

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 February 5, 2013.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
David Friedman
Rolando T. Acosta
David B. Saxe, Justices.

-----X
In the Matter of the Application for
a Stay of Arbitration of Interboro
Insurance Company,

Petitioner-Respondent, **M-5550**
Index No. 260579/10
-against-

Doreathea Amartey

Respondent-Appellant.
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about June 17, 2011,

And petitioner-respondent having moved for an order dismissing the aforesaid appeal,

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

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

ENTER:



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 February 5, 2013.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
David Friedman
Rolando T. Acosta
David B. Saxe, Justices.

-----X
Alistine Thompson,

Plaintiff-Respondent, **M-5810**
Index No. 303131/08
-against-

Morningside House Nursing Home
Company, Inc., et al.,

Defendants-Appellants.

-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, entered on or about June 17, 2011,

And plaintiff-respondent having moved for an order dismissing the aforesaid appeal,

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

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

ENTER:



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 February 5, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David Friedman, Justices.

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

Respondent,
M-28
-against-
Ind. No. 364/12

Dario Algarin,

Defendant-Appellant.

-----X
Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about November 28, 2012, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts 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.

February 5, 2013

Steven Banks, Esq., 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 120 days from the date of filing of the record.

ENTER:


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 February 5, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David Friedman, Justices.

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

Respondent,
M-29
-against-
Ind. No. 2296N/12

Tomas Acosta,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about December 6, 2012, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts 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.

February 5, 2013

Steven Banks, Esq., 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 120 days from the date of filing of the record.

ENTER:


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 February 5, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David Friedman, Justices.

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

Respondent,
-against- M-31
Ind. No. 2635/08

Jamal Armstead,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about December 12, 2012, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts 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.

February 5, 2013

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 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 120 days from the date of filing of the record.

ENTER:



Susan R.
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 February 5, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David Friedman, Justices.

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

Respondent,
-against- M-33
Ind. No. 4101/12

Mitchell Arteaga,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about November 17, 2012, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts 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.

February 5, 2013

Steven Banks, Esq., 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 120 days from the date of filing of the record.

ENTER:


CLERK

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Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David Friedman, Justices.

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

Respondent,
M-34
-against- Ind. No. 6026/04

Luis Arroyo,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of **resentence** of the Supreme Court, New York County, rendered on or about June 15, 2012, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of **resentence**. 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.

February 5, 2013

Steven Banks, Esq., 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 120 days from the date of filing of the record.

ENTER:


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 February 5, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David Friedman, Justices.

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

Respondent,
M-35
-against- Ind. No. 1826/00

William Allen,

Defendant-Appellant.

-----X
Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of **resentence** of the Supreme Court, New York County, rendered on or about November 20, 2012, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of **resentence**. 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.

February 5, 2013

Robert S. Dean, Esq., Center for Appellate Litigation,
74 Trinity Place, 11th Floor, New York, New York 10006, 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 120 days from
the date of filing of the record.

ENTER:



Susan R.
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 February 5, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David Friedman, Justices.

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

Respondent,
-against- M-36
Ind. No. 1966/11

Raul Barerra,

Defendant-Appellant.

-----X
Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about November 13, 2012, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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February 5, 2013

Robert S. Dean, Esq., Center for Appellate Litigation,
74 Trinity Place, 11th Floor, New York, New York 10006, 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 120 days from
the date of filing of the record.

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Susan R.
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 February 5, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David Friedman, Justices.

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

Respondent,
M-37
-against- Ind. No. 5223/10

Joseph Brevard,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about November 27, 2012, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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February 5, 2013

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 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 120 days from the date of filing of the record.

ENTER:



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 February 5, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David Friedman, Justices.

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

Respondent,
M-38
-against-
Ind. No. 1711/12

Ervin Bowens,

Defendant-Appellant.

-----X
Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about December 11, 2012, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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February 5, 2013

Robert S. Dean, Esq., Center for Appellate Litigation,
74 Trinity Place, 11th Floor, New York, New York 10006, 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 120 days from
the date of filing of the record.

ENTER:



Susan R.
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 February 5, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David Friedman, Justices.

