

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 June 18, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David Friedman, Justices.

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

-against-

M-1914
Ind. No. 3546/00

John Jones,
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of resentence of the Supreme Court, New York County, rendered on or about December 21, 2012,

Now, upon reading and filing the stipulation of the parties hereto, dated April 1, 2013, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 June 18, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David Friedman, Justices.

-----X

In the Matter of

Alexandra L.,

M-1918

Docket No. D-06677/12

A Person Alleged to be
A Juvenile Delinquent,
Appellant.

-----X

An appeal having been taken from a dispositional order of the Family Court, New York County, entered on or about June 5, 2012,

Now, upon reading and filing the stipulation of the parties hereto, dated April 2, 2013, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 June 18, 2013.

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

-----X
Chrisette Michelle Payne,
Plaintiff-Respondent,

-against-

M-2084X
Index No. 602283/07

Douglas Ellison and Four Kings
Productions, Inc.,
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 29, 2012 (mot. seq. no. 011),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 9, 2013, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 June 18, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David Friedman, Justices.

-----X
Park Avenue Funding, LLC,
Plaintiff-Respondent,

-against-

M-2085X
Index No. 652346/12

Steven Rosenfeld,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about September 6, 2012,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 9, 2013, and due deliberation having been had thereon,

It is ordered that the appeal is 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 June 18, 2013.

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

-----X
Marie Laurent,
Plaintiff-Appellant,

-against-

M-2089X
Index No. 106023/09

Gotham Construction Company, 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 28, 2012 (mot. seq. no. 003),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 9, 2013, and due deliberation having been had thereon,

It is ordered that the appeal is 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 June 18, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David Friedman, Justices.

-----X
Ronald Hoffman, M.D.,
Plaintiff-Respondent,

-against-

M-2096X
Index No. 653445/11

Vitamin Shoppe Industries, Inc.,
Defendant-Appellant.
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about July 16, 2012,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 10, 2013, and due deliberation having been had thereon,

It is ordered that the appeal is 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 June 18, 2013.

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

-----X
Cedarwoods CRE CDO, II, Ltd.
et al.,
Plaintiffs-Appellants,

-against-

M-2098X
Index No. 653624/11

Galante Holdings, Inc., et al.,
Defendants-Respondents.
-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about August 13, 2012 (mot. seq. nos. 002, 003, 004, 005, 006, 007 and 008),

Now, after pre-argument conference and upon reading and filing the stipulations of the parties hereto, "so ordered" April 10, 2013, and due deliberation having been had thereon,

It is ordered that the appeals are withdrawn in accordance with the aforesaid stipulations.

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 June 18, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David Friedman, Justices.

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

-against-

M-2175
Ind. No. 5196/11

Azeez Powell,
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about January 9, 2012,

Now, upon reading and filing the stipulation of the parties hereto, dated April 12, 2013, and due deliberation having been had thereon,

It is ordered that the appeal is 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 June 18, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David Friedman, Justices.

-----X
Pierre Casiraghi, et al.,
Plaintiffs,

Vladimir R. Roitfeld,
Plaintiff-Appellant,

-against-

Adam Hock, et al.,
Defendants-Respondents.

M-2402X
Index No. 154565/12

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about January 29, 2013 (mot. seq. no. 003),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 25, 2013, and due deliberation having been had thereon,

It is ordered that the appeal is 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 June 18, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David Friedman, Justices.

-----X
Audrie A. Hassell,
Plaintiff-Respondent,

-against-

M-2452X
Index No. 307404/11

Carla K. Munoz and Hector R. Munoz,
Defendants-Appellants.
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about November 1, 2012,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 30, 2013, and due deliberation having been had thereon,

It is ordered that the appeal is 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 June 18, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David Friedman, Justices.

-----X
Jacob Myers Elevator Company, LLC,
Plaintiff-Appellant,

-against-

M-2454X
Index No. 651429/12

SBE 48 Management, LLC and
MacDonald 48 Wall, LLC,
Defendants-Respondents.

