

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 August 8, 2017.

Present - Hon. Barbara R. Kapnick, Justice Presiding,  
Marcy L. Kahn  
Ellen Gesmer  
Cynthia S. Kern  
Peter H. Moulton, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-3346  
Ind. No. 4287/15

Marcel Nelson,

Defendant-Appellant.

-----X

Defendant-appellant 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 20, 2016,

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 notice of appeal timely filed.

ENTERED:

  
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 August 8, 2017.

Present - Hon. Barbara R. Kapnick, Justice Presiding,  
Marcy L. Kahn  
Ellen Gesmer  
Peter H. Moulton, Justices.

-----X

Rosemary Michel,  
Plaintiff-Appellant,

-against-

**M-3171**

Index No. 152870/12

14 Beekman Place Corporation,  
et al.,  
Defendants-Respondents.

-----X

(And a third-party action)

Defendants-respondents having moved for dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about June 1, 2016,

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.

ENTERED:

  
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 August 8, 2017.

Present - Hon. Barbara R. Kapnick, Justice Presiding,  
Marcy L. Kahn  
Ellen Gesmer  
Cynthia S. Kern  
Peter H. Moulton Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-3370  
Ind. No. 3678N/13

Amaury Helena,

Defendant-Appellant.

-----X

Defendant-appellant 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 December 17, 2015,

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.

ENTERED:

  
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 August 8, 2017.

Present: Hon. Barbara R. Kapnick, Justice Presiding,  
Marcy L. Kahn  
Ellen Gesmer  
Cynthia S. Kern  
Peter H. Moulton, Justices.

-----X

In the Matter of

Nicholas K. G.,

**CONFIDENTIAL**

**M-3877**

A Dependent Child Under 18 Years of Age Pursuant to §384-b of the Social Services Law of the State of New York.

Docket No. B-33823/15

-----  
Lutheran's Social Services,  
Petitioner-Respondent,

Mark G.,  
Respondent-Appellant.  
-----

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

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, New York County, entered on or about February 10, 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 denied, with leave to renew, upon submission of an affidavit in compliance with CPLR 1101, including the source of funds used to retain Gary Schultz, Esq. as counsel before the Family Court, and an explanation as to why such resources are no longer available.

ENTERED:

  
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 August 8, 2017.

Present - Hon. Barbara R. Kapnick, Justice Presiding,  
Marcy L. Kahn  
Ellen Gesmer  
Cynthia S. Kern  
Peter H. Moulton, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-3351  
Ind. No. 1097/16

Sean Conway,

Defendant-Appellant.

-----X

Defendant-appellant 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 26, 2016,

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 notice of appeal timely filed.

ENTERED:

  
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 August 8, 2017.

Present - Hon. Barbara R. Kapnick, Justice Presiding  
Marcy L. Kahn  
Ellen Gesmer  
Cynthia S. Kern  
Peter H. Moulton, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-3321  
Ind. No. 3789/15

Juan Taveras,

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 6, 2016,

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.

ENTERED:

  
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 August 8, 2017.

Present - Hon. Barbara R. Kapnick, Justice Presiding,  
Marcy L. Kahn  
Ellen Gesmer  
Cynthia S. Kern  
Peter H. Moulton, Justices.

-----X  
Citysites Commercial Group, LLC.,  
Plaintiff-Respondent,

-against-

M-3191  
Index No. 652536/11

Classic Group Realty, Inc., 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, New York County, entered on or about August 11, 2016,

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 December 2017 Term.

ENTERED:

  
\_\_\_\_\_  
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 August 8, 2017.

Present - Hon. Barbara R. Kapnick, Justice Presiding,  
Marcy L. Kahn  
Ellen Gesmer  
Peter H. Moulton, Justices.

-----X  
Patricia Thompson Shepard,  
as Administratrix of the Estate  
of William Shepard, deceased, et al., M-3233  
Plaintiffs-Appellants, Index No.153404/13

-against-

Lido Hall Condominiums, et al.,  
Defendants-Respondents.  
-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about August 25, 2016,

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 December 2017 Term.

ENTERED:

  
\_\_\_\_\_  
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 August 8, 2017.

Present - Hon. Barbara R. Kapnick, Justice Presiding,  
Marcy L. Kahn  
Ellen Gesmer  
Cynthia S. Kern  
Peter H. Moulton, Justices.

-----X  
Normandy Real Estate Partners LLC,  
Plaintiff-Appellant,

-against-

M-3468  
Index No. 650984/15

24 East 12<sup>th</sup> Street Associates LLC,  
et al.,  
Defendant-Respondent.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect its appeal from an order of the Supreme Court, New York County, entered on or about June 6, 2016,

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 December 2017 Term.

ENTERED:

  
\_\_\_\_\_  
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 August 8, 2017.

Present - Hon. Barbara R. Kapnick, Justice Presiding,  
Marcy L. Kahn  
Ellen Gesmer  
Cynthia S. Kern  
Peter H. Moulton, Justices.

-----X  
Jin Ming Chen,  
Plaintiff-Respondent,

-against-

M-3541  
Index No. 650142/14

Insurance Company of the State  
of Pennsylvania,  
Defendant-Appellant.  
-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about May 3, 2016,

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 December 2017 Term.

ENTERED:

  
\_\_\_\_\_  
CLERK

CORRECTED ORDER - September 29, 2017

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 August 8, 2017.

Present = Hon. Barbara R. Kapnick, Justice Presiding,  
Marcy L. Kahn  
Ellen Gesmer  
Cynthia S. Kern  
Peter H. Moulton, Justices.