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

Respondent,
M-40
-against- Ind. No. 1883/12

Rodney Brown,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about December 5, 2012, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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February 5, 2013

Steven Banks, Esq., 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 120 days from the date of filing of the record.

ENTER:


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 February 5, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David Friedman, Justices.

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

Respondent,
-against- M-41
Ind. No. 2028/10

Robert Boyer,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about November 20, 2012, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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February 5, 2013

Steven Banks, Esq., 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 120 days from the date of filing of the record.

ENTER:


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 February 5, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David Friedman, Justices.

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

Respondent,
M-42
-against- Ind. Nos. 454/10
70362C/09
Cecilia Casabuena,

Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about August 16, 2012, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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February 5, 2013

Robert S. Dean, Esq., Center for Appellate Litigation,
74 Trinity Place, 11th Floor, New York, New York 10006, 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 120 days from
the date of filing of the record.

ENTER:



Susan R.
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 February 5, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David Friedman, Justices.

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

Respondent,
M-43
-against-
Ind. No. 671/12

Thomas Currie,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about November 28, 2012, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts 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.

February 5, 2013

Steven Banks, Esq., 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 120 days from the date of filing of the record.

ENTER:


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 February 5, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David Friedman, Justices.

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

Respondent,
M-44
-against- Ind. Nos. 3796N/12
1963/11
Albert Cruz,

Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from judgments of the Supreme Court, New York County, rendered on or about November 30, 2012, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts 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.

February 5, 2013

Steven Banks, Esq., 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 120 days from the date of filing of the record.

ENTER:


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 February 5, 2013.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
David Friedman
David B. Saxe
Rosalyn H. Richter
Sheila Abdus-Salaam, Justices.

-----X

In the Matter of

Dean T., Jr.,
and Devone T.,

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

M-4989

Docket Nos. N19767/10
N19768/10

Administration for Children's
Services,
Petitioner-Respondent,

Dean T. Sr.,
Respondent-Appellant.

M. Curry Cook, Esq.,
Attorney for the Child
Dean T. Jr.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about September 11, 2012, and for assignment of counsel, a free copy of the transcript, and for related relief,

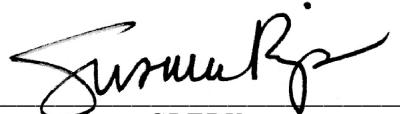
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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, Carol L. Kahn, Esq., 225 Broadway, Suite 1510, New York, NY 10007, Telephone No. (212) 227-0206, as

February 5, 2013

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) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



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 February 5, 2013.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
David Friedman
Rolando T. Acosta
David B. Saxe, Justices.

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

M-5317

Docket No. V13583/12

Frances May R.,
Petitioner-Respondent,

-against-

Russell Robert R.,
Respondent,

Alexa Mary-Jean M.,
Respondent-Appellant.

-----X

An appeal having been taken from an order of the Family Court, New York County, entered on or about October 12, 2012,

And respondent-appellant having moved for leave to appeal to this Court from the aforesaid order of the Family Court, and to stay all proceedings including trial pending 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 in all respects.

ENTER:



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 February 5, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
David Friedman
Rolando T. Acosta
David B. Saxe, Justices.

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

Michael O., M-5689
Petitioner-Respondent, Docket Nos.
V712-06/08/08A/10A
V346-08/10b
V19164-04/08
-against- IDV No. 216/06

Peggy M.,
Respondent-Appellant.

-----X
Respondent-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, Integrated Domestic Violence Part, entered on or about September 16, 2011,

Now, upon reading and filing the papers with respect to the motion, including the stipulation between the parties dated December 17, 2012, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the June 2013 Term.

ENTER:



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 February 5, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
David Friedman
Rolando T. Acosta
David B. Saxe, Justices.

-----X
Trans-Packers Services Corp.,
Plaintiff-Respondent,

-against-

M-5790
Index No. 651711/10

National Union Fire Insurance
Company of Pittsburgh, PA and
Sterling & Sterling, Inc.,
Defendants-Appellants.

-----X

Defendant-appellant Sterling & Sterling, Inc. having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about February 24, 2012 (mot. seq. no. 002),

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 enlarging the time to perfect the appeal to the June 2013 Term.