-----X

An appeal having been taken from orders of the Supreme Court, New York County, entered on or about June 29, 2012 and from the same Court and Justice entered on or about August 30, 2012 (mot. seq. no. 002), respectively,

Now, after pre-argument conference and upon reading and filing the stipulations of the parties hereto, "so ordered" April 30, 2013, and due deliberation having been had thereon,

It is ordered that the appeal is 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 June 18, 2013.

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

-----X
Wells Fargo Business Credit
Canada ULC,
Plaintiff-Respondent,

-against-

M-2457X
Index No. 652542/11

David Mortman and IQT, Inc.,
Defendants-Appellants.
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about September 17, 2012, and a judgment of the same Court and Justice, entered on or about November 21, 2012, respectively,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 30, 2013, and due deliberation having been had thereon,

It is ordered that the appeals are 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 June 18, 2013.

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

-----X
Wells Fargo Business Credit
Canada ULC,
Plaintiff-Appellant,

-against-

M-2458X
Index No. 652543/11

Alexander Mortman and John Fellows,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about September 20, 2012 (mot. seq. no. 003),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 30, 2013, and due deliberation having been had thereon,

It is ordered that the appeal is 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 June 18, 2013.

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

-----X
Piedad Restrepo,
Plaintiff-Respondent,

-against-

M-2481X
Index No. 103939/10

ABC Properties Equities, LLC, et al.,
Defendants-Appellants.
-----X
(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 December 20, 2012 (mot. seq. no. 004),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" May 1, 2013, and due deliberation having been had thereon,

It is ordered that the appeal is 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 June 18, 2013.

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

-----X
Ahmed Alhaji,
Plaintiff-Appellant,

-against-

M-2555X
Index No. 21756/11

City of New York, New York City
Police Department and P.O. Daniel J.
Glatz,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about August 1, 2012,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" May 3, 2013, and due deliberation having been had thereon,

It is ordered that the appeal is 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 June 18, 2013.

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

-----X
Abu Dhabi Commercial Bank PJSC,
Plaintiff-Respondent,

-against-

M-2584X
Index No. 652191/11

Saad Trading, Contracting and
Financial Services Company,
Defendant-Appellant.

-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about May 18, 2012 and from the same Court and Justice entered on or about November 13, 2012, respectively,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" May 6, 2013, and due deliberation having been had thereon,

It is ordered that the appeals are 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 June 18, 2013.

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

-----X
Wing Yip Realty Corp.,
Plaintiff-Respondent-Appellant,

-against-

M-2083X
Index No. 600203/09

Chun Er Pan also known as Susanna
Pan and Red Blue International Art
Framing Corp.,
Defendants-Appellants-Respondents.

-----X

An appeal and cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about October 15, 2012 (mot. seq. no. 005),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 9, 2013, and due deliberation having been had thereon,

It is ordered that the appeal and cross appeal are 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 June 18, 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-

Demoyne Anderson,

M-2721
DC #34
Case No. 4971C/05

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about April 16, 2010,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 16, 2013, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the December 2013 Term and counsel is directed to so perfect.

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 June 18, 2013.

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

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

Respondent,

-against-

Janaqual Ashaqua,

M-2725
DC #38
Ind. No. 456N/09

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about March 26, 2010,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 16, 2013, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the December 2013 Term and counsel is directed to so perfect.

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 June 18, 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-

Thomas Bond,

M-2728
DC #41
Ind. No. 4505/07

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about July 13, 2010,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 16, 2013, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the December 2013 Term and counsel is directed to so perfect.

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 June 18, 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-

Thomas Cruz,

M-2731
DC #44
Ind. No. 643/10

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about December 3, 2010,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 16, 2013, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the December 2013 Term and counsel is directed to so perfect.

