

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 31, 2017.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Angela M. Mazzarelli
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

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

-against-

M-5325

Ind. Nos. 2684/14
682/12

Robin Hamilton,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, appeals taken from a judgment of the Supreme Court, New York County, rendered on or about July 12, 2016 and from a judgment of **resentence** of said Court, rendered on or about July 18, 2016, for leave to have the appeals heard upon the original record(s) and reproduced appellant's brief(s), 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 appeals 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, 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 January 31, 2017.

Present: Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Angela M. Mazzarelli
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

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

-against-

M-5227
Ind. No. 4695/14

Jasmine Woodman,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time to file a notice of appeal taken from a judgment of the Supreme Court, New York County, rendered on or about June 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 to the extent of deeming the notice of appeal 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 January 31, 2017.

Present - Hon. Dianne T. Renwick, Justice Presiding,
David B. Saxe
Judith J. Gische
Troy K. Webber, Justices.

-----X
Lawrence Lomax,
Plaintiff-Appellant,

-against-

M-4997
Index No. 14495/01

New York City Health and Hospitals Corporation, et al.,
Defendants-Respondents.
-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about July 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 enlarging the time to perfect the appeal to the June 2017 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 January 31, 2017.

Present - Hon. Dianne T. Renwick, Justice Presiding,
David B. Saxe
Judith J. Gische
Troy K. Webber, Justices.

-----x

Beverly Hemmings,

Plaintiff-Appellant,

-against-

M-5622
Index No. 601507/08

Leatrice Sutton, as Administratrix of
the Estate of Percy Sutton,

Defendant-Respondent.

-----x

Plaintiff-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 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 enlarging the time to perfect the appeal to the May 2017 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 January 31, 2017.

Present - Hon. Dianne T. Renwick, Justice Presiding,
David B. Saxe
Judith J. Gische
Troy K. Webber, Justices.

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

-against-

M-5559
Index No. 2549/15

Shayne Lewis,
Defendant-Appellant.

-----X

An order of this Court having been entered on September 1, 2016 (M-3659), 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 January 7, 2016, and assigning Seymour W. James, Jr., 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 Seymour W. James, Jr., Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Rosemary Herbert, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York, 10007, Telephone No. 212-402-4112, 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 January 31, 2017.

Present - Hon. Dianne T. Renwick, Justice Presiding,
David B. Saxe
Judith J. Gische
Troy K. Webber, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-5531

Ind. No. 855/05

Antoine Gumbs,

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 August 4, 2016, 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 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, 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 January 31, 2017.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Paul G. Feinman
Barbara R. Kapnick
Ellen Gesmer, Justices.

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

-against-

Patrick Hale,
Defendant-Appellant.

M-5457
Ind. Nos. 4527/15
1511/15

-----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 January 13, 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.

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 January 31, 2017.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Paul G. Feinman
Barbara R. Kapnick
Ellen Gesmer, Justices.

-----X
Martin Flynn,
Plaintiff,

-against-

M-5626
Index No. 113859/11

Turner Construction Company,
M.S.G. Holdings, L.P., and
LVI Services, Inc.,
Defendants.

-----X
Turner Construction Company, and
M.S.G. Holdings, L.P.,
Third-Party Plaintiffs,

-against-

Five Star Electric Company and
LVI Services, Inc.,
Third-Party Defendants.

-----X

Defendant third-party defendant-appellant LVI Services, Inc., 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 January 13, 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 May 2017 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 January 31, 2017.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Paul G. Feinman
Barbara R. Kapnick
Ellen Gesmer, Justices.

-----X
In the Matter of the Application of
Adeyinka Adebisi,
Petitioner-Respondent,

-against-

M-5038
Index No. 260950/12

The New York City Housing Authority
and the Risk Management Planning
Group Inc.,
Respondents-Appellants.

-----X

Respondents-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 August 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 to the extent of enlarging the time to perfect the appeal to the May 2017 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 January 31, 2017.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Paul G. Feinman
Barbara R. Kapnick
Ellen Gesmer, Justices.

-----X
Hector Polanco,
Plaintiff-Respondent-Appellant,

-against-

M-5582
Index No. 303568/11

Bronx 360 Realty LLC, et al.,
Defendants-Respondents,

Uplift Elevator Corp.,
Defendant-Appellant-Respondent.
-----X

An appeal and cross appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about November 27, 2015,

And, plaintiff-respondent-appellant having moved for an enlargement of time to perfect the appeal and cross appeal,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal and cross appeal to the May 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 January 31, 2017.

