

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 October 14, 2014.

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

-----X
Selnick Harwood Consulting Engineers,
Plaintiff-Respondent,

-against-

M-4033X
Index No. 119859/11

Perkins Eastman Architects, P.C.,
et al.,
Defendants-Appellants.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, entered on or about May 29, 2013,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" August 13, 2014, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 October 14, 2014.

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

-----X

Paul Solomons,
Plaintiff-Respondent,

-against-

M-4013
Index No. 110637/10

Mukhtar Ahmed Chaudhry, also known as
Mukhtar Ahmed Chaunbhry,
Defendant-Appellants,

-and-

Mohamad Chaudhry, also known as
Yasin Chaudhry and 101A West 136th
Street, Inc.,
Defendants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 2, 2013 (mot. seq. no. 008),

Now, upon reading and filing the stipulation of the parties hereto, dated June 2, 2014, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the March 2014 Term, is withdrawn in accordance with the aforesaid stipulation.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 October 14, 2014.

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

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

Leon T., Docket Nos. V-29711-13/13A-13D
Petitioner-Respondent,

M-3570

-against-

Marie J.,
Respondent-Appellant.

Leslie S. Lowenstein, Esq.,
Attorney for the Child.

-----X
Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about June 16, 2014, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Bruce A. Young, Esq., 181 Hudson Street, Suite 1A, New York, NY 10013, Telephone No. (212) 965-0050, as counsel for purposes of prosecuting the appeal;

(2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor;¹ **within 30 days (FCS 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** (See M-3771 and M-3673, decided simultaneously herewith.)

ENTER:



CLERK

¹Service of appellant's brief upon respondent(s) shall include assigned counsel's copy of the transcript.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 14, 2014.

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

-----X

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

Leon T.,
Petitioner-Respondent,

M-3673
Docket Nos. V-29711-13/13A-13D

-against-

Marie J.,
Respondent-Appellant.

Leslie S. Lowenstein, Esq.,
Attorney for the Child.

-----X

Deborah Nadler, Esq., Family Court attorney for the subject child, having moved on said child's behalf for leave to respond, as a poor person, to the appeal from the order of the Family Court, New York County, entered on or about June 16, 2014, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Leslie Lowenstein, Esq., 567 Sunset Drive, Woodmere, NY 11598, Telephone No. (516) 994-6831, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this Court. (See M-3570 and M-3771, 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 October 14, 2014.

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

-----X

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

Leon T.,
Petitioner-Respondent,

M-3771
Docket Nos. V-29711-13/13A-13D

-against-

Marie J.,
Respondent-Appellant.

Leslie S. Lowenstein, Esq.,
Attorney for the Child.

-----X

Petitioner-respondent having moved for leave to respond, as a poor person, to the appeal from the order of the Family Court, New York County, entered on or about June 16, 2014, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Geoffrey P. Berman, Esq., 2005 Palmer Avenue, #176, Larchmont, NY 10538, Telephone No. (914) 834-3053, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this Court. (See M-3570 and M-3673, 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 October 14, 2014.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzairelli
Richard T. Andrias
Leland G. DeGrasse
Darcel D. Clark, Justices.

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

-against-

M-4844
Ind. No. 554/10

Shawn Nelson,
Defendant-Appellant.

-----X

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

And defendant-appellant having moved for an order vacating the dismissal of the appeal, and for other relief,

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

It is ordered that the motion is denied, as unnecessary.
(See M-2048A, 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 October 14, 2014.

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

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

- - - - -
Albertina C.,
Petitioner-Appellant,

M-4613

Docket Nos. V-19066/11
NA-16543/11

-against-

Administration for Children's
Services,
Respondent-Respondent,

Jamar J. and Kim C.,
Respondents.

- - - - -
Kenneth M. Tuccillo, Esq.,
Attorney for the Child.