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 June 18, 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-

Gaetano D'Attore,

M-2732
DC #45
Ind. No. 593/09

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of **resentence** of the Supreme Court, Bronx County, rendered on or about April 11, 2011,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 16, 2013, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the December 2013 Term and counsel is directed to so perfect.

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 June 18, 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-2736
DC #47
Ind. No. 927/07

Andre Fernandez, also known as Dre,

Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about July 15, 2010,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 16, 2013, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the December 2013 Term and counsel is directed to so perfect.

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 June 18, 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-

Daviel McCummings,

M-2745
DC #56
Ind. No. 1544/10

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about December 20, 2010,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 16, 2013, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the December 2013 Term and counsel is directed to so perfect.

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 June 18, 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-

Shaun Nelson, also known as Shawn
Nelson,

M-2748
DC #58
Ind. No. 554/10

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about April 4, 2011,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 16, 2013, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the December 2013 Term and counsel is directed to so perfect.

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 June 18, 2013.

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

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

Respondent,

-against-

Joseph Richards,

M-2753
DC #63
Ind. No. 1549/09

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about April 7, 2010,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 16, 2013, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the December 2013 Term and counsel is directed to so perfect.

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 June 18, 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-

Nelson Rodriguez,

M-2755
DC #65
Ind. No. 1714/09

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about December 17, 2009,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 16, 2013, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the December 2013 Term and counsel is directed to so perfect.

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 June 18, 2013.

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

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

Respondent,

-against-

Andre Scott,

M-2760
DC #70
Ind. No. 5511/09

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about April 14, 2011,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 16, 2013, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the December 2013 Term and counsel is directed to so perfect.

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 June 18, 2013.

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

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

Respondent,

-against-

M-2762
DC #72

Vernon Sharp, also known as Vernon Sharp, III,

Ind. No. 3651/08

Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about May 11, 2010,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 16, 2013, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the December 2013 Term and counsel is directed to so perfect.

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 June 18, 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-

Sharmon Wade, also known as Sharmon
Howell,

M-2775
DC #83
Ind. No. 943/09

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about July 20, 2011,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 16, 2013, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the December 2013 Term and counsel is directed to so perfect.

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 June 18, 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-

Cathleen Torres, also known as
Courtney Torres, also known as Cat,
Defendant-Appellant.

M-1972A

Ind. Nos. 4536/12
47/12

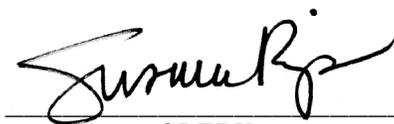
-----X
An order of this Court having been entered on March 7, 2013 (M-331), granting defendant leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about November 14, 2012, and assigning Steven Banks, Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

And an order of this Court having been entered on June 4, 2013 (M-1972) striking the designation of assigned counsel Steven Banks, Esq., as counsel to prosecute defendant's appeal, and substituting Richard M. Greenberg, Esq., as such counsel,

Now, upon the Court's own motion,

It is ordered that assigned counsel Richard M. Greenberg, Esq., is stricken as counsel to prosecute defendant's appeal, and pursuant to Section 722 of the County Law, Mitchell T. Dranow, Esq., 75 Main Avenue, Sea Cliff, NY 11579, Telephone No. (516) 286-2980, is substituted as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later. The order of this Court entered on June 4, 2013 (M-1972) is hereby recalled and vacated.

ENTER:


CLERK

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:


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 June 18, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Richard T. Andrias
David B. Saxe
Leland G. DeGrasse, Justices.

-----X
Quoizel, Inc.,
Plaintiff-Respondent-Appellant,

-against-

M-948
Index No. 601321/09

Hartford Fire Insurance Company,
Defendant-Appellant-Respondent.
-----X

Defendant-appellant-respondent having moved for reargument of, or in the alternative, leave to appeal to the Court of Appeals, the decision and order of this Court entered on January 17, 2013 (Appeal No. 7761),

Now, upon reading and filing the papers with respect to the motion including the stipulation between the parties dated May 3, 2013, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn.