Present - Hon. David B. Saxe, Justice Presiding,
Karla Moskowitz
Judith J. Gische
Troy K. Webber, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-5248

Ind. No. 1797/15

Bassam Mustafa,

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, Bronx County, rendered on or about September 7, 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.

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 January 31, 2017.

PRESENT: Hon. Sallie Manzanet-Daniels, Justice Presiding,
Paul G. Feinman
Barbara R. Kapnick
Ellen Gesmer, Justices.

-----X
Gramercy Park Residence Corp.,
Plaintiff-Respondent-Appellant,

-against-

M-5679
Index No. 651425/14

Elaine Ellman,
Defendant-Appellant-Respondent.

-----X

Defendant-appellant-respondent having moved for an enlargement of time to perfect the consolidated appeals from the orders of the Supreme Court, New York County, entered on or about July 14, 2014 and October 6, 2015, respectively,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the consolidated appeals to the June 2017 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 January 31, 2017.

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

-----X
Domingo Mouta and Maria Jose Mouta,
Plaintiffs-Respondents,

-against-

M-4727
Index No. 307749/08

Essex Market Development, LLC,
et al.,
Defendants-Appellants.

-----X

Appeals having been taken from a judgment of the Supreme Court, New York County, entered on or about July 8, 2015,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 21, 2016, and due deliberation having been had thereon,

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 31, 2017.

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

-----X
Kimberly F. Jones,
Plaintiff-Respondent,

-against-

M-5561X
Index No. 109660/08

Swig Equities LLC, et al.,
Defendants-Appellants.
-----X

Appeals having been taken from an order of the Supreme Court, New York County, entered on or about May 4, 2016,

Now, after pre-argument conference, and upon reading and filing the stipulation of the parties hereto, "so ordered" October 25, 2016, and due deliberation having been had thereon,

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 31, 2017.

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

-----X
Melinda Gould Konopko,
Plaintiff-Appellant,

-against-

M-5610X
Index No. 309298/14

Elliot Konopko,
Defendant-Respondent.
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 17, 2015,

Now, after pre-argument conference, and upon reading and filing the stipulation of the parties hereto, "so ordered" October 20, 2016, 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 January 31, 2017.

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

-----X
Anthony Verno and Maryse Verno,
Plaintiffs-Respondents,

-against-

M-5613X
Index No. 104967/10

BMW of Manhattan, Inc., and Green
W. 57th Street, LLC,
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 30, 2016,

Now, after pre-argument conference, and upon reading and filing the stipulation of the parties hereto, "so ordered" October 19, 2016, 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 January 31, 2017.

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

-----X
CAC 3, LLC, doing business as
Yushi-Maiden Lane,
Plaintiff-Appellant,

-against-

Tower National Insurance Company,
Defendant-Respondent.

M-5614X
Index No. 650456/14

-----X

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

Now, after pre-argument conference, and upon reading and filing the stipulation of the parties hereto, "so ordered" October 19, 2016, 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 January 31, 2017.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-5625
Ind. No. 3842/10

Marcus King,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, rendered on or about February 29, 2012,

Now, upon reading and filing the stipulation of the parties hereto, dated November 1, 2016, 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 January 31, 2017.

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

-----X
Maria Ramirez,
Plaintiff-Appellant,

-against-

M-5651X
Index No. 303676/09

Morrisania III Associates, et al.
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about March 1, 2016,

Now, after pre-argument conference, and upon reading and filing the stipulation of the parties hereto, "so ordered" November 1, 2016, 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 January 31, 2017.

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

-----X
James Michelum,
Plaintiff-Respondent,

-against-

M-5615X
Index No. 309973/09

Braudilio Ramirez,
Defendant-Respondent,

Nelson M. Mejia and Marjos Auto Corp.,
Defendants-Appellants.

-----X
Braudilio Ramirez,
Third-Party Plaintiffs-Respondents,

-against-

Nelson M. Mejia and Marjos Auto Corp.,
Third-Party Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about September 2, 2015,

Now, after pre-argument conference, and upon reading and filing the stipulation of the parties hereto, "so ordered" October 17, 2016, and due deliberation having been had thereon,

(M-5615X)

-2-

January 31, 2017

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 January 31, 2017.

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

-----X
Evan Morton,
Plaintiff-Respondent,

-against-

M-5616X
Index No. 301177/13

QLR Seven Inc. and Sekou Cisse,
Defendants-Appellants.
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about January 14, 2016,

Now, after pre-argument conference, and upon reading and filing the stipulation of the parties hereto, "so ordered" October 17, 2016, 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 January 31, 2017.

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

-----X
Joseph Gallinaro and Melissa
Gallinaro,
Plaintiffs,

-against-

M-5652X
Index No. 115323/09

American Construction, Inc., et al.,
Defendants.