-----X  
Mariano Gonzalez,

Plaintiff-Appellant,

-against-

West 38<sup>th</sup> Street Development LLC,  
et al.,

M-3120  
Index No. 306437/09

Defendants-Respondents.  
-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about July 8, 2016,

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 December 2017 Term.

ENTERED:

  
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 August 8, 2017.

Present: Hon. Barbara R. Kapnick, Justice Presiding,  
Marcy L. Kahn  
Ellen Gesmer  
Cynthia S. Kern  
Peter H. Moulton, Justices.

-----X  
Joseph Francesco and Allison  
Francesco,  
Plaintiffs-Respondents,

-against-

**M-3697**  
Index No. 155763/12

Efco Corporation and Pella Corporation,  
Defendants-Appellants,

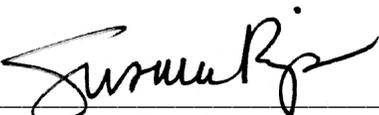
Roger Adams, doing business as Adams  
Trucking and Phillip Adams, doing  
business as Adams Trucking and David  
Roy Adams, doing business as Adams  
Trucking,  
Defendants.

-----X  
Defendants-appellants having moved for an enlargement of time to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about August 1, 2016,

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 2018 Term.

ENTERED:

  
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 August 8, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Peter Tom  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick, Justices.

-----X  
Maryann Kielbasa,  
Plaintiff-Appellant,

-against-

M-3304X  
Index No. 155260/12

EmblemHealth Services Company, LLC,  
Defendant-Respondent.  
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about July 18, 2016,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 16, 2017, and due deliberation having been had thereon,

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

ENTERED:

  
\_\_\_\_\_  
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 August 8, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Peter Tom  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick, Justices.

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

-against-

M-3385  
Ind. No. 1151/13

Matthew Budzik, also known as Raed Innab,  
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about March 3, 2016,

Now, upon reading and filing the stipulation of the parties hereto, dated June 20, 2017, and due deliberation having been had thereon,

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

ENTERED:

  
\_\_\_\_\_

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 August 8, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Peter Tom  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

M-3386  
Ind. No. 1241/12

Paul D'Agostino,  
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, Bronx County, rendered on or about May 18, 2015,

Now, upon reading and filing the stipulation of the parties hereto, dated May 31, 2017, and due deliberation having been had thereon,

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

ENTERED:

  
\_\_\_\_\_

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 August 8, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Peter Tom  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

M-3387  
Ind. No. 3116/14

James Hadley,  
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, Bronx County, rendered on or about October 6, 2016.

Now, upon reading and filing the stipulation of the parties hereto, dated June 7, 2017, and due deliberation having been had thereon,

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

ENTERED:

  
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 August 8, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Peter Tom  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

M-3388  
Ind. No. 602/15

William Quinones,  
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, Bronx County, rendered on or about April 11, 2016.

Now, upon reading and filing the stipulation of the parties hereto, dated June 9, 2017, and due deliberation having been had thereon,

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

ENTERED:

  
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 August 8, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Peter Tom  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick, Justices.

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

Respondent,

-against-

M-3446  
Ind. No. 1108/14

Brandon Banks,

Defendant-Appellant.  
-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about June 26, 2015,

Now, upon reading and filing the stipulation of the parties hereto, dated June 19, 2017, and due deliberation having been had thereon,

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

ENTERED:

  
\_\_\_\_\_  
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 August 8, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Peter Tom  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick, Justices.

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

Respondent,

-against-

M-3482  
Ind. No. 1781N/16

Midomio Cisnero,

Defendant-Appellant.  
-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about September 7, 2016,

Now, upon reading and filing the stipulation of the parties hereto, dated May 24, 2016, and due deliberation having been had thereon,

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

ENTERED:

  
\_\_\_\_\_  
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 August 8, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Peter Tom  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick, Justices.

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

Respondent,

-against-

M-3569  
Ind. No. 5300/11

David Brown,

Defendant-Appellant.  
-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about October 27, 2014,

Now, upon reading and filing the stipulation of the parties hereto, dated June 16, 2017, and due deliberation having been had thereon,

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

ENTERED:

  
\_\_\_\_\_  
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 August 8, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Peter Tom  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick, Justices.

-----X  
A.G., an infant by his Mother and  
Natural Guardian Evelyn Gonzalez and  
Evelyn Gonzalez, Individually,  
Plaintiffs-Respondents,

-against-

M-3584X  
Index No. 6412/07

Morris Heights Health Center and  
Bronx Lebanon Hospital Center,  
Defendants-Appellants.  
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about September 16, 2016,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 23, 2017, and due deliberation having been had thereon,

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

ENTERED:

  
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 August 8, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Peter Tom  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick, Justices.

-----X  
Jing Chow,  
Plaintiff-Respondent,

-against-

M-3585X  
Index No. 158708/13E

Karen Schwartz, MD Hossain and  
Original Agami Cab LLC,  
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about September 23, 2016,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 28, 2017, and due deliberation having been had thereon,

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

ENTERED:

  
\_\_\_\_\_  
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 August 8, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Peter Tom  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick, Justices.

-----X  
Brenda Lewis,  
Plaintiff-Respondent,

-against-

M-3586X  
Index No. 27098/15E

Marcos Ulloa and Sherman Ave.  
Three Inc.,  
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about October 6, 2016,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 28, 2017, and due deliberation having been had thereon,

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

ENTERED:

  
\_\_\_\_\_  
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 August 8, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Peter Tom  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick, Justices.