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 June 18, 2013.

Present: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
In the Matter of the Application of
Valerie Mohalland,
Petitioner,

M-2322

For a Judgment Pursuant to Article 78 Index No. 402308/12
of the Civil Practice Law and Rules,

-against-

The New York City Department of
Housing Preservation and Development,
Respondent.
-----X

An Article 78 proceeding to review a determination of respondent, having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about March 6, 2013,

And petitioner having moved 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 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 June 18, 2013.

Present: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
IN RE: East 51st Street Crane Collapse
Litigation: Index No. 769000/08

Jean Squeri,

Plaintiff-Appellant,

-against-

M-2058

Index No. 103802/09

East 51st Street Development Co.,
et al.,

Defendants-Respondents.

-----X
Plaintiff-appellant having moved for an enlargement of time to perfect the purported appeal from a "so ordered" transcript of the Supreme Court, New York County, entered on or about June 22, 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 October 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 June 18, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Dianne T. Renwick
Leland G. DeGrasse
Judith J. Gische, Justices.

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

-against-

M-2461
Ind. No. 3810/09

Andy Mercado,
Defendant-Appellant.
-----X

An order of this Court having been entered on October 9, 2012 (M-3785/M-3968) assigning Robert S. Dean, Esq., as counsel to prosecute defendant's appeal from the judgment of the Supreme Court, New York County, rendered on or about May 18, 2012,

And defendant-appellant, by retained counsel, having moved to relieve assigned counsel Robert S. Dean, Esq., as counsel to prosecute the appeal and for leave to have the appeal heard upon the original record and 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 relieving Robert S. Dean, Esq., as counsel to prosecute defendant's appeal, and the poor person relief previously granted in this Court's order entered on October 9, 2012 (M-3785/M-3968) is continued. The motion insofar as it seeks substitution of retained counsel is denied, as unnecessary.

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 June 18, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Dianne T. Renwick
Leland G. DeGrasse
Judith J. Gische, Justices.

-----X
Shiboleth, Yisraeli, Roberts &
Zisman, LLP,
Plaintiff-Respondent,

-against-

M-1721
M-2151
Index No. 112213/07

Waterscience, Inc.,
Defendant,

Robert Littmann and Ron Elkana,
also known as Rony Elkana,
Defendants-Appellants.

-----X
Defendant-appellants having moved for an enlargement of time in which to perfect the appeal from the orders of the Supreme Court, New York County, entered on or about April 13, 2011 and February 14, 2012 (mot. seq. no. 005) [M-1721],

And plaintiff-respondent having cross-moved to dismiss the aforesaid appeal, for failure to timely perfect [M-2151],

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the October 2013 Term [M-1721]. The cross motion is granted to the extent of dismissing the appeal unless perfected for said October 2013 Term [M-2151].

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 June 18, 2013.

Present: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Dianne T. Renwick
Leland G. DeGrasse
Judith J. Gische, Justices.

-----X
In Re: Empire State Realty Trust, Inc.,
Investor Litigation,

Mary Jane Fales, et al.,
Objectors-Appellants,

M-2455
Index No. 650607/12

Estate of Leona Helmsley,
Defendant-Respondent,

Malkin Holdings Group, et al.,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 17, 2013,

And objectors-appellants having moved for a stay of all proceedings relating to the proposed settlement of this class action, 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 June 18, 2013.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David B. Saxe
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----X
Darwin Roque,
Petitioner-Appellant,

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

-against-

M-1748
Index No. 400754/12

Foil Appeals Officer, NYPD,
Respondent-Respondent.

