

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 April 10, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzaelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-6566
Ind. No. 554/06

Roland Nelson,
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 (Renee White, J.) entered on or about October 29, 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 White as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Scott A. Rosenberg, 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 the County of New York on April 10, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-6567
Ind. Nos. 984/79
2173/79

Avon Long,
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 (Daniel Conviser, J.) entered on or about October 15, 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 Conviser as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Scott A. Rosenberg, 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 the County of New York on April 10, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-6568
Ind. No. 6507/01

Thomas Frazier,
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 (Charles Solomon, J.) entered on or about October 30, 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 Solomon as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Scott A. Rosenberg, 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 the County of New York on April 10, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-6624
Ind. No. 2319/03

Bryant Whitaker,
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 (Charles Solomon, J.) entered on or about October 15, 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 Solomon as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Scott A. Rosenberg, 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 the County of New York on April 10, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-994
Ind. No. 564/09

Robert Fleming,
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 September 4, 2013, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 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

Alice L. Fontier, Esq., 369 Lexington Avenue, 2nd Fl., New York, NY 10017, Telephone No. 212-256-1244, 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

CORRECTED ORDER – October 15, 2014

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 April 10, 2014.

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

-----X
The People of the State of New York
ex rel. Falon B. Davis,
Petitioner-Appellant,

-against-

M-488
Index No. 340225/13

James Perino, Warden, Eric M. Taylor
Center; Department of Correctional
and Community Services,
Respondents-Respondents.

-----X
Petitioner having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, **Bronx** County, entered on or about July 11, 2013, 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 April 10, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Rolando T. Acosta
David B. Saxe
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-955
Ind. No. 2116/13

Flavio Orta,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about August 13, 2013,

And defendant-appellant, pro se, having moved to be provided with certain minutes of an unspecified proceeding held on June 18, 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.

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 April 10, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Rolando T. Acosta
David B. Saxe
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
Casa Wales Housing Development
Fund Corp., F&D Development Group,
LLC and Keith DeMatteis,
Plaintiffs-Appellants,

-against-

M-1194
Index No. 14277/06

The City of New York,
Defendant-Respondent.

-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about February 19, 2013,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the September 2014 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 April 10, 2014.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Rolando T. Acosta
David B. Saxe
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

Adalberto Alvarez,

Plaintiff-Respondent,

-against-

M-1091

Index No. 301399/09

1120 Wyatt LLC,

Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect an appeal from an order of the Supreme Court, Bronx County, entered on or about March 22, 2013,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the October 2014 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 April 10, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
David B. Saxe
Helen E. Freedman, Justice.

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

-against-

M-740
Ind. No. 2108/11

Juan Rodriguez,
Defendant-Appellant.
-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about November 21, 2013,

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

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

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 April 10, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
David B. Saxe
Helen E. Freedman, Justice.

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

-against-

M-804
Ind. No. 1645/07

Paul Simmons,
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, Bronx County, rendered on or about November 29, 2010,

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

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the September 2014 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 April 10, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
David B. Saxe
Helen E. Freedman, Justice.

-----X
In the Matter of the Application of
Pedro Sosa, as Proposed Administrator
of the Estate of Jennifer Sosa,
Deceased,
Petitioner-Respondent,

-against-

M-875
Index No. 260056/13

The City of New York,
Respondent-Appellant.

-----X

Respondent-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about April 11, 2013,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the September 2014 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 April 10, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
David B. Saxe
Helen E. Freedman, Justice.

-----X
Carl Berg,
Plaintiff-Respondent,

-against-

M-936
Index No. 651431/10

Eisner LLP and Eisneramper, LLP,
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 May 2, 2013 (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 September 2014 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 April 10, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
David B. Saxe
Helen E. Freedman, Justices.

-----X

Abuwi M. Waheed,
Plaintiff,

-against-

M-976

Index No. 400111/12

City of New York, et al.,
Defendants.

-----X

A purported appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 8, 2012,

And plaintiff having moved for leave to prosecute, as a poor person, the aforesaid purported appeal, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for an enlargement of time to perfect same,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the purported appeal to on or before August 4, 2014 for the October 2014 Term, with no further enlargements to be granted, 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 April 10, 2014.

Present: Hon. Peter Tom, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Leland G. DeGrasse
Helen E. Freedman, Justices.

-----X

Skiboky Shaver Stora,
Plaintiff-Respondent,

-against-

M-896

The City of New York, et al.,
Defendants-Appellants,

Index No. 117071/08

-and-

FJC Security Services, Inc.,
Defendant-Respondent,

-and-

Marcus Serrabo,
Defendant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 4, 2013, and said appeal having been perfected,

And defendants-appellants having moved to stay jury selection and 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.

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 April 10, 2014.

Present - Hon. Peter Tom, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Leland G. DeGrasse
Helen E. Freedman, Justices.

