584  
The People &c.,  
                          Respondent,  
                          v.  
Jeffrey T. Bernecky,  
                          Appellant.

Motion for leave to appeal denied.

1                    Mo. No. 2018-636  
Danielle Biton, &c., et al.,  
                          Appellants,  
                          v.  
State of New York, et al.,  
                          Respondents.  
(And Three Other Actions)

Motion for reargument of motion for leave to appeal denied.  
Judge Feinman took no part.

1 Mo. No. 2018-674  
James H. Brady,  
Appellant,  
v.  
State of New York, et al.,  
Respondents.

Motion for reargument of motion for leave to appeal denied.

1 Mo. No. 2018-722  
James H. Brady,  
Appellant,  
v.  
New York County District Attorney's Office  
et al.,  
Respondents.

Motion for reargument of motion for leave to appeal denied.

1 Mo. No. 2018-834  
The People &c.,  
Respondent,  
v.  
Clinton Britt,  
Appellant.

Motion for assignment of counsel granted and Justine M. Luongo, Esq., Attorney-in-Chief, Criminal Defense Practice, The Legal Aid Society, 199 Water Street, New York, NY 10038 assigned as counsel to the appellant on the appeal herein.

2 Mo. No. 2018-578  
In the Matter of Gary Butler,  
Appellant,  
v.  
Barbara Zambelli, &c.,  
Respondent.

Motion for leave to appeal denied.  
Chief Judge DiFiore took no part.

2 Mo. No. 2018-563  
The People &c.,  
Respondent,  
v.  
Roque Cepeda,  
Appellant.

Motion for leave to appeal denied.  
Motion for poor person relief dismissed as academic.

3 Mo. No. 2018-666  
The People &c.,  
Respondent,  
v.  
Michael Cubero,  
Appellant.

Motion for assignment of counsel granted and George J. Hoffman, Jr., Esq., P.O. Box 264, East Greenbush, NY 12061 assigned as counsel to the appellant on the appeal herein.

4 Mo. No. 2018-577  
In the Matter of the Accounting by Donald K. Czeizinger, as Administrator of the Estate of Frederick D. Czeizinger, Deceased,  
Respondent.

Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the proceeding within the meaning of the Constitution.

Tina Chambliss-Partee,  
Appellant;  
Robert F. Baldwin, Jr., Guardian Ad Litem of Frederick Donald Czeizinger, Deceased,  
Respondent.

1 Mo. No. 2018-726  
The People &c.,  
Respondent,  
v.  
Omar Deleon,  
Appellant.

Motion for assignment of counsel granted and Justine M. Luongo, Esq., Attorney-in-Chief, Criminal Defense Practice, The Legal Aid Society, 199 Water Street, New York, NY 10038 assigned as counsel to the appellant on the appeal herein.

1 Mo. No. 2018-781  
Deutsche Bank National Trust Company, solely in its capacity as Trustee for the Harborview Mortgage Loan Trust Series 2007-7,  
Appellant,  
v.  
Flagstar Capital Markets Corporation,  
Defendant,  
Quicken Loans, Inc.,  
Respondent.

Motion by LNR Partners, LLC, et al. for leave to file a brief amici curiae on the appeal herein granted and the proposed brief is accepted as filed. Two copies of the brief must be served, an original and nine copies filed, and the brief submitted in digital format within seven days.  
Judge Garcia took no part.

1 Mo. No. 2018-547  
The People &c.,  
Respondent,  
v.  
Ramon Fabian-Lopez,  
Appellant.

Motion for leave to appeal denied.  
Motion for poor person relief dismissed as academic.

1 Mo. No. 2018-811  
The People &c.,  
Respondent,  
v.  
Winston Gajadhar, &c.,  
Appellant.

Motion for an extension of the time within which to  
apply for permission to appeal pursuant to CPL  
460.20 granted and motion papers treated as a timely  
CPL 460.20 application.

2 Mo. No. 2018-554  
The People &c.,  
Respondent,  
v.  
Naquan Ginyard,  
Appellant.

Motion for leave to appeal denied.  
Motion for poor person relief dismissed as academic.