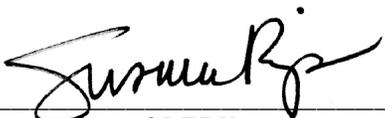
-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, entered on or about October 16, 2012, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for the assignment of counsel, 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 only 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. So much of the motion which seeks the assignment of counsel 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 June 18, 2013.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David B. Saxe
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----X
The People of the State of New York
ex rel. John Blanding,
Petitioner-Appellant,

-against-

M-1750
Index No. 400182/13

Joandrea Davis, Warden G.M.D.C.,
Respondent-Respondent.
-----X

The above-named petitioner having moved for, inter alia, a writ of habeas corpus to be issued from this Court,

And this Court having deemed petitioner's motion as a motion for leave to prosecute, as a poor person, the appeal from an order of the Supreme Court, New York County, entered on or about February 20, 2013, which dismissed petitioner's habeas corpus petition, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for assignment of counsel,

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

It is ordered that the motion is denied.

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 June 18, 2013.

PRESENT: Hon. Angela M. Mazzairelli, Justice Presiding,
Richard T. Andrias
Leland G. DeGrasse
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----X
Kenneth M. Steinhouse and Bleecker
Charles Company,
Plaintiffs-Respondents,

-against-

M-2399
Index No. 112196/12

Norma Neyer Lesser and Marion Neyer,
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about August 2, 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 November 2013 Term, with leave to seek further enlargements if necessary.

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 June 18, 2013.

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

-----X

Aurora Loan Services, LLC,
Plaintiff-Respondent,

-against-

M-1241

Index No. 8919/06

Herminio Castro, et al.,
Defendants-Appellants.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about February 7, 2013,

And an order by a Justice of this Court entered on March 4, 2013, having granted an interim stay of proceedings,

And defendants-appellants having moved for leave to appeal to this Court from the aforesaid order and for a stay of proceedings, 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 to the extent it seeks leave to appeal to this Court is denied, as unnecessary, the notice of appeal dated February 20, 2013 being valid. So much of the motion seeking a stay of proceedings is granted to the extent of continuing the interim relief granted by a Justice of this Court on condition the appeal is perfected for the October 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 June 18, 2013.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----x

The People of the State of New York,

Respondent,

-against-

M-2534

Ind. No. 3772/09

Alty Adamson,

Defendant-Appellant.

-----x

An order of this Court having been entered on May 8, 2012 (M-1363), granting defendant's motion for leave to prosecute, as a poor person, the appeals from the judgment and judgment of **resentence** of the Supreme Court, New York County, rendered on or about November 3, 2011 and December 5, 2011, respectively, and assigning counsel therefor,

And defendant-appellant pro se having moved for an order directing the People to turn over to defendant-appellant certain exhibits on appeal, and for related relief,

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

It is ordered that the motion is denied, as moot, said exhibits having been provided to assigned counsel for defendant.

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 June 18, 2013.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
Karla Moskowitz
Sallie Manzanet-Daniels, Justices.

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

-against-

M-2068
Ind. No. 4313/04

Garland Graves,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Merchan, J.), entered on or about April 9, 2013, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL 460.70) two transcripts of the stenographic minutes of the SORA hearing and any other proceedings before Justice Merchan as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Robert S. Dean, Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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 in the County of New York on June 18, 2013.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----X

In the Matter of

Navaltech LLC,
Petitioner-Respondent,

M-2401
Index No. 156242/12

For a Statement Pursuant to Section 76
of the Lien Law,

-against-

Xhema on N.Y. Inc.,
Respondent-Appellant.

-----X

An appeal having been taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about February 13, 2013,

And respondent-appellant having moved to stay all proceedings relating to enforcement of the aforesaid order and judgment (one paper), pending hearing and determination of the appeal,

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

It is ordered that the motion is denied and the interim relief granted by an order of a Justice of this Court dated April 29, 2013 is vacated.

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 June 18, 2013.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Helen E. Freedman
Judith J. Gische, Justices.