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

Respondent,

-against-

Vincent Dominguez,

Defendant-Appellant.  
-----X

M-3606  
Ind. Nos. 5828/12  
3552/15

An appeal having been taken from judgments of the Supreme Court, New York County, rendered on or about November 18, 2015,

Now, upon reading and filing the stipulations of the parties hereto, both of which are dated June 29, 2017, and due deliberation having been had thereon,

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

ENTERED:

  
\_\_\_\_\_  
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 August 8, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Peter Tom  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick, Justices.

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

Respondent,

-against-

M-3607  
Ind. No. 2270/10

Vincent Dominguez,

Defendant-Appellant.  
-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about November 18, 2015,

Now, upon reading and filing the stipulation of the parties hereto, dated June 14, 2017, and due deliberation having been had thereon,

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

ENTERED:

  
\_\_\_\_\_  
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 August 8, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Peter Tom  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick, Justices.

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

Respondent,

-against-

M-3627  
Ind. No. 3520/13

Daniel Castro,

Defendant-Appellant.  
-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about November 12, 2014,

Now, upon reading and filing the stipulation of the parties hereto, dated June 30, 2017, and due deliberation having been had thereon,

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

ENTERED:

  
\_\_\_\_\_  
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 August 8, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Peter Tom  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick, Justices.

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

-----  
Baghat S.,  
Petitioner-Appellant,

**CONFIDENTIAL**  
M-3682  
Docket Nos. V-10646-01/15K

-against-

Mariana L.,  
Respondent-Respondent.

-----X

An appeal having been taken from the order of the Family Court, New York County, entered on or about May 20, 2016,

Now, upon reading and filing the stipulation of the parties hereto, dated June 27, 2017, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected, is withdrawn in accordance with the aforesaid stipulation.

ENTERED:

  
\_\_\_\_\_  
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 August 8, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Peter Tom  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick, Justices.

-----X

Hamilton Megawash Inc.,  
Plaintiff-Respondent,

-against-

M-3406  
Index No. 162790/15

Hamilton Heights Cluster Associates,  
LP and Gregory C. Soumas, as Receiver,  
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about August 8, 2016,

Now, upon reading and filing the stipulation of the parties hereto, received by this Court on June 26, 2017, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected, is withdrawn in accordance with the aforesaid stipulation.

ENTERED:

  
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 August 8, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Peter Tom  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick, Justices.

-----X  
In the Matter of

Moriba K.,  
Makoya K.,  
Mariama K.,  
Fanta K.,  
and Sadik K.,

**CONFIDENTIAL**

M-2802  
Docket Nos.  
NA-28380-84/15

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

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

Djiba K.,  
Respondent-Appellant.

-----  
Stacy-Ann Suckoo, Esq.,  
Attorney for the Children.

-----X  
Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from the Order of Fact-Finding and the Order of Disposition of the Family Court, Bronx County, entered on or about March 23, 2017 and March 28, 2017, 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, Steven N. Feinman, Esq., One North

Broadway, Suite #412, White Plains, NY 10601, Telephone No. 914-949-8214, 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<sup>1</sup> **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.**

ENTERED:

  
CLERK

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<sup>1</sup>Service 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 August 8, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Peter Tom  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick, Justices.

-----X  
In the Matter of

Kyeley V.,  
and Jasmin V.,

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

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

**CONFIDENTIAL**

M-2825  
Docket Nos. NN-41197-98/16

Antoinette V.,  
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 the Family Court, New York County, entered on or about April 6, 2017, 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, Steven N. Feinman, Esq., One North Broadway, Suite #412, White Plains, NY 10601, Telephone No. 914-949-8214, 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<sup>1</sup> **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.**

ENTERED:

  
CLERK

---

<sup>1</sup>Service 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 August 8, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Peter Tom  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick, Justices.

-----X

In the Matter of

Cheron B., Jr.,

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

**CONFIDENTIAL**

M-2939

Docket No. NN-47963/16

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

Vanessa G.,  
Respondent-Appellant,

Cheron B.,  
Respondent-Respondent.

-----  
Hani M. Moskowitz, 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 May 5, 2017, 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, Steven N. Feinman, Esq., One North Broadway, Suite #412, White Plains, NY 10601, Telephone No. 914-949-8214, 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<sup>1</sup> **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-3342, decided simultaneously herewith.)

ENTERED:

  
CLERK

---

<sup>1</sup>Service 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 August 8, 2017.

Present: Hon. Rolando T. Acosta, Presiding Justice,  
Peter Tom  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick, Justices.

-----X  
In the Matter of

Cheron B., Jr.,

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

**CONFIDENTIAL**

M-3342

Docket No. NN-47963/16

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

Vanessa G.,  
Respondent-Appellant,

Cheron B.,  
Respondent-Respondent.

- - - - -  
Hani M. Moskowitz, Esq.,  
Attorney for the Child.

-----X

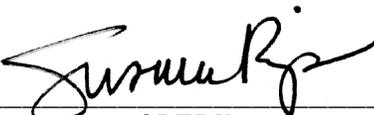
Vanessa J. Spears, Esq., court attorney for the subject child, having moved on the child's behalf for leave to respond, as a poor person, to the appeal taken from the order of the Family Court, New York County, entered on or about May 5, 2017, and for assignment of counsel, a free copy of the transcript, 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 §1120 of the Family Court Act, Hani M. Moskowitz, Esq., 225 Broadway, Suite #715, New York, NY 10007, Telephone No. 212-227-8208, 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-2939, decided simultaneously herewith.)