-----X

Indji Bessim, Esq., Family Court attorney for the subject child, Heaven J., having moved on said child's behalf for leave to respond, as a poor person, to the appeal from the order of the Family Court, Bronx County, entered on or about October 25, 2013, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Kenneth M. Tuccillo, Esq., 591 Warburton Avenue, #576, Hasting On Hudson, NY 10706, Telephone No. (914) 439-4843, as counsel for purposes of responding to the

appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this Court.

ENTER:

A handwritten signature in black ink, appearing to read "Susan R. Jones". The signature is written in a cursive style with a prominent initial "S".

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 October 14, 2014.

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

-----X
In the Matter of a Family Offense
Proceeding Under Article 8 of the
Family Court Act.

- - - - -
Joyesha J.,
Petitioner-Appellant,

-against-

M-3553
Docket No. O-34970/12

Oscar S.,
Respondent-Respondent.

- - - - -
Leslie S. Lowenstein, Esq.,
Attorney for the Children.

-----X
Holden E. Thornhill, Esq., trial court attorney for the subject children, having moved on the children's behalf for leave to respond, as a poor person, to the appeal from the Order of Dismissal of the Family Court, New York County, entered on or about April 30, 2014, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Leslie S. Lowenstein, Esq., 567 Sunset Drive, Woodmere, NY 11598, Telephone No. 516-994-6831, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this 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 October 14, 2014.

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

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

Neil S., Docket Nos. V-4260-01/07G
Petitioner-Respondent, V-4260-01/08H

-against-

Valynda G.,
Respondent-Appellant.

Alexander Carlin, Esq.,
Attorney for the Child.
-----X

Petitioner-respondent having moved for leave to respond, as a poor person, to the appeal taken from an order of the Family Court, New York County, entered on or about April 16, 2012, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Bruce A. Young, Esq., 181 Hudson Street, Suite 1A, New York, NY 10013, Telephone No. (212)965-0050, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the

proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor;¹ **within 30 days (FCS 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



CLERK

¹Service of appellant's brief upon respondent(s) shall include assigned counsel's copy of the transcript.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 14, 2014.

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

-----X

In the Matter of

George S. and Gabriel A.,

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

M-3319

Docket No. NA-28910-11/12

Administration for Children's
Services,
Petitioner-Respondent,

Hilton A.,
Respondent-Appellant.

Seymour W. James, Jr., Esq.,
The Legal Aid Society,
Juvenile Rights Division,
Attorney for the Children.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an Order of Disposition of the Family Court, Bronx County, entered on or about May 13, 2014 bringing up for review the Order of Fact Finding of the same Court, entered December 23, 2013 (Brandes, JFC), and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Thomas R. Villecco, Esq., 366 North Broadway, Suite #410, Jericho, NY 11735, Telephone No.

(516) 942-4221, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor;¹ **within 30 days (FCS 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



CLERK

¹Service of appellant's brief upon respondent(s) shall include assigned counsel's copy of the transcript.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 14, 2014.

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

-----X
In the Matter

Darren S.,

A Child Under 18 Years of Age
Alleged to be Neglected/Abused Under
Article 10 of the Family Court Act.

M-3542
Docket No. NN-31392/12

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

Darren S.,
Respondent-Appellant,

Shyqueena C.,
Non-Respondent.

- - - - -
Carol L. Kahn, Esq.,
Law Guardian for the Child.

-----X
Patricia Clark, Esq., attorney for non-respondent mother, having moved on the her behalf for leave to respond, as a poor person, to the appeal from the Order of Fact-Finding and Order of Disposition of the Family Court, Bronx County, entered on or about March 3, 2014 and June 27, 2014, respectively, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Thomas R. Villecco, Esq., 366 North Broadway, Suite #410, Jericho, NY 11753, Telephone No. 516-942-4221, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for respondent-appellant and 8 copies thereof are filed with this Court. (See M-3534 and M-3535, 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 October 14, 2014.

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

-----X
In the Matter

Darren S.,

A Child Under 18 Years of Age
Alleged to be Neglected/Abused Under
Article 10 of the Family Court Act.