-----X
(And other actions)
-----X

Appeals having been taken from an order of the Supreme Court, New York County, both entered on or about November 20, 2016,

Now, after pre-argument conference, and upon reading and filing the stipulation of the parties hereto, "so ordered" October 26, 2016, and due deliberation having been had thereon,

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 31, 2017.

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

-----X
Vincent Gioia,
Petitioner-Appellant,

-against-

M-5659
Index No. 24130/15E

Crestwood Mechanical Co., Inc..
et al.,
Respondents-Respondents.
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about July 13, 2016,

Now, upon reading and filing the stipulation of the parties hereto, dated November 3, 2016, 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 January 31, 2017.

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

-----X

The People of the State of New York,
Appellant,

-against-

M-6221
Ind. No. 104/07

Gregory Solomon,
Defendant-Respondent.

-----X

An appeal having been taken from judgments of the Supreme Court, Bronx County, rendered on or about April 29, 2015 and September 17, 2016, respectively,

Now, upon reading and filing the stipulation of the parties hereto, dated December 7, 2016, 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 January 31, 2017.

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

-----X
Legacy Builders/Developers Corp.,
Plaintiff-Respondent-
Appellant,

-against-

M-6327
Index No. 154214/15

Sentinel Insurance Company, Ltd.
and June Electric Corp.,
Defendants-Appellants-Respondents.

-----X

An appeal and cross appeals having been taken from an order of the Supreme Court, New York County, entered on or about November 20, 2015,

Now, after pre-argument conference, and upon reading and filing the stipulation of the parties hereto, "so ordered" December 14, 2016, 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 January 31, 2017.

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

-----X
Trimasa Restaurant Partners, LLC,
Plaintiff-Respondent-Appellant,

-against-

M-5612X
Index No. 653546/15

Michael Borrico,
Defendant-Appellant-Respondent.
-----X

An appeal and cross appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 10, 2016,

Now, after pre-argument conference, and upon reading and filing the stipulation of the parties hereto, "so ordered" October 13, 2016, and due deliberation having been had thereon,

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 31, 2017.

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

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

Pamela N.,
Petitioner-Respondent,

-against-

M-4371A
Docket Nos. O-6026/15
V-06334-15

Aaron 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 June 27, 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, 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 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

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

Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 31, 2017.

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

-----X

The People of the State of New York,
Respondent,

CONFIDENTIAL

M-5268

-against-

Ind. No. 99002/16

Daryl R.,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, Bronx County (Alvarado, J.), entered on or about September 28, 2016, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

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

The Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Alvarado as yet not transcribed.

The Clerk shall furnish a copy of such transcripts to appellant's counsel, Robert S. Dean, Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed.

The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 31, 2017.

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

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

Respondent,

-against-

M-5468
Ind. No. 3299/14

Freddy Trujillo,

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 July 25, 2016, 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 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, 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 January 31, 2017.

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

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

-against-

M-6351
Ind. No. 3874/14

Jose Nunez,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about August 17, 2016,

And, defendant-appellant having moved for an enlargement of time to perfect the aforesaid appeal and to continue bail pursuant to CLP 530.45,

Now, upon reading and filing the papers with respect to the motion, including the stipulation of the parties dated December 23, 2016, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 31, 2017.

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

-----X
15 West 17th Street LLC, et al.,
Plaintiffs-Respondents,

-against-

White Knight NYC Venture, LLC,
et al.,
Defendants.

M-5795
Index No. 650645/12

-----X
JJK 13th Street, LLC, et al.,
Third-Party Plaintiffs-
Respondents,

-against-

Isaac Mishan,
Third-Party Defendant-
Appellant,

Ultimate Network, LLC
and Ultimate Realty NY, LLC,
Third-Party Defendants.

-----X

Third-party defendant-appellant Isaac Mishan 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 December 23, 2015,

Now, upon reading and filing the papers with respect to the motion, including the stipulation of the parties dated November 10, 2016, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 31, 2017.

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

-----X
Gregg Dietrich,
Plaintiff-Appellant,

-against-

M-5716
Index No. 305598/14

Nicole Dietrich,
Defendant-Respondent.

-----X

Plaintiff-appellant, pro se, having moved for a stay of all proceedings pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about August 30, 2016,

Now, upon reading and filing the papers with respect to the motion, including the affidavit submitted by defendant-appellant dated December 12, 2016, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 31, 2017.