ENTER:



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 February 5, 2013.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick
Sallie Manzanet-Daniels, Justices.

-----X
Marianne Nestor and Peggy Nestor,

Petitioners-Landlords-Appellants,

-against-

M-5366
Index No. 570385/07

Thomas Britt,

Respondent-Tenant-Respondent,

"John Doe" and "Jane Doe",

Respondent-Undertenants.

-----X

Petitioners-landlords-appellants having moved for leave to appeal to this Court from of the order of the Appellate Term entered in the office of the Clerk of the Supreme Court, New York County, on or about February 16, 2012,

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.

ENTER:


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 February 5, 2013.

Present: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
John W. Sweeny, Jr.
Leland G. DeGrasse
Nelson S. Román, Justices.

-----X
Lidia Hughes,

Plaintiff-Respondent,

-against- **M-5304**
Index No. 36544/05

Andre Hughes,

Defendant-Appellant.

-----X

An order of this Court having been entered on October 18, 2012 (M-3255) denying defendant-appellant's motion for reargument of the decision and order of this Court entered on December 7, 2010 (Appeal No. 3814),

And defendant-appellant having moved for clarification of the aforesaid order of this Court entered on October 18, 2012 (M-3255),

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.

ENTER:



Susan R.
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 February 5, 2013.

Present - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Rolando T. Acosta
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X
Richard Arbusto,

Plaintiff-Appellant,

-against-

M-5908
Index No. 21253/05

Bank Street Commons, LLC, et al.,

Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about February 7, 2012,

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 enlarging the time to perfect the appeal to the June 2013 Term.

ENTER:



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 February 5, 2013.

Present - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Rolando T. Acosta
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----x
Mildred Thorne,
Plaintiff-Respondent,

-against-

Kings Harbor Multicare Center, et al., M-5935
Defendants. Index No. 303740/08

Aetna US Healthcare Inc. and The
Rawlings Company LLC,
Non-Party Appellants.

-----x
Non-party appellants having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about February 9, 2012,

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 enlarging the time to perfect the appeal to the June 2013 Term.

ENTER:



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 February 5, 2013.

Present - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Rolando T. Acosta
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X

In the Matter of

Brandon M.,

A Person Alleged to be a Juvenile
Delinquent,

M-5976
Docket No. D-189/11

Respondent-Appellant.

-----X

Respondent-appellant having moved for an enlargement of time in which to perfect the appeal from an order of the Family Court, Bronx County, entered on or about December 2, 2011,

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 enlarging the time in which to perfect the appeal to the June 2013 Term.

ENTER:



Susan R.
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 February 5, 2013.

Present - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Rolando T. Acosta
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X
Leonard Eidlisz,
Plaintiff-Appellant,
-against-
New York University, et al.,
Defendants-Respondents.
-----X

M-6015
Index No. 600105/05

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about March 12, 2012,

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 enlarging the time to perfect the appeal to the June 2013 Term.

ENTER:



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 February 5, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Helen E. Freedman
Nelson S. Román
Judith J. Gische, Justices.

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

-against-

M-4216
Ind. No. 3541/88

Jesse Shannon,
Defendant-Appellant.

-----X
A decision and order of this Court having been entered on April 28, 1992 (Appeal No. 45896), unanimously affirming a judgment of the Supreme Court, Bronx County (Gerald Sheindlin, J.), rendered on September 21, 1989,

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.

ENTER:



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 February 5, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Helen E. Freedman
Nelson S. Román
Judith J. Gische, Justices.

-----X
Tabitha Irving,
Plaintiff-Respondent,

-against-

M-5308
Index No. 4899/10

Marlon Irving,
Defendant-Appellant.
-----X

An appeal having been taken from orders of the Supreme Court, Bronx County, dated November 9, 2012,

And, defendant-appellant having moved to stay a certain support order dated January 26, 2012, to stay enforcement of the aforesaid orders dated November 9, 2012, and for vacatur of said orders, and for related relief,

And an order of a Justice of this Court dated November 14, 2012, having granted an interim stay of enforcement of the aforesaid orders dated November 9, 2012,

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

It is ordered that the motion is granted to the extent of staying only so much of the orders dated November 9, 2012 as directed defendant's incarceration as a sanction for contempt, on condition the appeal is perfected on or before March 18, 2013 for the June 2013 Term and otherwise denied. The interim relief granted by a Justice of this Court dated November 14, 2012 is hereby vacated to the extent inconsistent herewith.