4 Mo. No. 2018-774  
The People &c.,  
Respondent,  
v.  
Jakim Grimes,  
Appellant

Motion by New York County Lawyers Association,  
Appellate Courts Committee for leave to file a brief  
amicus curiae on the appeal herein granted and the  
proposed brief is accepted as filed. Two copies of  
the brief must be served, an original and nine copies  
filed, and the brief submitted in digital format within  
seven days.

1 Mo. No. 2018-603  
IGS Realty Co., L.P.,  
Respondent,  
v.  
James H. Brady,  
Appellant.

Motion for reargument of motion for leave to appeal  
denied.  
Motion for a stay dismissed as academic.

1 Mo. No. 2018-732  
IGS Realty Co., L.P.,  
Respondent,  
v.  
James H. Brady,  
Appellant.

Motion for leave to appeal denied.

1 Mo. No. 2018-638  
In the Matter of New York City Asbestos  
Litigation.  
Mary Juni, &c.,  
Appellant,  
v.  
A.O. Smith Water Products Co., et al.,  
Defendants,  
Ford Motor Company,  
Respondent.

Motion by Military-Veterans Advocacy, Inc. for  
leave to file a brief amicus curiae on the appeal  
herein granted and the proposed brief is accepted as  
filed. Two copies of the brief must be served, an  
original and nine copies filed, and the brief submitted  
in digital format within seven days.  
Judge Feinman took no part.

1 Mo. No. 2018-643  
Vladimira Koch, &c.,  
Appellant,  
Michael Koch, et al.,  
Plaintiffs,  
v.  
Sheresky, Aronson & Mayefsky LLP, et al.,  
Respondents.

Motion for leave to appeal dismissed upon the  
ground that the order sought to be appealed from  
does not finally determine the action within the  
meaning of the Constitution.  
Motion for poor person relief dismissed as academic.

2 Mo. No. 2018-615  
In the Matter of Omar Krubally,  
Appellant,  
v.  
Fatou Jobe,  
Respondent.

Motion for leave to appeal denied.

1 Mo. No. 2018-789  
In the Matter of Lacey L., &c.

Stephanie L.,  
Appellant;  
Administration for Children's Services,  
Respondent,  
Dekodia L.,  
Respondent.

Motion by Brooklyn Defender Services, et al. for leave to file a brief amici curiae on the appeal herein granted and the proposed brief is accepted as filed. Two copies of the brief must be served, an original and nine copies filed, and the brief submitted in digital format within seven days.

1 Mo. No. 2018-798  
In the Matter of Lacey L., &c.

Stephanie L.,  
Appellant;  
Administration for Children's Services,  
Respondent,  
Dekodia L.,  
Respondent.

Motion by Human Rights and Gender Justice Clinic of the City University of New York School of Law, et al. for leave to file a brief amici curiae on the appeal herein granted and the proposed brief is accepted as filed. Two copies of the brief must be served, an original and nine copies filed, and the brief submitted in digital format within seven days.

1 Mo. No. 2018-799  
In the Matter of Lacey L., &c.

Stephanie L.,  
Appellant;  
Administration for Children's Services,  
Respondent,  
Dekodia L.,  
Respondent.

Motion by The Arc, et al. for leave to file a brief amici curiae on the appeal herein granted and the proposed brief is accepted as filed. Two copies of the brief must be served, an original and nine copies filed, and the brief submitted in digital format within seven days.

1 Mo. No. 2018-806  
In the Matter of Lacey L., &c.

Stephanie L.,  
Appellant;  
Administration for Children's Services,  
Respondent,  
Dekodia L.,  
Respondent.

Motion by SisterSong Women of Color  
Reproductive Justice Collaborative, et al. for leave to  
file a brief amici curiae on the appeal herein granted  
and the proposed brief is accepted as filed. Two  
copies of the brief must be served, an original and  
nine copies filed, and the brief submitted in digital  
format within seven days.

1 Mo. No. 2018-809  
In the Matter of Lacey L., &c.

Stephanie L.,  
Appellant;  
Administration for Children's Services,  
Respondent,  
Dekodia L.,  
Respondent.