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

-----X
In the Matter of the Application of
SP East 65 LLC,
Petitioner-Appellant,

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

-against-

M-5578
Index No. 101088/15

New York State Division of Housing
and Community Renewal,
Respondent-Respondent,

-and-

Dean Artenberg,
Respondent-Respondent.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from a judgment of the Supreme Court, New York County, entered on or about January 13, 2016,

Now, upon reading and filing the papers with respect to the motion, including the correspondence from Phillip Billet, Esq., of counsel to petitioner-appellant, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 31, 2017.

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

-----X
Jumal Wong,
Plaintiff-Appellant,

-against-

121 West 42nd Street Associates, LP.,
et al.,
Defendants-Respondents.

M-5186
Index No. 305173/08

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about November 24, 2015,

Now, upon reading and filing the papers with respect to the motion, including the stipulation of the parties dated December 16, 2016, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 31, 2017.

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

-----X
In the Matter of

Giulio D.,
and Simona B.,

CONFIDENTIAL
M-5323

Docket No. B-41098-9/14

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

- - - - -
Edwin Gould Services for Children
and Families,
Petitioner-Respondent,

Sylvia L.,
Respondent-Appellant.

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

-----X
An appeal having been taken from an order of the Family Court, New York County, entered on or about January 4, 2016, and said appeal having been perfected,

And, respondent-appellant having moved for summary reversal based on a missing exhibit from the fact-finding hearing, or, alternatively, for an order directing the New York County Family

(M-5323)

-2-

January 31, 2017

Court to hold a reconstruction hearing with respect thereto, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and a stipulation of the parties dated November 10, 2016, and due deliberation having been had thereon, it is

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 31, 2017.

Present: Hon. Peter Tom, Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
Karla Moskowitz
Marcy L. Kahn, Justices.

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

-against-

Paul Bernardo,
Defendant-Appellant.

M-5463
Ind. Nos. 1209/14
608/15

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal taken from the judgments of the Supreme Court, Bronx County, rendered on or about April 28, 2016, and for leave to prosecute the appeal as a poor person on the original record and upon a reproduced appellant's brief, and for assignment of counsel,

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 31, 2017.

Present: Hon. Peter Tom, Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
Karla Moskowitz
Marcy L. Kahn, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

Anonymous,
Defendant-Appellant.

SEALED

M-5460
Ind. No. 2575/08
2410/09

-----X

Defendant-appellant, through retained counsel, having moved for an order granting movant anonymity in connection with an appeal from a judgment of the Supreme Court, Bronx County, rendered on or about July 5, 2012, designating the appeal as *People v Anonymous*, and sealing the present motion, the record on appeal, including the minutes of the proceedings, appellate briefs, all future filings on the appeal, and 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,

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 that the record on appeal and brief are **sealed**. The Clerk is directed to calendar the appeal under *People v Anonymous*, and it is further,

Ordered that poor person relief 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 serve one copy of such brief upon the District Attorney of said county and file 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The time to perfect the appeal is enlarged to the June 2017 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 January 31, 2017.

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

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

-against-

M-5233
Ind. No. 2950/15

Lance O'Carrol,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about October 5, 2016, 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 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 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, 28th Floor, 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 January 31, 2017.

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

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

-against-

M-5232
Ind. No. 3116/14

Jamel Hadley,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about October 6, 2016, 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 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 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, 28th Floor, 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 January 31, 2017.

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

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

-against-

M-5236

Ind. No. 1062/15

Isaac Rozier,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about July 19, 2016, 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 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 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.

(M-5236)

-2-

January 31, 2017

Rosemary Herbert, Esq., Office of the Appellate Defender, 11 Park Place, Suite 1601, New York, NY 10007, Telephone No. (212) 402-4142, 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 January 31, 2017.

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

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

-against-

M-5251
Ind. No. 1015/15

Frank Ledesma,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about July 5, 2016, 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 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 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.

(M-5251)

-2-

January 31, 2017

Rosemary Herbert, Esq., Office of the Appellate Defender, 11 Park Place, Suite 1601, New York, NY 10007, Telephone No. (212) 402-4142, 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 January 31, 2017.

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

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

-against-

M-5266
Ind. No. 2027/12

Miguel Nunez,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about December 18, 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 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 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.

(M-5266)

-2-

January 31, 2017

Robert S. Dean, Esq., Center for Appellate Litigation,
120 Wall Street, 28th Floor, 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 January 31, 2017.

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

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

Respondent,

-against-

M-5317

Ind. No. 1645/15

Cory Jiminez,

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 July 19, 2016, 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 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.

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.

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 January 31, 2017.

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

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

-against-

M-5250
Ind. No. 1562/15

Kevin Hueston,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about October 14, 2016, 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 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 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.