M-3535
Docket No. NN-31392/12

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

Darren S.,
Respondent-Appellant.

- - - - -
Carol L. Kahn, Esq.,
Law Guardian for the Child.

-----X

Kevin L. McAllister, Esq., trial court attorney for the subject child, having moved on the child's behalf for leave to respond, as a poor person, to the appeal from the Order of Fact-Finding and Order of Disposition of the Family Court, Bronx County, entered on or about March 3, 2014 and June 27, 2014, respectively, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Carol L. Kahn, Esq., 225 Broadway, Suite 1510, New York, NY 10007, Telephone No. 212-227-0206, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for respondent-appellant and 8 copies thereof are filed with this Court. (See M-3542 and M-3534, 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 October 14, 2014.

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

-----X
In the Matter

Darren S.,

A Child Under 18 Years of Age
Alleged to be Neglected/Abused Under
Article 10 of the Family Court Act.

M-3534
Docket No. NN-31392/12

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

Darren S.,
Respondent-Appellant.

- - - - -
Carol L. Kahn, Esq.,
Law Guardian for the Child.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from the Order of Fact-Finding and Order of Disposition of the Family Court, Bronx County, entered on or about March 3, 2014 and June 27, 2014, respectively, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Bruce A. Young, Esq., 181 Hudson Street, Suite 1A, New York, NY 10013, Telephone No. 212-965-0050, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New

York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** (See M-3542 and M-3535, decided simultaneously herewith.)

ENTER:



CLERK

¹Service of appellant's brief upon respondent(s) shall include assigned counsel's copy of the transcript.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 14, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
Leland G. DeGrasse
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----X

Bart Shachnow,
Plaintiff-Respondent,

-against-

M-3754
Index No. 350372/98

Jennifer Shafer,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about September 23, 2009, and said appeal having been heard and decided by this Court on March 3, 2011 (Appeal Nos. 3757-58),

And defendant-appellant having moved for leave to amend the caption to read Anonymous v Anonymous and for the memorandum of this Court to react certain references,

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

It is ordered that the motion is denied in its entirety.

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 October 14, 2014.

Present - Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Richard T. Andrias
Darcel D. Clark, Justices.

-----x
In the Matter of

Naqi T., and
Nadia A.,

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

- - - - -
Commissioner of Social Services of the
City of New York,
Petitioner-Respondent,

M-4545

Docket No. NN-7894-5/12

Marlena S.,
Respondent-Appellant,

Shaka T.,
Non-Party Respondent-Respondent.

- - - - -
Seymour W. James, Esq., Legal Aid
Society, Juvenile Rights Division,
Attorney for the Child.

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

- - - - -
Wadner N.,
Petitioner-Respondent,

Docket No. V-21479/12

-against-

Marlena S.,
Respondent-Appellant.

-----x

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

Shaka T.,
 Petitioner-Respondent,

Docket No. V-21492/12

-against-

Marlena S.,
 Respondent-Appellant.
 -----x

Appeals having been taken to this Court by Appellant Marlena S. from an order of Fact-Finding of the Family Court, New York County, entered on or about January 17, 2014 (Docket No. NN-7894-5/12); from a Final Order of Petition for Custody of said Court entered on or about January 23, 2014 (Docket No. V-21479/12), and from a Final Order on Petition for Custody of said Court entered on or about January 23, 2014 (Docket No. V-21492/12), respectively,

And appellant having moved for consolidation of the aforesaid appeals,

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

It is ordered that the motion is granted to the extent of permitting appellant to prosecute the consolidated appeals upon one set (8 copies) of appellant's points covering the consolidated appeals.

ENTER:



 CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 14, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Richard T. Andrias
Darcel D. Clark, Justices.

-----X
Sofia Noboa-Jaquez,
Plaintiff-Appellant,

-against-

M-4143
Index No. 116744/09

Town Sports International, LLC,
doing business as New York Sports
Club,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for a stay of proceedings pending hearing and determination of the appeal taken from the an order of the Supreme Court, New York County, entered on or about August 6, 2014, 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 and the interim relief granted by an order of a Justice of this Court, dated August 19, 2014, 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 October 14, 2014.