ENTERED:

  
\_\_\_\_\_  
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 August 8, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Peter Tom  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
In the Matter of the Guardianship of  
the Person and Custody of

Inuel Elio S., also known as  
Inuel S., also known as Inuel F.;  
and Michael Antonio V., also known  
as Michael V., also known as  
Michael F.,

**CONFIDENTIAL**

Children Under 18 Years of Age  
Pursuant to §384-b of the Social  
Services Law of the State of New York.

M-3595  
Docket Nos. B-29480-81/13

- - - - -  
Graham Windham Services to Families  
and Children,  
Petitioner-Respondent,

Eunice F., also known as Eunice M.,  
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 orders of the Family Court,  
Bronx County, both entered on or about July 18, 2016, 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, Randall S. Carmel, Esq., 410 Jericho Turnpike, Suite #302, Jericho, NY 11753, Telephone No. 516-921-8800, 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<sup>1</sup> **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.**

ENTERED:

  
CLERK

---

<sup>1</sup>Service 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 August 8, 2017.

Present: Hon. Rolando T. Acosta, Presiding Justice,  
Peter Tom  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick, Justices.

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

- - - - -  
Tiffany P.,  
Petitioner-Appellant,

**CONFIDENTIAL**

M-3413  
Docket No. V-43426-10/12A

-against-

Sharon B. and Morris T.,  
Respondents-Respondents.

- - - - -  
Andrew J. Baer, Esq.,  
Attorney for the Child.

-----X

Paul Matthews, Esq., court attorney for the respondent Sharon B., having moved on the her 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 May 16, 2017, 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 §1120 of the Family Court Act, Kenneth M. Tuccillo, Esq., 591 Warburton Avenue, #576, Hastings 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. (See M-3409, decided simultaneously herewith.)

ENTERED:

  
\_\_\_\_\_  
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 August 8, 2017.

Present: Hon. Rolando T. Acosta, Presiding Justice,  
Peter Tom  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick, Justices.

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

- - - - -  
Tiffany P.,  
Petitioner-Appellant,

**CONFIDENTIAL**

M-3409  
Docket No. V-43426-10/12A

-against-

Sharon B. and Morris T.,  
Respondents-Respondents.

- - - - -  
Andrew J. Baer, Esq.,  
Attorney for the Child.

-----X

Gary Schultz, Esq., 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 the Family Court, New York County, entered on or about May 16, 2017, 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 §1120 of the Family Court Act, Andrew J. Baer, Esq., 299 Broadway, Suite #1415, New York NY 10007, Telephone No. 212-233-0318, 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-3413, decided simultaneously herewith.)

ENTERED:

  
\_\_\_\_\_  
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 August 8, 2017.

Present - Hon. Peter Tom, Justice Presiding,  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Angela M. Mazzarelli  
Judith J. Gische, Justices.

-----X

Chrystal Biton, et al.,  
Plaintiffs,

-against-

M-2905  
Index No. 601732/02

State Farm Insurance Company, et al.,  
Defendants.

-----X

An order of this Court having been entered on December 10, 2009 (M-3989/M-4248), inter alia, dismissing plaintiffs' appeal taken from the judgment of the Supreme Court, New York County, entered on or about August 5, 2009,

And an order of this Court having been entered on December 13, 2012 (M-4780), inter alia, denying plaintiffs' motion to vacate all decisions and orders by the Unified Court System of New York, and for related relief,

And plaintiffs having moved for reargument/reconsideration of the order of this Court entered on December 13, 2012 (M-4780),

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. Sua sponte, the Clerk of this Court is directed to accept no further filings from plaintiffs with respect to this action without prior leave of this Court.

ENTERED:

  
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 August 8, 2017.

Present - Hon. Peter Tom, Justice Presiding,  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Angela M. Mazzarelli  
Judith J. Gische, Justices.

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

-----  
Brittany L. McL.,  
Petitioner-Respondent,  
  
-against-

**CONFIDENTIAL**

Action No. 1  
**M-2923**  
Docket No. G-38633/16

Walter D.,  
Respondent-Appellant,  
-----  
Yissel Cabrera, Esq.,  
Attorney for the Child.

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

-----  
Brittany L. McL.,  
Petitioner-Respondent,  
  
-against-

Action No. 2  
Docket No. V-39015/15

Walter D.,  
Respondent-Appellant,  
-----  
Yissel Cabrera, Esq.,  
Attorney for the Child.

-----X  
Appeals having been taken to this Court by respondent-appellant, Walter D., from two orders of the Family Court, New York County, both entered on or about February 23, 2017 Action No. 1: (Docket No. G-38633/16) and Action No. 2: (Docket No. V-39015/15), respectively,

And respondent-appellant, Walter D., having moved for consolidation of the aforesaid appeals, and to make certain amendments to the caption,

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 consolidating the aforesaid appeals and granting respondent-appellant leave to prosecute the consolidated appeals upon a single brief and record; and granting leave to amend the caption only insofar as to authorize the use of a double caption. Sua sponte, the order of this Court, entered on June 22, 2017 (M-2337), is amended to the extent of extending poor person relief to petitioner-respondent and assigning Randall Carmel, Esq., 53 Jackson Avenue, Syosset, New York 11791, Telephone No. (516) 921-6800, as counsel for petitioner-respondent to respond to the consolidated appeals.

ENTERED:

  
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 August 8, 2017.

Present: Hon. Peter Tom, Justice Presiding,  
Dianne T. Renwick  
Sallie Manzanet-Daniels  
Barbara R. Kapnick, Justices.