-----x
Techno-TM, LLC,

Plaintiff-Respondent,

-against-

Fireaway, Inc.,

Defendant-Appellant.
-----x

M-1061
Index No. 651600/13

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about February 7, 2014,

And defendant-appellant having moved for a stay of proceedings pending hearing and determination of the aforesaid appeal, or 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 April 10, 2014.

Present: Hon. Peter Tom, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Leland G. DeGrasse
Helen E. Freedman, Justices.

-----X
GECMC 2007-C1 Steubenville Pike
Limited Partnership,
Plaintiff-Respondent,

-against-

Speerco Real Estate Trust, LLC,
Defendant-Appellant,

First American Title Insurance
Company,
Defendant.

M-1115
Index No. 850269/13

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about February 7, 2014,

And defendant-appellant having moved for an order staying all proceedings 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

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 April 10, 2014.

Present - Hon. Peter Tom, Justice Presiding,
Rolando T. Acosta
Helen E. Freedman
Barbara R. Kapnick, Justices.

-----x
Walter Pantovic,
Plaintiff-Appellant,

-against-

M-1160
Index No. 117471/08

YL Realty, Inc., et al.,
Defendants-Appellants.

- - - - -
[And a third-party action]

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about August 2, 2012 (mot. seq. nos. 011-012), and said appeal having been perfected,

And defendant-appellant Sprint Communications L.P. having moved for leave to file a supplemental brief, or 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 April 10, 2014.

Present - Hon. Peter Tom, Justice Presiding,
David B. Saxe
Karla Moskowitz
Judith J. Gische
Darcel D. Clark, Justices.

-----x

1471 Second Corp.,
Plaintiff-Respondent,

-against-

M-6106

M-6261

Index No. 652594/13

NAT of NY Corp., et al.,
Defendants-Appellants.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about November 1, 2013,

And plaintiff-respondent having moved for dismissal of the aforesaid appeal as taken from a non-appealable order (M-6106),

And defendants-appellants having cross-moved for a stay of the aforesaid order pending hearing and determination of the appeal taken therefrom, and/or for other relief (M-6261),

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

It is ordered that the motion (M-6106) is denied, without prejudice to plaintiff raising the issues in the respondent's brief. The cross motion (M-6261) is granted and the proceedings are stayed, pending hearing and determination of the appeal, on condition the appeal is perfected on or before July 7, 2014 for the September 2014 Term, to which Term the time to perfect the appeal is enlarged. The cross 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 April 10, 2014.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
Dianne T. Renwick
Karla Moskowitz
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

Michael Brassil,
Defendant-Appellant.

M-6470
Ind. Nos. 3528/12
1297/13
3235/12

-----X

Defendant-appellant having moved for an enlargement of time in which to file notices of appeal from the judgments of the Supreme Court, New York County, rendered on or about September 24, 2013,

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

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

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 April 10, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
Dianne T. Renwick
Karla Moskowitz
Roslyn H. Richter, Justice.

-----X

Camila Nouel, etc., et al.,
Plaintiffs-Appellants,

-against-

M-6383
Index No. 116438/06

325 Wadsworth Realty LLC, et al.,
Defendants-Respondents,

Inwood Assets LLC, et al.,
Defendants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about October 2, 2012, and said appeal having been decided by a decision of this Court on December 12, 2013 (Appeal No. 11324),

And plaintiffs-appellants having moved to change the title and caption of the aforesaid proceeding to reflect anonymous or fictitious names for said plaintiffs-appellants,

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 academic.

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 April 10, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Helen E. Freedman
Judith J. Gische, Justice.

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

-against-

M-500
Ind. No. 5096N/04

Carlos Diaz, also known as Carlos
Victor-Sanchez,
Defendant-Appellant.

-----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 October 23, 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 notice of appeal as 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, setting forth the amount of sources of funds to post the \$7,500 cash bail in the Supreme Court, the disposition thereof, 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:


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 April 10, 2014.

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

-----X
David W. Max, et al.,
Plaintiffs-Appellants,

-against-

M-406
Index No. 652233/11

GS Agrifuels Corporation, et al.,
Defendants-Respondents,

Thomas Scozzafava, et al.,
Defendants.

-----X
(And another action)
-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect their appeal from an order of the Supreme Court, New York County, entered on or about March 20, 2013,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the October 2014 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 April 10, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Dianne T. Renwick
Richard T. Andrias
Karla Moskowitz, Justices.

-----X

Koya Abe,
Plaintiff-Appellant,

-against-

M-6518
Index No. 113150/10

Nancy Barton and Ken Castronuovo,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, entered on or about April 11, 2013 (mot. seq. no. 011), 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 respondents 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 April 10, 2014.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
Karla Moskowitz, Justices.