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

-----X

Tzvee Wood, etc.,
Plaintiff-Appellant,

-against-

NYU Hospitals Center, et al.,
Defendants-Respondents,

M-2759
Index No. 119109/06

Shalabh K. Gupta, MD, et al.,
Defendants.

-----X

Plaintiff-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on April 22, 2014 (Appeal No. 12273),

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 October 14, 2014.

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

-----X
Lane Altschuler,
Plaintiff-Respondent,

-against-

Jobman 478/480 LLC,
Defendant-Appellant.

M-3840
Index No. 603556/09

-----X

Consolidated appeals having been taken from the orders of the Supreme Court, New York County, entered on or about January 18, 2013 (mot. seq. no. 004) and October 1, 2013 (mot. seq. nos. 005-006), respectively,

And an order of this Court having been entered on April 1, 2014 (M-1174), enlarging the time to perfect the aforesaid consolidated appeal to the 2014 Term with leave to seek further enlargements if necessary,

And defendant-appellant having moved for a further enlargement of time to perfect the 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 to the extent of enlarging the time to perfect the consolidated appeals to the April 2015 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 October 14, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Leland G. DeGrasse
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

Joseph Rodriguez,
Defendant-Appellant.

M-4595
Ind. No. 1790/11
Case No. 29661/11

-----X

Defendant-appellant having moved for leave to file a pro se supplemental brief in connection with the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about November 26, 2012, and for related relief, 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 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 October 14, 2014.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Leland G. DeGrasse
Sallie Manzanet-Daniels, Justices.

-----X

Creditors Adjustment Bureau, Inc.,
Plaintiff-Respondent,

-against-

M-4451
Index No. 651675/14

Baytree Capital Associates, LLC, 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 July 17, 2014 (mot. seq. no. 002),

And defendants-appellants having moved for relief in the nature of a preliminary appellate injunction pursuant to CPLR 5518 enjoining plaintiff, its agents, officers, employees, and others from attaching any of defendants' assets, pending hearing and determination of the aforesaid 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.

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 October 14, 2014.

Present: Hon. Angela M. Mazzairelli, Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

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

-against-

M-4004
Ind. No. 3582/04

Sean Lopes,
Defendant-Appellant.

-----X

An order of this Court having been entered on August 21, 2014 (M-3173), granting defendant poor person relief and assigning Robert S. Dean, Esq., as counsel for purposes of prosecuting his appeal from the judgment of Supreme Court, New York County, rendered on or about May 20, 2005,

And the People having moved to dismiss 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 respondent's motion to dismiss defendant's appeal 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 October 14, 2014.

PRESENT - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Richard T. Andrias
David B. Saxe, Justices.

-----X

Chanize L. Billings,

Plaintiff-Appellant,

-against-

Judith M. Lopez, also known as
Judith Milagros Lopez,

M-2536
M-2921
M-2924
Index No. 251946/12

Defendant-Respondent.

-----X

Plaintiff-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County, entered on or about December 27, 2013, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief (M-2924), and plaintiff-appellant having cross-moved for an order dismissing defendant-respondent's motion to dismiss the appeal (M-2921),

And defendant-respondent having moved for an order dismissing the aforesaid appeal (M-2536),

Now, upon reading and filing the papers with respect to the motions and cross 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 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. The Clerk of the Supreme Court, Bronx County, is directed to have transcribed the minutes of the proceedings held therein,

for inclusion in the record on appeal, with a copy to appellant or appellant's counsel if any, the cost thereof to be charged against the City of New York from funds available therefor (M-2924). The motion to dismiss the appeal (M-2536) and the cross motion to dismiss the aforesaid motion to dismiss the appeal are denied (M-2921/M-2536).

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 October 14, 2014.