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

-against-

M-2129
Ind. No. 4538/11

Abdul R. Cornelius, also known as
Abdul Cornelius,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about January 13, 2013, 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 notarized affidavit, pursuant to CPLR 1101(a), setting forth facts sufficient to establish that defendant has no funds or assets with which to prosecute the appeal, 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 June 18, 2013.

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

-----X
Valerie Reuling,
Plaintiff-Appellant,

-against-

M-2256
Index No. 117414/08

Consolidated Edison Company of
New York, Inc., et al.,
Defendants-Respondents.

-----X
Consolidated Edison Company of
New York, Inc.,
Third-Party Plaintiff,

-against-

Tully Construction Company,
Third-Party Defendant-Respondent.

-----X

Plaintiff-appellant having moved for a stay of trial pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about September 25, 2012 (mot. seq. no. 007),

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, dated April 19, 2013, is hereby vacated.

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 June 18, 2013.

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

-----X

Steven Quock,
Plaintiff-Appellant,

-against-

M-2552
Index No. 104341/08

The City of New York,
Defendant-Respondent,

Abul K. Azad and Inta Cab Corp.,
Defendants-Appellants.

-----X

Plaintiff-appellant Steven Quock having moved for an order staying the trial in the above-entitled action pending hearing and determination of the appeals taken from the order of the Supreme Court, New York County, entered on or about November 28, 2012, and said appeal having been perfected,

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.

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 June 18, 2013.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----x

Katan Group LLC, etc.,
Plaintiff-Appellant,

M-2537

-against-

ACTION NO. 1

CPC Resources, Inc., et al.,
Defendants-Respondents,

Index No. 650664/12

-and-

John Does 1-20, inclusive,
Defendants.

Katan Group, LLC,
Plaintiff-Appellant,

-against-

ACTION NO. 2

CPC Resources, Inc., et al.,
Defendants-Respondents,

Index No. 651450/12

-and-

Domino Mezz Holdings, et al.,
Defendants.

-----x

Separate appeals having been taken to this Court by plaintiff from orders of the Supreme Court, New York County, entered on or about June 28, 2012 (Action No. 1/Index No. 650664/12) and July 2, 2012 (Action No. 2/Index No. 651450/12), and said appeals having been perfected,

And defendants-respondents having moved for an order striking the record on appeal filed by plaintiff-appellant or, in the alternative, for leave to file a supplemental record on appeal to include documents that the trial court expressly relied upon in issuing the two orders subject to the appeal,

as stated in the transcript of proceedings in this matter dated June 28, 2012 attached in Exhibit 1 to the affirmation of Mark Walfish, Esq., submitted in support of the motion, inclusive of the amended complaint which plaintiff attempted to file under Index No. No. 650664/12 on August 13, 2012, 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 defendants-respondents to file a supplemental record on appeal consisting of the aforesaid documents, with costs to abide the event. The motion is 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 June 18, 2013.

Present: Hon. Richard T. Andrias, Justice Presiding,
David Friedman
Karla Moskowitz
Leland G. DeGrasse
Paul G. Feinman, Justices.

-----X

In the Matter of the Application of

Richard Kusyk and Wendy Kusyk,

Petitioners-Respondents,

M-2645

Index No. 112036/11

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

-against-

The New York City Department of
Buildings, et al.,

Defendants,

Green 333 Corp.,
Defendant-Appellant.

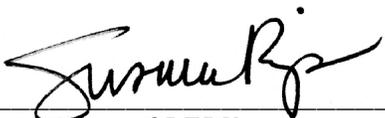
-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about August 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 November 2013 Term, with leave to seek further enlargements if necessary.

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 June 18, 2013.

Present: Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Rosalyn H. Richter
Judith J. Gische, Justices.

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

-against-

M-1650

Ind. No. 3451/12

Andrew Jean,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about February 28, 2013, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied, with leave to renew upon defendant-appellant's submission of a detailed notarized affidavit, in compliance with CPLR 1101(a), including a statement detailing 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 June 18, 2013.