-----X  
Noel Willis,  
Plaintiff-Respondent,

-against-

**M-2076**  
Index No. 8549/07

Plaza Construction Corp., et al.,  
Defendants-Appellants.

- - - - -  
[And a Third-Party Action]

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about May 6, 2016, and said appeal having been perfected, heard (Appeal No. 4273) and decided by Order of this Court, entered June 15, 2017,

And defendants-appellants having moved to stay the aforesaid order pending determination of the appeal,

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

Ordered that the motion is denied as moot.

ENTERED:

  
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 August 8, 2017.

Present - Hon. David Friedman, Justice Presiding,  
Dianne T. Renwick  
Richard T. Andrias  
Karla Moskowitz  
Ellen Gesmer, Justices.

-----X  
In the Matter of

Michael R.,

**CONFIDENTIAL**  
**M-2929**

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

Docket No. N-32255/16

- - - - -  
Commissioner of the Administration  
for Children's Services,

Petitioner-Respondent,

Shirley W.,  
Respondent-Appellant.

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

-----X  
Respondent-appellant, Shirley W., having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, Bronx County, entered on or about May 9, 2017, 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<sup>1</sup> **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.**

ENTERED:

  
CLERK

---

<sup>1</sup>Service 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 August 8, 2017.

Present - Hon. David Friedman, Justice Presiding,  
Dianne T. Renwick  
Richard T. Andrias  
Karla Moskowitz  
Ellen Gesmer, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-2908  
Ind. No. 3582/04

Sean Lopes,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to file a pro se supplemental brief in connection with an appeal from a judgment of the Supreme Court, New York County, rendered on or about May 20, 2005, for a copy of the trial transcripts and for an enlargement of time in which to perfect the appeal,

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

It is ordered that the motion is granted to the extent of directing defendant to serve and file 8 copies of his pro se supplemental brief on or before October 13, 2017 for the November 2017 Term, to which Term the appeal is adjourned. The Clerk of the Court is directed to forward to the Warden at the State correctional facility wherein defendant is incarcerated a transcript of the minutes relating to defendant's appeal, said transcript to be made available to appellant and returned by appellant to this Court when submitting the pro se supplemental brief hereto. The appeal will not be heard unless and until all material furnished to appellant has been returned.

ENTERED:

  
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 August 8, 2017.

Present - Hon. David Friedman,  
Karla Moskowitz  
Troy K. Webber  
Marcy L. Kahn  
Ellen Gesmer,

Justice Presiding,  
  
Justices.

-----X  
In re Chaim Kopicel,  
Petitioner-Appellant,

-against-

**M-551**  
Index No. 652507/15

Joseph Schnaier,  
Respondent,

Mark Arzoomanian, et al.,  
Respondents-Respondents.

-----X

Respondents-respondents having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on December 22, 2016 (Appeal Nos. 2538 and 2538A),

Now, upon reading and filing the papers with respect to the motion, and the correspondence submitted by counsel for respondents, dated June 15, 2017, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn.

ENTERED:

  
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 August 8, 2017.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,  
Angela M. Mazzairelli  
Troy K. Webber  
Marcy L. Kahn  
Cynthia S. Kern, Justices.

-----x  
In the Matter of the Application of  
Bernethea Curry,  
Petitioner,

For a Judgment Pursuant to Article 78 M-3041  
of the CPLR, Index No. 100578/16

-against-

The New York City Housing Authority,  
Respondent.

-----x

An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about September 16, 2016, to review a determination of respondent,

And petitioner having moved for an enlargement of time to perfect the aforesaid proceeding,

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 proceeding to the December 2017 Term.

ENTERED:

  
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 August 8, 2017.

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

-----X

Town New Development Sales and  
Marketing LLC,  
Plaintiff-Respondent,

**M-2531**

Index No. 652250/17

-against-

Shlomo Reuveni and Reuveni Real Estate  
LLC,  
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 8, 2017,

And defendants-appellants having moved for a stay pending hearing and determination of the appeal,

Now, upon reading and filing the papers with respect to the motion, and a stipulation of the parties hereto, dated May 17, 2017, and due deliberation having been had thereon, it is

Ordered that the motion and appeal are deemed withdrawn in accordance with the aforesaid stipulation.

ENTERED:

  
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 August 8, 2017.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Richard T. Andrias  
Barbara R. Kapnick  
Marcy L. Kahn, Justices.

-----x

H. & L. Electric Inc.,  
Plaintiff-Respondent-Appellant,

-against-

M-2833

Index No. 654422/15

Midtown Equities LLC, et al.,  
Defendants,

55 Water LLC, et al.,  
Defendants-Appellants-Respondents.

-----x

A decision and order of this Court having been entered on June 29, 2017 (Appeal Nos. 4392-93), unanimously affirming the order of the Supreme Court, New York County (Eileen Bransten, J.), entered on September 29, 2016,

And defendants-appellants-respondents having moved for a stay of proceedings, a stay of the implementation of a certain stipulation and a stay of currently scheduled discovery pending the hearing and determination of the 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 denied as moot.

ENTERED:

  
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 August 8, 2017.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,  
Angela M. Mazzarelli  
Richard T. Andrias  
Karla Moskowitz  
Judith J. Gische, Justices.

-----x

Rafael Flores,  
Plaintiff-Appellant-Respondent,

-against-

M-2466

M-2532

Index No. 161735/14

Metropolitan Transportation Authority,  
et al.,  
Defendants-Respondents-Appellants.