ENTER:



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 February 5, 2013.

Present: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Helen E. Freedman
Nelson S. Román
Judith J. Gische, Justices.

-----X
Manhattan Transfer, L.P.,

Petitioner,

-against-

M-5512

Index No. 570485/11

Bow L. Quon,

Respondent.

-----X
Respondent having moved for leave to appeal to this Court from the order of the Appellate Term entered in the office of the Clerk of the Supreme Court, New York County, on or about July 24, 2012, for leave to prosecute said appeal as a poor person, 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 denied.

ENTER:



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 February 5, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

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

Anna Y. S., Joseph P. S., M-25
and Vincent S., Docket No. V10525/08
Petitioners-Respondents,

-against-

New York City Administration for
Children's Services, et al.,
Respondents,

Jeffrey K. and Karneya A-K.,
Intervenors-Appellants.

Steven Banks, Esq., The Legal Aid
Society, Juvenile Rights Division,
Attorney for the Child.

-----X

An appeal having been taken by intervenors-appellants from an order of the Family Court, New York County, entered on or about May 18, 2012, and said appeal having been perfected,

And petitioner-respondent father having moved to strike the subject child'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 denied.

ENTER:


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 February 5, 2013.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Leland G. DeGrasse
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

-----X
Michael Romero,

Plaintiff-Appellant,

M-5538

-against-

Index No. 307551/08

Jose M. Ramirez, et al.,

Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about February 3, 2012,

And defendants-respondents having moved for an order dismissing the aforesaid appeal,

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

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

ENTER:



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 February 5, 2013.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Leland G. DeGrasse
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

-----X
Juan Figueroa,
Plaintiff-Appellant,
-against-
M-5554
Index No. 304285/10

Mensch Management, Inc., et al.,
Defendants-Respondents.

-----X
An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about January 27, 2012,

And Defendants-respondents having moved for an order dismissing the aforesaid appeal,

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

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

ENTER:


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 February 5, 2013.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Leland G. DeGrasse
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

-----X
Laura J. Pietropinto,

Plaintiff-Appellant,
-against-

M-5625
Index No. 111532/09

Raschell Benjamin,

Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 19, 2011,

And defendant-respondent having moved for an order dismissing the aforesaid appeal,

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

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

ENTER:



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 February 5, 2013.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
John W. Sweeny, Jr.
Karla Moskowitz, Justices.

-----X
The People of the State of New York
ex rel. Shavar McFadden,
Petitioner-Appellant,

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

M-5793
Index No. 340074/12

-against-

Warden, Rikers Island Correctional
Facility, et al.,
Respondents-Respondents.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Supreme Court, Bronx County, entered on or about June 22, 2012, for leave to have the appeal heard 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 denied, with leave to renew upon submission of a detailed notarized affidavit, in compliance with CPLR 1101(a), setting forth the terms of petitioner's retainer agreement with trial counsel, Percival A. Clarke, Esq., the amount and sources of funds for trial counsel's fee and an explanation as to why similar funds are not available to prosecute this appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

ENTER:



Susan R.
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 February 5, 2013.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Leland G. DeGrasse
Rosalyn H. Richter
Darcel D. Clark, Justices.

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

-against-

M-5617
Ind. No. 1114/85

Leroy Dorsey,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of **resentence** of the Supreme Court, New York County, rendered on or about May 2, 2012, 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 notice of appeal timely filed.

The motion, to the extent that it seeks poor person relief, is denied, with leave to renew upon defendant's submission of a notarized affidavit, pursuant to CPLR 1101(a), including the amount and sources of his income and listing his property with its value.

ENTER:



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 February 5, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Dianne T. Renwick
Helen E. Freedman, Justices.