Present - Hon. David Friedman, Justice Presiding,
Karla Moskowitz
Paul G. Feinman
Judith J. Gische
Barbara R. Kapnick, Justices.

-----x
In the Matter of a Family Offense
Proceeding Under Article 8 of
the Family Court Act.

Jacqueline M.,
Petitioner-Appellant,

-against-

Joseph M.,
Respondent-Respondent.

M-4457
IDV Index No. 203/10
Docket Nos. O-612/10
V-614/10
V-618/10
V-619/10

-----x

An appeal having been taken to this Court from the order of the Supreme Court, Bronx County, Integrated Domestic Violence Part, entered on or about October 5, 2012, and from a final disposition order of said Court entered on or about October 10, 2012, and said appeal having been perfected,

And an order of this Court having been entered on September 25, 2014 (M-3900), inter alia, continuing an interim stay of certain custody proceedings granted by the order of a Justice of this Court dated August 4, 2014, and otherwise denying the motion,

And petitioner-appellant having moved for an order relieving Bruce A. Young, Esq. as assigned counsel on the appeal, for leave to proceed pro se with the assistance of a court-assigned legal advisor, for enlargement of the record on appeal to include certain documents addressed in the interim stay order by a Justice of this Court dated August 4, 2014, 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 relieving Bruce A. Young, Esq., as assigned counsel in connection with the aforesaid appeal, specifically to argue same, but maintaining the appellant's brief prepared by assigned counsel Young, as the direct appellant's brief, with leave granted to petitioner to file a pro se reply brief if so advised, on or before December 19, 2014 for the January 2015 Term and the motion is otherwise denied. Clerk is directed to maintain the appeal on the calendar for said January 2015 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 October 14, 2014.

Present - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Richard T. Andrias
David B. Saxe, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-2883
Ind. No. 3782/07

Douglas Latta,
Defendant-Appellant.

-----X

An order of this Court having been entered on December 12, 2013 (M-5043) granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about August 8, 2013, and assigning Richard M. Weinstein, 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 Richard M. Weinstein, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Arza Rayches Feldman, Esq., 626 EAB Plaza, West Tower, 6th Floor, Uniondale, NY 11556, Telephone No. 516-522-2828, 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 October 14, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,
Karla Moskowitz
Paul G. Feinman
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
Helen Ezrick,
Plaintiff-Appellant,

-against-

M-4665
Index No. 151163/14

Leader House Associates, L.P., et al.,
Defendants-Respondents.

-----X

Defendants-respondents having moved to dismiss the appeal taken from the order of the Supreme Court, New York County, entered on or about July 21, 2014 (mot. seq. no. 003), for failure to timely perfect,

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 dismiss the appeal is granted unless the appeal is perfected on or before March 23, 2015 for the June 2015 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 October 14, 2014.

Present - Hon. David Friedman, Justice Presiding,
Karla Moskowitz
Paul G. Feinman
Judith J. Gische
Barbara R. Kapnick, Justices.

-----x

2110-2118 ACPB, LLC,

Plaintiff-Respondent,

-against-

M-4485
Index No. 810001/10

Lucy Holland-Harden,

Defendant-Appellant.

-----x

An appeal having been taken to this Court from an amended judgment of foreclosure sale of the Supreme Court, New York County, entered on or about August 7, 2014,

And defendant-appellant having moved for a stay of proceedings, and to restrain the plaintiff or special referee from proceeding with any hearing and or sale of the subject premises, pending hearing and determination of the aforesaid 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 October 14, 2014.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Karla Moskowitz
Rosalyn H. Richter
Judith J. Gische, Justices.

-----X

In re Kevin Aoki, et al.,
Petitioners,

-against-

Echo Aoki, et al.,
Respondents.

- - - - -

Devon Aoki, et al.,
Respondents-Appellants,

Keiko Ono Aoki,
Respondent-Respondent.