-----x

Plaintiff-appellant-respondent having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about July 14, 2016 (M-2466),

And defendants-respondents-appellants having cross-moved for an enlargement of time to perfect the cross appeal,

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 and cross motion are granted to the extent of enlarging the time to perfect the appeal and cross appeal to the December 2017 Term.

ENTERED:

  
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 August 8, 2017.

Present - Hon. Dianne T. Renwick, Justice Presiding,  
Sallie Manzanet-Daniels  
Angela M. Mazzarelli  
Karla Moskowitz  
Troy K. Webber, Justices.

-----X

The People of the State of New York,  
Respondent,

M-3097

Ind. No. 3524/15

-against-

Karrim Randall,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of **resentence** of the Supreme Court, New York County, rendered on or about November 2, 2016, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is 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 8 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 **resentence**. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Seymour W. James, Jr., Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTERED:

  
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 August 8, 2017.

Present: Hon. Rosalyn H. Richter, Justice Presiding,  
Sallie Manzanet-Daniels  
Angela M. Mazzarelli  
Karla Moskowitz  
Troy K. Webber, Justices.

-----X  
American Stevedoring, Inc.,  
Plaintiff,

-against-

Red Hook Container Terminal LLC,  
et al.,  
Defendants,

-and-

The Alex N. Sill Company,  
Nominal Defendant.

-----X  
Red Hook Container Terminal, LLC,  
Third-Party Plaintiff-Respondent,

-against-

JBL Trinity Group, Ltd.,  
Third-Party Defendant-Appellant.  
-----X

**CONFIDENTIAL**

**M-3331**

Index No. 651472/12

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about August 15, 2016,

And third-party defendant-appellant having moved for an enlargement of time to perfect the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motion, and the correspondence from third-party defendant-appellant's counsel, dated July 6, 2017, and due deliberation having been had thereon, it is

Ordered that the motion is deemed withdrawn in accordance with the aforesaid correspondence.

ENTERED:

  
\_\_\_\_\_  
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 August 8, 2017.

Present: Hon. Rosalyn H. Richter, Justice Presiding,  
Sallie Manzanet-Daniels  
Angela M. Mazzarelli  
Karla Moskowitz  
Troy K. Webber, Justices.

-----X

In the Matter of

Yadiells G.,

**CONFIDENTIAL**

**M-2465**

A Person Alleged to Be a Juvenile  
Delinquent,

Docket No. D-29236/13

Respondent-Appellant.

-----X

An appeal having been taken from an order of the Family Court, Bronx County, entered on or about December 11, 2015,

And respondent-appellant having moved for an order directing the disclosure of certain information,

Now, upon reading and filing the papers with respect to the motion, and the correspondence from George E. Reed, Jr., Esq., assigned counsel for respondent-appellant, dated June 27, 2017, and due deliberation having been had thereon, it is

Ordered that the motion is deemed withdrawn in accordance with the aforesaid correspondence.

ENTERED:

  
\_\_\_\_\_  
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 August 8, 2017.

Present - Hon. Rosalyn H. Richter, Justice Presiding,  
Sallie Manzanet-Daniels  
Angela M. Mazzarelli  
Karla Moskowitz  
Troy K. Webber, Justices.

-----X  
Oitcroyce Hotel Holdings LLC,  
Plaintiff-Appellant,

-against-

**M-3084**

Index No. 156921/15

505 West 181 Associates LLC,  
Defendant-Respondent.  
-----X

Defendant having moved for dismissal of plaintiff's appeal taken from an order of the Supreme Court, New York County, entered on or about March 29, 2016,

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.

ENTERED:

  
\_\_\_\_\_  
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 August 8, 2017.

Present - Hon. Rosalyn H. Richter, Justice Presiding,  
Sallie Manzanet-Daniels  
Angela M. Mazzarelli  
Karla Moskowitz  
Troy K. Webber, Justices.

-----X  
Keith Pritchett,  
Plaintiff-Appellant,

-against-

**M-2737**  
Index No. 301836/10

F.J. Sciame Construction Co., Inc.,  
et al.,  
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about July 20, 2016,

And defendants-respondents having moved to dismiss plaintiff-appellant's appeal,

Now, upon reading and filing the stipulation of the parties hereto, dated June 15, 2017, and due deliberation having been had thereon,

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

ENTERED:

  
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 August 8, 2017.

Present - Hon. Rosalyn H. Richter, Justice Presiding,  
Sallie Manzanet-Daniels  
Angela M. Mazzarelli  
Karla Moskowitz  
Troy K. Webber, Justices.

-----x  
Joshua Parker,  
Plaintiff-Appellant,

-against-

M-2961  
Index No. 304037/13

Laura Carillo,  
Defendant-Respondent,

Juan Casillas, et al.,  
Defendants.

-----x

Defendant-respondent having moved for dismissal of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about March 17, 2017,

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.

ENTERED:

  
\_\_\_\_\_  
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 August 8, 2017.

Present - Hon. Rosalyn H. Richter, Justice Presiding,  
Sallie Manzanet-Daniels  
Angela M. Mazzarelli  
Karla Moskowitz  
Troy K. Webber, Justices.

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

-against-

M-3008  
Ind. No. 3739/15

Cory Reid,  
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, New York County, rendered on or about August 29, 2016, for leave to prosecute the appeal as a poor person 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 deeming the notice of appeal as timely filed and 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 8 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, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28<sup>th</sup> 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.

ENTERED:

  
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 August 8, 2017.