-----X
Extell 609 West 137th Street, LLC,
Petitioner-Appellant,

-against-

M-4754
Index No. 570239/11

Marino Antonio Bonilla-Morel,
also known as Marino Bonilla,
Respondent-Respondent,

-and-

Manuela Manguela, et al.,
Respondents-Undertenants.

-----X

Petitioner-appellant having moved for leave to appeal to this Court from the orders of the Appellate Term entered in the office of the Clerk of the Supreme Court, New York County, on or about May 9, 2012 and August 30, 2012, respectively,

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.

ENTER:



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 February 5, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Dianne T. Renwick
Helen E. Freedman, Justices.

-----X
Uniformed Fire Officers
Association, Local 854, etc.,
et al.,
Petitioners-Respondents, M-5668
Index No. 101799/12
-against-

The City of New York,
Respondent-Appellant.

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 November 20, 2012 (Appeal No. 8657N),

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.

ENTER:



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 February 5, 2013.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter
Nelson S. Román, Justices.

-----X
Gerald Lieblich, et al.,

Plaintiffs-Appellants,

M-5342

-against-

Index No. 110023/11

Fron Nahzi, etc.,

Defendant-Respondent.

-----X

Plaintiffs-appellants having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on October 25, 2012 (Appeal No. 8401),

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.

ENTER:



Susan R.
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 February 5, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Leland G. DeGrasse
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

-----X
River York Stratford, LLC,
Petitioner-Landlord-Appellant,

-against-

M-5391
Index No. 570237/03

Estelle Linderman and Martin Resnick,
Respondents-Tenants-Respondents,

-and-

Corey Resnick, "John Doe" and/or
"Jane Doe,"
Respondents-Undertenants-Respondents.

-----X
Respondents-tenants-respondents having moved for leave to appeal to this Court from the order of the Appellate Term entered in the office of the Clerk of the Supreme Court, New York County, on or about July 18, 2012, and for other relief,

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

It is ordered that the motion is denied.

ENTER:


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 February 5, 2013.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Leland G. DeGrasse
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

-----X
In the Matter of the Application of
Judith L. Hancock,
Petitioner-Respondent,

For a Order, etc.,

M-5288

Index No. 604417/06

-against-

ARTS4All, Ltd., also known as A4A
Mobile, Ltd.,
Respondent-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about April 30, 2012,

And petitioner-respondent having moved for an order dismissing the aforesaid appeal, awarding petitioner-respondent costs on this motion, for an expedited decision on the motion, and for other 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 dismissing the aforesaid appeal, without prejudice, to a timely appeal from the judgment, if and when entered, and otherwise denied.

ENTER:



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 February 5, 2013.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
John W. Sweeny, Jr.
Leland G. DeGrasse
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
American Express Travel Related Services, Inc., Plaintiff-Appellant,

-against-

M-5943
Index No. 27544/90

Edwardo Espinoza,
Defendant-Respondent.

-----X
Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about December 12, 2011,

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 enlarging the time to perfect the appeal to the June 2013 Term.

ENTER:



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 February 5, 2013.

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

-----X
In the Matter of the Application
of Jose Ramos,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78 **M-5485**
of the Civil Practice Law and Rules, Index No. 400900/11

-against-

New York City Housing Authority,
Respondent-Respondent.

-----X
An appeal having been taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about November 22, 2011,

And respondent-respondent having moved for an order dismissing the aforesaid appeal,

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

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

ENTER:



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 February 5, 2013.

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

-----X
In the Matter of the Application
of Robert Cabeza,
Petitioner,

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

-against-

M-5338
Index No. 400408/11

New York City Police Department,
Respondent.

-----X
An order and judgment (one paper) of the Supreme Court,
New York County, having been entered on or about March 22, 2012,

And petitioner having moved for leave to appeal to this Court from the aforesaid order and judgment (one paper) of said Supreme Court, entered on or about March 22, 2012, and for other relief,

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

Ordered that the motion is denied.

ENTER:



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 February 5, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Sheila Abdus-Salaam
Paul G. Feinman, Justices.