-----X

M-3090
Index No. 2604/08

Respondent-respondent having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on May 13, 2014 (Appeal No. 11745),

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 October 14, 2014.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

-----X

Aldo Jorge,
Plaintiff-Respondent,

-against-

M-3899

Index No. 300803/12

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

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about July 24, 2013,

And defendants-appellants having moved to withdraw the aforesaid appeal,

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

It is ordered that the motion is granted and the appeal is 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 October 14, 2014.

Present: Hon. Rolando T. Acosta, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

-----X
Benjamin Lauricella, Individually and
as Administrator of the Estate of
Kathleen Lauricella, Deceased,
Plaintiff-Respondent,

-against-

M-3773
Index No. 300366/10

New York Yankees Partnership and Yankee
Stadium LLC,
Defendants-Appellants.

-----X
Defendants-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 November 23, 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 January 2015 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 October 14, 2014.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

-----X
Theotis E. Switzer,
Plaintiff-Respondent,

-against-

M-3615
Index No. 260863/12

New York City Police Department,
et al.,
Defendants-Appellants.

-----X

Defendants-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 September 26, 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 January 2015 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 October 14, 2014.

Present: Hon. Rolando T. Acosta, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

-----X
Christine Busini,

Plaintiff-Appellant,

-against-

M-3618

Index No. 150418/10

Center Continental Properties LLC,
et al.,

Defendants-Respondents.
-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about September 27, 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 January 2015 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 October 14, 2014.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

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

-against-

M-3507
Case No. 30619C/09

Yolanda Sumter,
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 June 4, 2012, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) 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, 120 Wall Street, 28th Floor, New York, New York 10005, 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 October 14, 2014.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

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

-against-

M-3504
Ind. No. 1174N/13

Reality Martin, also known as Bey Realty,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about June 20, 2014, 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, pursuant to CPLR 1101, setting forth the amount and sources of monies to post the \$5,000 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 October 14, 2014.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-3787
Ind. No. 473/10

Juan Caceres,
Defendant-Appellant.

-----X

An order of this Court having been entered on May 15, 2012 (M-797) granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about March 1, 2011, and assigning Glenn R. Abolafia, 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 Glenn R. Abolafia, 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 October 14, 2014.

Present: Hon. Rolando T. Acosta, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

-----X
Rebecca Lai Hin Chan, et al.,
Plaintiffs-Respondents,

-against-

M-3640
Index No. 154104/12

Farmington Casualty Company, Travelers
Property Casualty Insurance Company,
Travelers Property Company of America,
and Suk H. Park and Harry Park,
Defendants-Appellants.

-----X

Defendants-appellants, Farmington Casualty Company,
Travelers Property Casualty Insurance Company, Travelers
Property Company of America, having moved for an enlargement
of time to perfect their appeal taken from an order of the
Supreme Court, New York County, entered on or about April 19,
2013,

Now, upon reading and filing the papers with respect to
the motion, including the stipulation of the parties, dated
September 17, 2014, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance
with the aforesaid stipulation and the motion is withdrawn
accordingly.

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 October 14, 2014.

Present: Hon. Rolando T. Acosta, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

-----X
Carey & Associates LLC,
Plaintiff-Respondent,

-against-

M-3659

Index No. 154284/13

Jessica Cerka,
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Supreme Court, New York County, entered on or about October 4, 2013, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, for an enlargement of time to perfect said appeal, to "strike" or "seal" the pre-argument statement and certain attached exhibits, and for leave to file an amended pre-argument statement, 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, to the extent it seeks poor person relief and to "strike" or "seal" the pre-argument statement, is denied. So much of the motion which seeks an enlargement of time to perfect the appeal is granted to the February 2015 Term, and leave to serve and file an amended pre-argument statement 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 October 14, 2014.

Present: Hon. Richard T. Andrias, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

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

Theresa M.,
Petitioner-Respondent,

M-3152
Docket Nos. V-10735/14L
V-8941-11/14L

-against-

Antoine A.,
Respondent-Appellant.