Present - Hon. Rosalyn H. Richter, Justice Presiding,  
Sallie Manzanet-Daniels  
Angela M. Mazzarelli  
Karla Moskowitz  
Troy K. Webber, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-3001  
Ind. Nos. 703/16  
1191/16

Leonard Pina-Rodriguez,  
Defendant-Appellant.

-----X

Defendant having moved for an extension of time to file a notice of appeal from the judgment of **resentence** of the Supreme Court, New York County, rendered on or about September 6, 2016, and for leave to prosecute said appeal as a poor person upon the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of deeming the moving papers a timely filed notice of appeal, and 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 District Attorney of said county and files 8 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 **resentence**. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Seymour W. James, Jr., Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTERED:

  
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 August 8, 2017.

Present - Hon. Rosalyn H. Richter, Justice Presiding,  
Sallie Manzanet-Daniels  
Angela M. Mazzarelli  
Karla Moskowitz  
Troy K. Webber, Justices.

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

-against-

M-3032  
Ind. No. 2644N/09

Juan Rosario,  
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 December 4, 2014, 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 facts sufficient to establish that defendant has no funds or assets with which to prosecute the appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

ENTERED:

  
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 August 8, 2017.

Present - Hon. Rosalyn H. Richter, Justice Presiding,  
Sallie Manzanet-Daniels  
Angela M. Mazzarelli  
Karla Moskowitz  
Troy K. Webber, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-3080  
Ind. No. 4415/15

Travis Moore,

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 4, 2016,

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 notice of appeal timely filed.

ENTERED:

  
\_\_\_\_\_  
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 August 8, 2017.

Present - Hon. Rosalyn H. Richter, Justice Presiding,  
Sallie Manzanet-Daniels  
Angela M. Mazzarelli  
Karla Moskowitz  
Troy K. Webber, Justices.

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

Respondent,

-against-

M-3045  
Ind. No. 3605/14

Kendell Neat,

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 December 5, 2016,

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 notice of appeal timely filed.

ENTERED:

  
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 August 8, 2017.

Present - Hon. Rosalyn H. Richter, Justice Presiding,  
Sallie Manzanet-Daniels  
Angela M. Mazzarelli  
Karla Moskowitz  
Troy K. Webber, Justices.

-----X

Galit S.,  
Plaintiff-Appellant,  
  
-against-

**CONFIDENTIAL**

M-2988

M-2831

Index No. 12519/02

Alexander S.,  
Defendant-Respondent.

-----X

Separate appeals having been taken to this Court from orders of the Supreme Court, Bronx County, entered on or about September 30, 2016 and April 5, 2017,

And plaintiff-appellant having moved, by separate motions, for leave to prosecute the appeal as a poor person, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief (M-2988), and for a stay of termination of maintenance pending hearing and determination of the appeals (M-2831)

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

It is ordered that the motions are denied.

ENTERED:

  
\_\_\_\_\_  
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 August 8, 2017.

Present - Hon. Rosalyn H. Richter, Justice Presiding,  
Sallie Manzanet-Daniels  
Angela M. Mazzarelli  
Karla Moskowitz  
Troy K. Webber, Justices.

-----X  
Cathy Pichler,  
Plaintiff-Appellant,

-against-

M-3165  
Index No. 651456/15

Joan Jackson,  
Defendant-Respondent.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about August 18, 2016,

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 December 2017 Term.

ENTERED:

  
\_\_\_\_\_  
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 August 8, 2017.

Present - Hon. Rosalyn H. Richter, Justice Presiding,  
Sallie Manzanet-Daniels  
Angela M. Mazzarelli  
Karla Moskowitz  
Troy K. Webber, Justices.

-----X  
Anola Wilson,  
Plaintiff-Respondent,

-against-

Wilbert Southwell, et al.,  
Defendants-Respondents.

M-3199  
Index No. 303021/12

- - - - -  
Wilbert Southwell, et al.,  
Third-Party Plaintiffs-Respondents,

-against-

Reginald Jackson, Jr., et al.,  
Third-Party Defendants-Appellants.

-----X

Third-party defendants-appellants having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about August 11, 2016,

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 December 2017 Term.

ENTERED:

  
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 August 8, 2017.

Present: Hon. Rosalyn H. Richter, Justice Presiding,  
Sallie Manzanet-Daniels  
Angela M. Mazzarelli  
Karla Moskowitz  
Troy K. Webber, Justices.

-----X  
The Nimkoff Firm,  
Plaintiff-Respondent,

-against-

M-2960  
Index No. 161168/14

Solomon Sharbat and Qualified Settlement  
Management, LLC.,  
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 2, 2017,

And, defendants having moved to stay the aforesaid order insofar as it requires defendants to pay plaintiff's discovery expenses, pending hearing and determination of the appeal,

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

Ordered that the motion is denied.

ENTERED:

  
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 August 8, 2017.

Present - Hon. Rosalyn H. Richter, Justice Presiding,  
Sallie Manzanet-Daniels  
Angela M. Mazzarelli  
Karla Moskowitz  
Troy K. Webber, Justices.

-----x  
Marie Bradley, as Administratrix for  
the Estate of Edward Bradley (Deceased)  
and Marie Bradley, Individually,  
Plaintiffs-Respondents,

-against-

M-3162  
Index No. 157576/12

HWA 1290 III LLC, et al.,  
Defendants-Appellants.  
-----x

Defendants-appellants having moved for a stay of trial pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about March 29, 2017,

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.

ENTERED:

  
\_\_\_\_\_  
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 August 8, 2017.