-----X
Amalgamated Bank,
Plaintiff-Appellant,

-against-

M-24
Index No. 603573/09

Helmsley-Spear, Inc.,
Defendant-Respondent,

Schneider & Schneider, Inc. and
Lynn C. Schneider,
Intervenors-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about December 7, 2012,

And plaintiff-appellant having moved for a stay of enforcement of the aforesaid 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 granted on condition the appeal is perfected for the June 2013 Term.

ENTER:



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 February 5, 2013.

PRESENT: Hon. David Friedman, Justice Presiding
David B. Saxe
Leland G. DeGrasse
Sheila Abdus-Salaam
Paul G. Feinman, Justices.

-----x
John Bradbury,
Plaintiff-Respondent,
-against-
342 West 30th Street Corp.,
Defendant-Appellant.
-----x
M-5865
M-106
Index No. 120839/03

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 June 20, 2012,

And defendant-appellant having moved for a stay of proceedings pending hearing and determination of the aforesaid appeal and for other relief, (M-5865),

And plaintiff-respondent having cross-moved for the imposition of certain costs and for other relief (M-106),

Now, upon reading and filing the papers with respect to the motion and cross motion, including the stipulation between the parties dated January 9, 2013, and due deliberation having been had thereon,

It is ordered that the motion, cross motion and the appeal are deemed withdrawn in accordance with the aforesaid stipulation.

ENTER:



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 February 5, 2013.

Present - Hon. David Friedman, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Sheila Abdus-Salaam
Paul G. Feinman, Justices.

-----x
Paul Mohan,
Claimant-Appellant, M-6004

-against- Court of Claims
Claim No. 115997

State of New York,
Defendant-Respondent.

Shirley Mohan,
Claimant-Appellant,
-against- Court of Claims
Claim No. 116254

State of New York,
Defendant-Respondent.

-----x
Appeals having been taken to this Court from judgments of the Court of Claims of the State of New York both entered on or about March 13, 2012,

And the appellants having jointly moved for an enlargement of time to perfect the aforesaid appeals,

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

It is ordered that the motion is granted to the extent of sua sponte consolidating the aforesaid appeals, and permitting appellants to prosecute the consolidated appeals upon 9 copies of one record and one set of appellants' points covering the consolidated appeals. The attention of the parties is directed to 22 NYCRR § 600.11. The time to perfect the consolidated appeals is enlarged to on or before March 18, 2013 for the June 2013 Term.

ENTER:


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 February 5, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Nelson S. Román
Darcel D. Clark, Justices.

-----X
Certain Underwriters At Lloyds
London Subscribing to Policy
Number SYN-1000263,
Plaintiff-Respondent,

-against- M-5924
Index No. 600212/10

Lacher & Lovell-Taylor, P.C.
and Michael A. Lacher,
Defendants-Appellants.

-----X

Defendants-appellants having moved for an order enlarging the time to perfect the appeals from an order of the Supreme Court, New York County, entered on or about March 26, 2012, and an order of the same Court and Justice entered on or about October 9, 2012, respectively,

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 enlarging the time to perfect the appeals, which are, consolidated, to the September 2013 Term. Appellants are directed to prosecute the appeals upon 9 copies of one record and one set of appellants' points covering the aforesaid appeals.

ENTER:



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 February 5, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Nelson S. Román
Darcel D. Clark, Justices.

-----X
In the Matter of the Application of
Crystal Hawkins,
Petitioner-Appellant,

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

M-5966
-against- Index No. 400782/12

Elizabeth Berlin, etc., et al.,
Respondents-Respondents.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, entered on or about November 30, 2012, 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 file ten copies of such brief, together with the original record, with this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record. The Clerk of Supreme Court, County, is directed to have transcribed the minutes of the proceedings held therein, if any, for inclusion in the record on appeal, with a copy to appellant's counsel, the cost thereof to be charged against the City of New York from funds available therefor and any other fees in connection therewith.

ENTER:


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 February 5, 2013.

Present - Hon. David Friedman, Justice Presiding,
Leland G. DeGrasse
Helen E. Freedman
Sheila Abdus-Salaam, Justices.