Motion by American Civil Liberties Union  
Foundation et al. for leave to file a brief amici curiae  
on the appeal herein granted and the proposed brief  
is accepted as filed. Two copies of the brief must be  
served, an original and nine copies filed, and the  
brief submitted in digital format within seven days.

2 Mo. No. 2018-549  
The People &c.,  
Respondent,  
v.  
Rayshawn Long,  
Appellant.

Motion for leave to appeal denied.  
Motion for poor person relief dismissed as academic.

2 Mo. No. 2018-802  
The People &c.,  
Respondent,  
v.  
David Mairena,  
Appellant.

Motion for assignment of counsel granted and Paul  
Skip Laisure, Esq., Appellate Advocates, 111 John  
Street, 9th Floor, New York, NY 10038 assigned as  
counsel to the appellant on the appeal herein.



2 Mo. No. 2018-815  
The People &c.,  
Respondent,  
v.  
Ramee McCullum,  
Appellant.

Motion for assignment of counsel granted and Paul Skip Laisure, Esq., Appellate Advocates, 111 John Street, 9th Floor, New York, NY 10038 assigned as counsel to the appellant on the appeal herein.

2 Mo. No. 2018-593  
The People &c.,  
Respondent,  
v.  
Frederick Morris,  
Appellant.

Motion for leave to appeal denied.  
Motion for poor person relief dismissed as academic.

1 Mo. No. 2018-785  
In the Matter of New York Civil Liberties  
Union,  
Appellant,  
v.  
New York City Police Department, et al.,  
Respondents.

Motion by Advance Publications, Inc., et al. for leave to file a brief amici curiae on the appeal herein granted and the proposed brief is accepted as filed. Two copies of the brief must be served, an original and nine copies filed, and the brief submitted in digital format within seven days.

2 Mo. No. 2018-605  
Ada Oparaji,  
Appellant,  
v.  
Citibank, N.A.,  
Respondent.

Motion for reargument of motion for leave to appeal denied.

Mo. No. 2018-865  
The People &c.,  
Respondent,  
v.  
Ganesh Ramlall,  
Appellant.

Motion for assignment of counsel granted and Justine M. Luongo, Esq., Attorney-in-Chief, Criminal Defense Practice, The Legal Aid Society, 199 Water Street, New York, NY 10038 assigned as counsel to the appellant on the appeal herein.

2 Mo. No. 2018-692  
The People &c. ex rel. Cory Reid,  
Appellant,  
v.  
Robin Beauliue, &c.,  
Respondent.

Motion for reargument of motion for leave to appeal denied.

2 Mo. No. 2018-641  
In the Matter of Ivan Smith,  
Appellant,  
v.  
Monique Murphy,  
Respondent.

Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the proceeding within the meaning of the Constitution.  
Motion for poor person relief dismissed as academic.  
Motion for a stay dismissed as academic.

1 Mo. No. 2018-548  
The People &c.,  
Respondent,  
v.  
Paul Smith,  
Appellant.

Motion for leave to appeal denied.  
Motion for poor person relief dismissed as academic.

3 Mo. No. 2018-508  
The People &c.,  
Respondent,  
v.  
Charles E. Teal,  
Appellant.

Motion for leave to appeal denied.

1                    Mo. No. 2018-621  
In the Matter of Imanuel D.W., et al., &c.

Shaunette W.,  
    Appellant;  
Sheltering Arms Children and Family  
Services,  
    Respondent.

Motion for leave to appeal denied.

4                    Mo. No. 2018-740  
Daniel Williams et al.,  
    Appellants,  
    v.  
Beemiller, Inc. &c, et al.,  
    Defendants,  
Charles Brown,  
    Respondent.

Motion by Everytown for Gun Safety for leave to file a brief amicus curiae on the appeal herein granted and the proposed brief is accepted as filed. Two copies of the brief must be served, an original and nine copies filed, and the brief submitted in digital format within seven days.

3                    Mo. No. 2018-653  
In the Matter of Jasnia Y. et al., &c.

Broome County Department of Social  
Services,  
    Respondent;  
Alease Y.,  
    Appellant.

Motion for leave to appeal denied.