Present: Hon. Richard T. Andrias, Justice Presiding,
David Friedman
Karla Moskowitz
Leland G. DeGrasse
Paul G. Feinman, Justices.

-----X

Barbara Kuilic Hochmuller,

Plaintiff-Appellant,

-against-

Bellwest Management Corporation,
et al.,

Defendants-Respondents.

-----X

M-2615

Index No. 103397/12

An appeal having been taken from an order of the Supreme Court, New York County, entered on October 5, 2012 (mot. seq. no. 003),

And plaintiff-appellant pro se having moved for an enlargement of time to perfect the aforesaid appeal, and to enlarge the appendix on appeal to include certain documents identified as "the October 26, 2012 subpoenaed exhibits",

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 November 2013 Term. So much of the motion which seeks to enlarge the appendix on appeal is denied with leave to renew upon submission of an affidavit indicating the reason to enlarge same and whether the aforesaid exhibits were before the trial court.

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 June 18, 2013.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
David Friedman
Karla Moskowitz
Leland G. DeGrasse
Paul G. Feinman, Justices.

-----X
Luis Molina,
Plaintiff-Respondent,

-against-

M-2948
Index No. 303734/09

New York City Transit Authority,
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, Bronx County, entered on or about July 25, 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 November 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 June 18, 2013.

Present: Hon. David Friedman, Justice Presiding,
Rosalyn H. Richter
Paul G. Feinman
Judith J. Gische
Darcel D. Clark, Justices.

-----X
Mike Henriquez,

Claimant-Appellant,

-against-

The State of New York,

Defendant-Respondent.
-----X

M-2028

Claim No. 120637

Claimant-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Court of Claims, entered on or about November 30, 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.

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 June 18, 2013.

Present - Hon. David Friedman, Justice Presiding,
Rosalyn H. Richter
Paul G. Feinman
Judith J. Gische
Darcel D. Clark, Justices.

-----X
In the Matter of a Proceeding for
Support Under Article 4 of the
Family Court Act.

Samuel A.,
Petitioner-Appellant,

M-2037
Docket No. F-29083-06/11E

-against-

Aidarina S.,
Respondent-Respondent.

-----X

Petitioner having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, County, entered on or about August 1, 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 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 June 18, 2013.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Paul G. Feinman, Justices.

-----X

In re Cheyenne J.,

A Dependant Child Under the Age of Eighteen Years, etc.,

Christian J.,
Respondent-Appellant,

M-1806
Docket No. N-3138/07

Administration for Children's Services,
Petitioner-Respondent,

Tamek S.,
Respondent.

-----X

Respondent-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 February 14, 2013 (Appeal Nos. 9228-29), 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 June 18, 2013.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
David B. Saxe
Karla Moskowitz
Judith J. Gische
Darcel D. Clark, Justices.

-----X
Flintlock Construction, LLC, Basque
Construction LLC, Andrew Weiss, and
Stephen A. Weiss, Jr.,
Petitioners-Appellants,

-against-

M-2344
Index No. 156278/12

Gretchen Weiss,
Respondent-Respondent.
-----X

Petitioners-appellants having moved for an order staying the arbitration proceeding pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about April 2, 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 denied and the interim relief granted by an order of a Justice of this Court dated April 25, 2013 is hereby vacated.

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 June 18, 2013.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
David B. Saxe
Karla Moskowitz
Judith J. Gische
Darcel D. Clark, Justices.

-----x

AXA Mediterranean Holdings, N.A.,
Plaintiff-Appellant,

-against-

M-2463
Index No. 652110/10

ING Insurance International, B.V.,
Defendant-Respondent.