-----X
Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about May 9, 2014, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Carol L. Kahn, Esq., 225 Broadway, Suite 1510, New York, NY 10007, Telephone No. (212) 227-0206, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor;¹ **within 30 days**

¹Service of appellant's brief upon respondent(s) shall include assigned counsel's copy of the transcript.

(FCS 1121[7]) of service of a copy of this order upon the Clerk; (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



CLERK

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 October 14, 2014.

Present: Hon. Richard T. Andrias, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

-----X

Vincent Forras,

Petitioner-Appellant,

-against-

Feisal Abdul Rauf, et al.,

Defendants-Respondents.

-----X

Petitioner-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 November 13, 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 January 2015 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 October 14, 2014.

Present: Hon. Richard T. Andrias, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

-----X
Paul Bridgwood,

Petitioner-Appellant,

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

-against-

M-3763
Index No. 100033/13

City of New York, et al.,

Respondent-Respondent.
-----X

Petitioner-appellant having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, New York County, entered on or about September 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 January 2015 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 October 14, 2014.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

-----X
Jeanine Wissing,
Plaintiff-Respondent,

-against-

City of New York, et al.,
Defendants,

Empire City Subway Company (Limited)
and Verizon New York Inc.,
Defendants-Appellants.

M-3581
Index No. 109040/07

-----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 October 17, 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 February 2015 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 October 14, 2014.

Present - Hon. Karla Moskowitz, Justice Presiding,
Leland G. DeGrasse
Helen E. Freedman
Darcel D. Clark
Barbara R. Kapnick, Justices.

-----x

The People of the State of New York
ex rel. Khaliyq Sellers,

Petitioner-Appellant,

-against-

M-3368
Index No. 340725/13

Warden, Rikers Island, etc.,

Respondent-Respondent.

-----x

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, entered on or about January 10, 2014, which denied and dismissed a habeas corpus proceeding, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for the 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, to the extent it seeks poor person relief, is denied, with leave to renew upon submission of a detailed 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, said statements to include an explanation of the sources of funds for retained counsel Percival A. Clarke, Esq.. The motion, to the extent it seeks 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 October 14, 2014.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,
Leland G. DeGrasse
Helen E. Freedman
Darcel D. Clark
Barbara R. Kapnick, Justices.

-----X

Inayat I. Shaikh, as Administrator of
the Estate of

M-3560
M-3712

Fazeelat Shaikh, deceased,
Plaintiff-Appellant,

Index No. 24315/98

-against-

Dr. M. Rafiq Chaudhry & Dr. N.D. Wruble,
Defendants-Respondents.

-----X

Appeals having been taken from an order of the Supreme Court, Bronx County, entered on or about February 25, 2013, and from the judgment of said Court, entered on or about May 29, 2013,

And plaintiff-appellant having moved for an enlargement of time to perfect the aforesaid appeals (M-3560),

And defendants-respondents having cross-moved for an order dismissing the aforesaid appeals (M-3712),

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 for an enlargement of time to perfect the appeals is denied (M-3560). The cross motion is granted and the appeals are dismissed (M-3712).

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 October 14, 2014.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,
Leland G. DeGrasse
Helen E. Freedman
Darcel D. Clark
Barbara R. Kapnick, Justices.

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

-against-

M-3362
Ind. No. 598/09

Luis Loja,
Defendant-Appellant.

-----X

Defendant having renewed his motion 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 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 and the notice of appeal dated July 11, 2012 is deemed timely filed.

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 October 14, 2014.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,
Leland G. DeGrasse
Helen E. Freedman
Darcel D. Clark
Barbara R. Kapnick, Justices.

-----X

The People of the State of New York,

-against-

M-3469
Ind. No. 2322/13

Jack Esau,

Defendant.

-----X

Defendant, pro se, having moved for leave to deem his notice of appeal as timely filed, from the judgment of the Supreme Court, New York County, rendered on or about April 1, 2013, and for leave to prosecute the appeal as a poor person, and for leave to have the appeal heard on the original record and typewritten briefs, and 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 (CPL §460.30 subd. 1).