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

-against-

Pedro A. Silvestre,
Defendant-Appellant.

M-6410
Ind. Nos. 2777/10
45757C/10

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about November 12, 2013, 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 defendant's submission of a detailed notarized affidavit, in compliance with CPLR 1101(a), setting forth the terms of defendant's retainer agreement with trial counsel, 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:


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 April 10, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
Karla Moskowitz, Justice.

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

-against-

M-6478
Ind. No. 394/12

Glen Irish,
Defendant-Appellant.

-----X

Defendant-appellant, pro se, having moved for dismissal of the indictment filed in the Supreme Court, Bronx County, entered on or about January 18, 2012, and there being no order or judgment that is the subject of an 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, without prejudice to further proceedings in the Supreme Court, Bronx County.

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 April 10, 2014.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

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

-against-

Manuel Colon,
Defendant-Appellant.

M-5933
Ind. No. 7249/03
7249A/03

-----X

A decision and order of this Court having been entered on September 28, 2006 (Appeal No. 8778), unanimously affirming a judgment of the Supreme Court, New York County (Richard D. Carruthers, J.), rendered on October 18, 2004,

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 April 10, 2014.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Leland G. DeGrasse
Barbara R. Kapnick, Justices.

-----x

In the Matter of

Christy C.,

A Person Alleged to be a Juvenile
Delinquent,

M-1060

Docket No. D-4901/13

Respondent-Appellant.

-----x

Respondent-appellant having moved for an enlargement of time to perfect the appeal from the Order of Disposition of the Family Court, New York County, entered on or about May 31, 2013,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the October 2014 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 April 10, 2014.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Leland G. DeGrasse
Paul G. Feinman
Barbara R. Kapnick, Justices.

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

Respondent,

-against-

M-1123
Ind. No. 821/08

Anthony Lewis,

Defendant-Appellant.

-----X

An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, rendered on or about October 4, 2011, and said appeal having been perfected,

And defendant-appellant having moved, through his attorney Robert S. Dean, Esq., the Center of Appellate Litigation, for leave to file a supplemental brief in connection with 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 to the extent of directing defendant, through his attorney, to serve and file 8 copies of his supplemental brief on or before August 4, 2014 for the October 2014 Term, to which Term the appeal is adjourned.

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 April 10, 2014.

Present - Hon. David Friedman, Justice Presiding,
Richard T. Andrias
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-6591
Ind. No. 1450N/05

Troy Blanding, etc.,
Defendant-Appellant.

-----X

Defendant-appellant having moved for reargument of the decision and order of this Court entered on November 19, 2013 (Appeal No. 11125),

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, upon reargument, the decision and order of this Court entered on November 19, 2013 (Appeal No. 11125) is recalled and vacated and a new decision and order substituted therefor. (See Appeal No. 11125, decided simultaneously 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 April 10, 2014.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Karla Moskowitz
Rosalyn H. Richter
Paul G. Feinman, Justices.

-----x

Indymac Venture, LLC,
Plaintiff-Respondent,

-against-

Tibbett, LLC,
Defendant-Appellant,

M-910
Index No. 380805/11

-and-

New York City Environmental Control
Board, et al.,
Defendants.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, Bronx County, entered on or about October 8, 2013,

And defendant-appellant having moved for a stay of enforcement of the 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 September 2014 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 April 10, 2014.

Present - Hon. David Friedman, Justice Presiding,
Karla Moskowitz
Helen E. Freedman
Judith J. Gische
Darcel D. Clark, Justices.

-----x
Erica Klauer,

Plaintiff-Respondent,

-against-

M-1114
Index No. 350037/11

Asa Abeliovich,

Defendant-Appellant.
-----x

Consolidated appeals having been taken to this Court from the orders of the Supreme Court, New York County, entered on or about September 24, 2013 and October 15, 2013 (mot. seq. no. 006), and said consolidated appeals having been perfected,

And defendant-appellant having moved for an order enlarging the record on appeal to include a certain report of a court appointed neutral forensic evaluator,

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 April 10, 2014.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
David B. Saxe
Darcel D. Clark, Justice.

-----X

The People of the State of New York,
Appellant,

-against-

M-809
SCI. No. 1853/04

Anthony Gathor, also known as
Antwane McLeod,
Defendant-Respondent.

-----X

Defendant-respondent having moved for reargument of the decision and order of this Court entered on January 16, 2014 (Appeal No. 10642),

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 April 10, 2014.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Rolando T. Acosta
Paul G. Feinman
Darcel D. Clark, Justices.

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

-against-

M-643
Ind. No. 627/13

Dante Brown, also known as
Donte Brown,
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 January 7, 2014, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 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 April 10, 2014.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Karla Moskowitz
Helen E. Freedman
Paul G. Feinman, Justices.