-----x

Appeals having been taken to this Court by plaintiff-appellant from orders of the Supreme Court, New York County, entered on or about July 30, 2012 and October 12, 2012, respectively,

And plaintiff-appellant having moved for consolidation of the aforesaid appeals, and for an enlargement of time to perfect said consolidated appeals,

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

It is ordered that the motion is granted, on consent, to the extent of permitting appellant to prosecute the appeals upon 9 copies of one record and one set of points covering the appeals and enlarging the time in which to perfect the consolidated appeals to on or before September 3, 2013 for the November 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 June 18, 2013.

Present: Hon. Rolando T. Acosta, Justice Presiding,
David B. Saxe
Dianne T. Renwick
Rosalyn H. Richter
Darcel D. Clark, Justices.

-----X
Superior Transcribing Services,
et al.,

Plaintiffs-Respondents,

M-2814

Index No. 602955/07

-against-

Milton Smith, M.D.,

Defendant-Appellant,

Cydco Medical Evaluations, P.C.,

Defendants.
-----X

Defendant-appellant having moved for an enlargement of time to perfect an appeal from an order of the Supreme Court, New York County, entered on or about August 8, 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 November 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 June 18, 2013.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
David B. Saxe
Dianne T. Renwick
Rosalyn H. Richter
Darcel D. Clark, Justices.

-----X

CF HY LLC,
Plaintiff-Respondent,

-against-

Hudson Yards LLC, et al.,
Defendants,

Baruch Singer,
Defendant-Appellant.

-----X

M-2802

M-2803

M-2869

Index No. 601579/08

Appeals having been taken from an order of the Supreme Court, New York County, entered on or about August 1, 2012 and from an order of the same Court and Justice entered on or about November 19, 2012, respectively,

And plaintiff-respondent having moved by separate motions to dismiss the aforesaid appeals (M-2802/M-2803),

And defendant-appellant having moved for an enlargement of time to perfect same (M-2869),

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 to the extent dismissing the aforesaid appeals unless perfected for the November 2013 Term (M-2802/M-2803). It is further ordered that the defendant-appellant's motion seeking consolidation is granted to the extent of enlarging the time to perfect the appeals, which are, sua sponte, consolidated, to said November 2013 Term. Appellant is permitted to prosecute the appeals upon 9 copies of one record and one copy of appellants' points covering the aforesaid appeals (M-2869).

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 June 18, 2013.

Present - Hon. Rolando T. Acosta, Justice Presiding,
David B. Saxe
Karla Moskowitz
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----X

In the Matter of the Application of
Martin Dekom,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78
of the CPLR,

M-2324

M-2462

-against-

Index No. 103072/12

New York Department of Financial
Services, et al.,
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 September 12, 2012,

And retained counsel for petitioner-appellant, Gary L. Donoyan, Esq., having moved for an order relieving him as counsel on the appeal, to fix counsel fees and disbursements, for a stay of proceedings pending hearing and determination of this motion, and for other relief (M-2324),

And petitioner-appellant having cross-moved for leave to prosecute the appeal as a poor person, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief (M-2462),

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

It is ordered that the motion (M-2324) is granted to the extent of relieving retained counsel for petitioner-appellant in connection with the aforesaid, and staying all proceedings until such time as new counsel has been retained, and otherwise denied, and it is further,

Ordered that the cross motion (M-2462) 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 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:

A handwritten signature in black ink, appearing to read "Susan R. Jones", written in a cursive style.

CLERK

PM ORDERS
ENTERED ON
JUNE 18, 2013

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 June 18, 2013.

Present: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
Karla Moskowitz
Judith J. Gische, Justices.

-----X
Seed Corn Advertising, Inc.,
Plaintiff-Appellant,

-against-

M-2992
Index No. 106537/11

George Nassef, Individually and doing
business as Adcirrus,

Defendant-Respondent,

Adcirrus USA, Inc., formerly known as
Adelcloud, Inc., et al.,

Defendants.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about April 30, 2013,

And plaintiff-appellant having moved to stay a traverse hearing, 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 denied.

ENTER:


CLERK