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 October 14, 2014.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,
Leland G. DeGrasse
Helen E. Freedman
Darcel D. Clark
Barbara R. Kapnick, Justices.

-----X

The People of the State of New York,

-against-

M-3470
Ind. No. 622/10

Jorge Vasquez,
Defendant.

-----X

Defendant having moved, pro se, 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 11, 2011, and for leave to prosecute the appeal as a poor person, and for leave to have the appeal heard on the original record and typewritten briefs, and 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 (CPL §460.30 subd. 1).

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 October 14, 2014.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,
Leland G. DeGrasse
Helen E. Freedman
Darcel D. Clark
Barbara R. Kapnick, Justices.

-----X
Kalya Stephens,
Plaintiff-Appellant,

-against-

M-3411
Index No. 101049/13

Sullivan & Cromwell LLP, et al.,
Defendants-Respondents.
-----X

Defendant-respondent Sullivan & Cromwell LLP having moved for dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about March 12, 2014 (mot. seq. no. 004),

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

It is ordered that the motion is granted and the appeal is dismissed.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 14, 2014.

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

-----X

Candida Disla, etc.,
Plaintiff-Appellant,

-against-

M-3290
Index No. 22450/06

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

-----X

Defendants-respondents having moved for reargument of the decision and order of this Court entered on May 27, 2014 (Appeal No. 12086),

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

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

BEFORE: Hon. Richard T. Andrias,
Associate Justice

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

Respondent,

M-4053
Ind. No. 6066/08
6172/08

-against-

CERTIFICATE
DENYING LEAVE

Kerwin Johnson,

Defendant.
-----X

I, Richard T. Andrias, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law Section 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the Order of the Supreme Court, New York County (Bonnie Wittner, J.), entered on or about April 4, 2014, which denied defendant's motions pursuant to CPL 440.20, and, for related relief is hereby denied.

Dated: New York, New York
September 18, 2014

ENTERED
OCT 14 2014


Justice of the Appellate Division

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

BEFORE: Hon. KARLA MOSKOWITZ
Justice of the Appellate Division

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

M-4312
Ind. No. 4854/2003

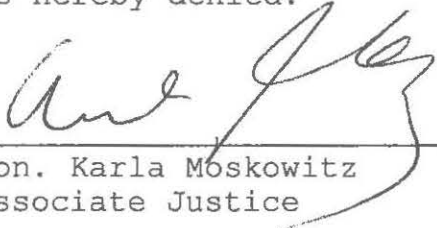
-against-

CERTIFICATE
DENYING LEAVE

Steven Mears,

Defendant.
-----X

I, Karla Moskowitz, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, section 440.10, and upon the record and proceedings herein, there is no question of law or fact presented that ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about June 17, 2014, is hereby denied.



Hon. Karla Moskowitz
Associate Justice

Dated: *Sept 30*, 2014
New York, New York

ENTERED: **OCT 14 2014**

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

BEFORE: Hon. Darcel D. Clark
Associate Justice of the Appellate Division

-----X
Eric Warner, Francine Warner and
Abigail Warner,

Petitioners-Respondents,

-against-

M-3523
Index No. 101280/12

New York State Division of Housing and
Community Renewal,

Respondent,

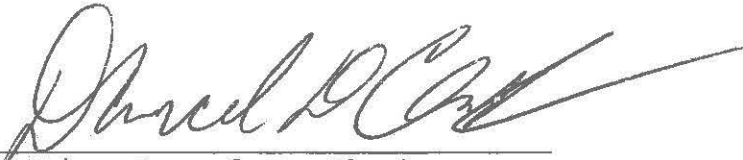
Mayflower Development Corp.,

Respondent-Appellant.

-----X
Respondent, Mayflower Development Corp., having moved for
leave to appeal to this Court from the order of the Supreme
Court, New York County, entered on or about May 13, 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.


Justice Darcel D. Clark
Associate Justice

Dated: September 15, 2014
New York, New York

Entered: **OCT 14 2014**