Present - Hon. Rosalyn H. Richter, Justice Presiding,  
Sallie Manzanet-Daniels  
Angela M. Mazzarelli  
Karla Moskowitz  
Troy K. Webber, Justices.

-----x  
Goldweber Epstein, LLP,

Plaintiff-Respondent,

-against-

Eric Goldberg,

Defendant-Appellant.  
-----x

M-3039  
Index No. 650807/15

Defendant-appellant having moved for a stay of enforcement of the order of the Supreme Court, New York County, entered on or about February 27, 2017, 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 denied, and the interim relief granted by the order of a Justice of this Court, dated June 23, 2017, is vacated.

ENTERED:

  
\_\_\_\_\_  
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 August 8, 2017.

Present - Hon. Rosalyn H. Richter, Justice Presiding,  
Sallie Manzanet-Daniels  
Angela M. Mazzarelli  
Karla Moskowitz  
Troy K. Webber, Justices.

-----x

Minxuan H.,

Plaintiff-Appellant,

-against-

Xiaofeng H.,

Defendant-Respondent.

-----x

**CONFIDENTIAL**

M-3078

Index No. 305554/16

Plaintiff-appellant having moved for a stay of trial pending hearing and determination of the appeal from the order of the Supreme Court, New York County, entered on or about June 7, 2017,

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.

ENTERED:

  
\_\_\_\_\_  
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 August 8, 2017.

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,  
Angela M. Mazzarelli  
Karla Moskowitz  
Troy K. Webber, Justices.

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

-against-

M-3088  
Ind. No. 2461/16

Vladimir Sanchez,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time to file a notice of appeal from a judgment of **resentence** of the Supreme Court, Bronx County, rendered on or about December 15, 2016, and for leave to prosecute the appeal as a poor person upon the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of deeming the moving papers a timely filed notice of appeal, 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 8 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 **resentence**. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28<sup>th</sup> 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.

ENTERED:

  
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 August 8, 2017.

Present: Hon. Barbara R. Kapnick, Justice Presiding,  
Marcy L. Kahn  
Ellen Gesmer  
Cynthia S. Kern  
Peter H. Moulton, Justices.

-----X  
Safra National Bank of New York,  
Plaintiff,

-against-

**M-3512**

Index No. 653027/17

Henrique Rodrigues Pinheiro Silva,  
et al.,  
Defendants.

-----X

Plaintiff having moved, pursuant to CPLR 5704(a), for certain relief denied by a Justice of the Supreme Court, New York County, entered on or about June 29, 2017,

Now, upon reading and filing the papers with respect to the motion, and the correspondence submitted by counsel for plaintiff, dated July 13, 2017, and due deliberation having been had thereon,

It is ordered that the motion is withdrawn in accordance with the aforesaid correspondence.

ENTERED:

  
\_\_\_\_\_  
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 August 8, 2017.

Present - Hon. Barbara R. Kapnick, Justice Presiding,  
Marcy L. Kahn  
Ellen Gesmer  
Cynthia S. Kern  
Peter H. Moulton, Justices.

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

For a Judgment Pursuant to Article 78 **M-3158**  
of the Civil Practice Law and Rules, Index No. 100391/14

-against-

New York City Housing Authority,  
Respondent-Respondent.  
-----X

Respondent, New York City Housing Authority, having moved for dismissal of petitioner's appeal taken from an order of the Supreme Court, New York County, entered on or about June 5, 2015,

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.

ENTERED:

  
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 August 8, 2017.

Present: Hon. Barbara R. Kapnick, Justice Presiding,  
Marcy L. Kahn  
Ellen Gesmer  
Cynthia S. Kern  
Peter H. Moulton, Justices.

-----X  
David Hopkins, et al.,  
Plaintiffs,

Rainer Gross,  
Plaintiff-Appellant,

**M-3535**  
Index No. 108858/10

-against-

Ukranian American Soccer Assn.,  
Inc., George Rycar, R.A., et al.,  
Defendants-Respondents.

-----X

Defendant-respondent George Rycar, having moved for dismissal of plaintiff-appellant's appeal taken from an order of the Supreme Court, New York County, entered on or about July 22, 2016,

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.

ENTERED:

  
\_\_\_\_\_  
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 August 8, 2017.

Present - Hon. Barbara R. Kapnick, Justice Presiding,  
Marcy L. Kahn  
Ellen Gesmer  
Cynthia S. Kern  
Peter H. Moulton, Justices.

-----x

REEC West 111<sup>th</sup> Street LLC,  
Plaintiff-Appellant,

-against-

246 West 11<sup>th</sup> St. Realty Corp.,  
et al.,  
Defendants-Respondents.

-----x

M-3464

M-3943

Index No. 651014/17

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about June 14, 2017,

And plaintiff-appellant having moved for a stay of enforcement of the order, which cancelled the notice of pendency and ordered the release of sums being held in escrow, pending hearing and determination of the aforesaid appeal (M-3464),

And defendant-respondent 246 West 11<sup>th</sup> St. Realty Corp. having cross-moved for dismissal of the aforesaid appeal, and for other relief (M-3943),

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 a stay is granted on condition the appeal is perfected for the December 2017 Term. The cross motion is denied.

ENTERED:

  
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 August 8, 2017.

Present - Hon. Barbara R. Kapnick, Justice Presiding,  
Marcy L. Kahn  
Ellen Gesmer  
Cynthia S. Kern  
Peter H. Oing, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-3324  
Ind. No. 1924/16

Anibel Quinones,

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 January 3, 2017,

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.

ENTERED:

  
CLERK