-----X
In re East 51st Street Crane Collapse
Litigation

East 51st Street Development Company, LLC,
et al., Plaintiffs-Respondents-Appellants,

-against-

M-2226
M-2230
Index No. 150063/10

Lincoln General Insurance Company,
Defendant-Respondent-Appellant,

AXIS Surplus Insurance Company, et al.,
Defendants-Appellants-Respondents,

Everest National Insurance Company,
Defendant.

-----X
Defendant-respondent-appellant Lincoln General Insurance Company 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 April 3, 2012 (Appeal Nos. 7256-7257) [M-2230],

And defendant-appellant-respondent Interstate Fire and Casualty Company having separately moved for the aforesaid relief [M-2226],

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

It is ordered that the motion by defendant-respondent-appellant Lincoln General Insurance Company [M-2230] is denied. The motion by defendant-appellant-respondent Interstate Fire and Casualty Company [M-2226], to the extent it seeks reargument is granted and, upon reargument, the decision and order of this Court entered on April 3, 2012 (Appeal Nos. 7256-7257) is recalled and vacated and a new decision and order substituted

(M-2226/M-2230)

-2-

February 5, 2013

therefor. (See Appeal Nos. 7256-7257, decided simultaneously herewith.) Said motion, to the extent it seeks leave to appeal to the Court of Appeals, is denied.

ENTER:



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 February 5, 2013.

Present: Hon. David Friedman, Justice Presiding,
Karla Moskowitz
Helen E. Freedman
Rosalyn H. Richter
Sheila Abdus-Salaam, Justices.

-----X
Country-Wide Insurance Company,
Plaintiff-Appellant,

-against-

M-5369
Index No. 101844/09

Preferred Trucking Services Corp.,
et al.,
Defendants,

Filippo Gallina, et al.,
Defendants-Respondents.
-----X

Plaintiff-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on October 18, 2012 (Appeal No. 8332),

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.

ENTER:



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 February 5, 2013.

Present - Hon. David Friedman, Justice Presiding,
Leland G. DeGrasse
Rosalyn H. Richter
Sheila Abdus-Salaam
Paul G. Feinman, Justices.

-----x
Kristal Romero, and infant by Jesenia Diaz, her parent and natural guardian and Jesenia Diaz, individually, Plaintiffs-Respondents,

-against-

Charles Nichter, M.D., et al., Defendants-Appellants,

M-5854
M-5912
Index No. 26284/03

-and-

New York City Health and Hospitals Corporation, Defendant-Appellant.

Appeals having been taken to this Court by the respective defendants from the order of the Supreme Court, Bronx County, entered on about February 21, 2012,

And defendants New York City Health and Hospitals Corporation (M-5854) and Charles Nichter, M.D., et al. (M-5912) having each separately moved for an enlargement of time to perfect the aforesaid appeals,

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

It is ordered that the motions are granted, sua sponte the appeals are consolidated to the extent of permitting appellants to prosecute the consolidated appeals upon 9 copies of one record and one set each of appellants' points covering the consolidated appeals. The attention of the parties is directed to 22 NYCRR § 600.11. The time to perfect the consolidated appeals is enlarged to the June 2013 Term.

ENTER:


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 February 5, 2013.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,
Rolando T. Acosta
Sheila Abdus-Salaam
Sallie Manzanet-Daniels, Justices.

-----X
Sharon Steinberg, as Executor of the
Estate of Alan Pfeffer, and Sharon
Steinberg, Individually, **M-5280**
Plaintiffs-Appellants, **M-5551**
Index No. 108988/06
-against-

Albert Matalon, M.D., Gary Horbar, M.D.,
and New York University Medical Center,
Defendants-Respondents.

-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about February 7, 2011 and April 1, 2011, respectively,

And defendants, Albert Matalon, M.D. and Gary Horbar, M.D., having moved for an order dismissing the aforesaid appeals (M-5280),

And defendant, New York University Medical Center, having moved for the same relief (M-5551),

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

Ordered that the motions are granted and the appeals are dismissed.

ENTER:



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 February 5, 2013.

Present: Hon. David B. Saxe, Justice Presiding,
Dianne T. Renwick
Helen E. Freedman
Nelson S. Román
Judith J. Gische, Justices.

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

-against-

M-5573
Ind. No. 2947N/04

William Candelario,

Defendant.