-----x

The People of the State of New York,
Respondent,

-against-

M-632
Ind. No. 3884/10

Hugues D. Akassay, also known as
Hugues Denver Akassay, also known as
Hughes D. Akassay,
Defendant-Appellant.

-----x

An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, rendered on or about November 17, 2011,

And defendant-appellant, pro se, having moved to "strike" or to vacate the record on appeal, 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 April 10, 2014.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Paul G. Feinman
Darcel D. Clark, Justices.

-----x
Estate of Gertrudo R. Realuyo and Roa
Realuyo Family Foundation,
Plaintiffs-Appellants,

-against-

M-785
Index No. 157692/13

Amelia R. Realuyo, et al.,
Defendants-Respondents,

-and-

JP Morgan Chase Bank and Citibank, N.A.,
Defendants.
-----x

Defendants-respondents having moved for preference in hearing of the appeal deemed validly taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about February 11, 2014, (CPLR 5520[c]),

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

It is ordered the motion is granted to the extent of directing the Clerk of this Court to maintain the appeal on the Court's calendar for the September 2014 Term and dismissing the appeal unless perfected on or before July 7, 2014 for said 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 April 10, 2014.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Karla Moskowitz
Helen E. Freedman
Paul G. Feinman, Justice.

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

-against- M-776
Ind. No. 635/12
Reginald K. Robinson, Case No. 5776C/12
Defendant-Appellant.

-----X

An order of this Court having been entered on January 14, 2014 (M-6408), granting defendant leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about October 22, 2013, 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,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Steven Banks, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York, 10007, Telephone No. 212-402-4100, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

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 April 10, 2014.

PRESENT: Hon. David B. Saxe, Justice Presiding,
Karla Moskowitz
Leland DeGrasse
Paul G. Feinman
Darcel D. Clark, Justice.

-----X
Richard Djeddah,
Plaintiff-Respondent,

-against-

M-596
Index No. 350094/00

Rachel Djeddah,
Defendant-Respondent,

Goldman & Greenbaum, P.C.,
Intervenor-Appellant.
-----X

Intervenor-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 April 24, 2013 (mot. seq. no. 033),

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 September 2014 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 April 10, 2014.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Darcel D. Clark
Barbara R. Kapnick, Justices.

-----X
DLJ Mortgage Capital, Inc.,
Plaintiff/Petitioner-Respondent,

Thomas Hoey and Xiamora Hoey,
Third-Party Intervenors-Plaintiffs,

-against-

M-790
Index No. 104675/10

Georgia Kontogiannis, et al.,
Defendants-Respondents,

Hahn & Hessen LLP, et al.,
Respondents,

Jeffrey Siegel and Richard Siegel,
Respondents-Appellants,

Massoud & Pashkoff, LLC,
Appellants.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about February 4, 2014,

And respondents-appellants having moved to stay so much of the aforesaid order imposing certain sanctions and to dispense with their positing of an undertaking, 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 to the extent of staying so much of the aforesaid order which can be construed to enjoin appellants from taking and prosecuting an appeal or otherwise filing a motion in this Court 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 April 10, 2014.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Darcel D. Clark
Barbara R. Kapnick, Justices.

-----x
In the Matter of the Application of
Dushyant Kuruwa and Monica Arguelles-
Correa,
Petitioners-Appellants,

-against-

M-840
Index No. 101159/13

Milton L. Meyers , et al.,
Respondents-Respondents.

-----x

An appeal having been taken to this Court from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about December 17, 2013,

And petitioners-appellants having moved, inter alia, for relief in the nature of a preliminary appellate injunction, a restraining order enjoining respondents from selling, assigning, transferring of or interfering with any ownership interest in the subject apartment, or for related injunctive relief, 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

P.M ORDERS
FOR APRIL
10, 2014

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 April 10, 2014.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
Leland G. DeGrasse
Helen E. Freedman
Barbara R. Kapnick, Justices.

-----x
Getty Properties, et al.,
Plaintiffs-Respondents,

-against-

M-1407
Index No. 651762/12

Getty Petroleum Marketing,
Defendant,

-and-

1314 Sedgwick Ave. LLC, et al.,
Defendants-Appellants.
-----x

An appeal having been taken to this Court from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about December 10, 2013 (mot. seq. nos. 018, 019), and said appeal having been perfected,

And defendants-appellants having moved for leave to file a supplemental record on appeal to include a certain hearing transcript of proceedings before Hon. Melvin L. Schweitzer involving respondent's counsel held on November 20, 2013,

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

It is ordered that the motion is granted to the extent of granting defendants appellants leave to file forthwith 9 copies of a supplemental record on appeal consisting of the hearing transcript dated November 20, 2013 (Exhibit B to the moving papers), and Exhibits 3 and 5 to the hearing transcript at their own expense, if so advised.

ENTER:



CLERK