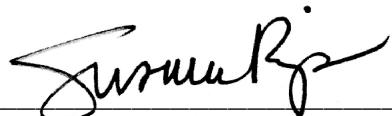
-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about February 8, 2005, 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 denied.

ENTER:



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 February 5, 2013.

Present: Hon. David B. Saxe, Justice Presiding,
Dianne T. Renwick
Helen E. Freedman
Nelson S. Román
Judith J. Gische, Justices.

-----X
Earl Muldrow,
Petitioner-Appellant,

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

M-5610
Index No. 250510/12

-against-

NYS Department of Corrections and
Community Supervision,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Supreme Court, Bronx County, entered on or about October 11, 2012, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for other 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 upon 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 file 8 copies of such brief, together with the original record, with this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record.

ENTER:



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 February 5, 2013.

PRESENT: Hon. David B. Saxe, Justice Presiding,
Helen E. Freedman
Nelson S. Román
Judith J. Gische, Justices.

-----X
The People of the State of New York,
Respondent,
-against- M-5212
Index No. 6028/94
M-5630

Reynaldo Perez,
Defendant-Appellant.

-----X
An appeal having been taken from the judgment of the Supreme Court, Bronx County, rendered on or about July 24, 1996,

And defendant-appellant having moved for a an enlargement of time to perfect said appeal (M-5212),

And the People having moved to dismiss the aforesaid appeal for failure to timely prosecute (M-5630),

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

It is ordered that the motion for an enlargement of time to perfect the appeal is denied (M-5212). The appeal is dismissed for failure to timely prosecute (M-5630).

ENTER:



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 February 5, 2013.

Present: Hon. David B. Saxe, Justice Presiding,
Helen E. Freedman
Nelson S. Román
Judith J. Gische, Justices.

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

-against-

Norman McCorkle,

M-5582

Ind. Nos. 982/06
7106C/06

Defendant.
-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, Bronx County, rendered on or about August 21, 2007, 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 denied.

ENTER:



CLERK

STATE OF NEW YORK
APPELLATE DIVISION : FIRST DEPARTMENT

BEFORE: Hon. David B. Saxe
Justice of the Appellate Division

-----X
The People of the State of New York, M-5581
NY Co.
Indictment No.
4309/02

-against- CERTIFICATE
Ravon Romance, DENYING LEAVE

Defendant.

-----X
I, David B. Saxe, 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 defendant's application for permission to appeal from the order of the Supreme Court, New York County, entered on or about June 28, 2012, denying defendant's motions to vacate the judgment pursuant to Criminal Procedure Law section 440.10 and to disqualify the assigned Justice from determining his motion to vacate, is hereby denied.

Dated: JAN 8 5 2013
New York, New York

Entered: FEB 5 2013



Justice of the Appellate Division

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-5524
Ind. No. 5298/03

-against-

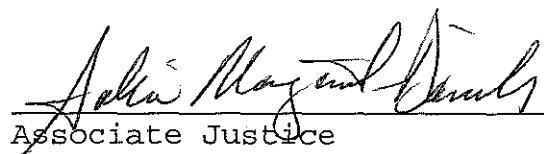
CERTIFICATE
DENYING LEAVE

Jonathan Rodriguez,

Defendant.

-----X

I, Sallie Manzanet-Daniels, 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 January 26, 2012 is hereby denied.


Associate Justice

Dated: January 2, 2013
New York, New York

ENTERED: FEB 5 2013

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-5373
Ind. No. 6497/88

-against-

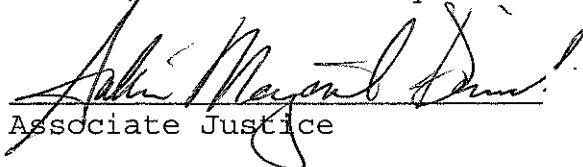
CERTIFICATE
DENYING LEAVE

Jose Diaz,

Defendant.

-----X

I, Sallie Manzanet-Daniels, 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, Bronx County, entered on or about June 18, 2012 is hereby denied.


Associate Justice

Dated: January 2, 2013
New York, New York

ENTERED: FEB 5 2013