(M-5250)

-2-

January 31, 2017

Robert S. Dean, Esq., Center for Appellate Litigation,
120 Wall Street, 28th Floor, 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 January 31, 2017.

PRESENT: Hon. Peter Tom, Justice Presiding,
Rosalyn H. Richter
David B. Saxe
Judith J. Gische
Ellen Gesmer, Justices.

-----X
Franklin Molina,
Plaintiff-Respondent,

-against-

M-5951
Index No. 111228/11

West 149 Street Apartments, L.P.,
West 149th Street GP Inc., and
A. Aleem Construction Inc.,
Defendants-Appellants,

-and-

Radiant Plumbing & Heating Corp.,
Defendant-Respondent.

-----X
West 149 Street Apartments, L.P.,
and A. Aleem Construction Inc.,
Third-Party Plaintiffs,

Third-Party
Index No. 590052/12

-against-

J&M Construction of NY Corp.,
Third-Party Defendant.

-----X
West 149 Street Apartments, L.P.,
and A. Aleem Construction Inc.,
Second Third-Party Plaintiffs,

Second Third-Party
Index No. 590230/12

-against-

Radiant Plumbing & Heating Corp.,
Second Third-Party Defendant.

-----X

-----X
 Radiant Plumbing & Heating Corp.,
 Third Third-Party Plaintiff,

-against-

Wojtyla Restoration Corp.,
 Third Third-Party Defendant.
 -----X

Defendants-appellants 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 October 15, 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 enlarging the time to perfect the appeal to the May 2017 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 January 31, 2017.

PRESENT: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
Sallie Manzanet-Daniels
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X
Hoyt David Morgan,
Plaintiff-Respondent,

-against-

Worldview Entertainment Holdings,
Inc., et al.,
Defendants,

M-4253
M-4254
Index No. 652323/14

Worldview Entertainment Partners
VII, LLC, et al.,
Defendants-Appellants.

-----X

Defendants-appellants having moved by separate motions for reargument and/or leave to appeal to the Court of Appeals from the decision and order of this Court, entered on July 21, 2016 (Appeal Nos. 1470/1471/1472/1472A) [M-4253/M-4254],

Now, upon reading and filing the papers with respect to the motions, including the stipulation of the parties dated December 14, 2016, and due deliberation having been had thereon,

It is ordered that the motions are deemed withdrawn [M-4353/M-4254].

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 January 31, 2017.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Rosalyn H. Richter
Sallie Manzanet-Daniels
Barbara R. Kapnick, Justices.

-----X
Nicole Berlyn Katz and Martin Katz,
Plaintiffs-Appellants,

-against-

M-5751
Index No. 151151/13

Jeffrey Tetlow, et al.,
Defendants-Respondents.

-----X

Defendants-respondents having moved for dismissal of the appeals taken from orders of the Supreme Court, New York County, entered on or about February 17, 2016 and September 20, 2016,

Now, upon reading and filing the papers with respect to the motion, including the stipulation of the parties dated November 28, 2016, and due deliberation having been had thereon,

It is ordered that the appeals are deemed withdrawn.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 31, 2017.

Present: Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
Dianne T. Renwick
Richard T. Andrias
David B. Saxe, Justices.

-----X

Angela M.-C.,

Plaintiff-Appellant,

-against-

William L. C.,

Defendant-Respondent.
-----X

CONFIDENTIAL

M-5881

Index No. 76236/13

An appeal having been taken in a divorce action from an order of the Supreme Court, Bronx County, entered on or about November 3, 2016 which: dismissed plaintiff's Family Offense Proceeding (Docket No. O-14052/14) previously consolidated with said divorce action; found no basis to re-issue a temporary order of protection against defendant husband, and referred the issue of exclusive use and occupancy of the marital residence to the trial court for further proceedings;

And, plaintiff having taken an appeal from the order of the same Court and Justice, also entered on or about November 3, 2016, which denied plaintiff's CPLR 4404(b) motion to set aside the previously described order, and to reague her request for an order of protection,

And, defendant-respondent having moved for leave to respond, as a poor person, to the aforesaid appeals taken from orders both entered on or about November 3, 2016, and for assignment of counsel, a free copy of the transcript, and for a temporary stay of plaintiff's motion to stay trial (M-5718) pending the determination of this motion and the assignment of counsel for defendant,

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

Ordered that Steven N. Feinman, Esq., One North Broadway, Suite 412, White Plains, NY 10601, Telephone No. (914) 949-8214, is assigned as counsel for purposes of responding to the aforesaid appeals. Defendant is permitted 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 plaintiff-appellant and 8 copies thereof are filed with this Court. The motion is otherwise denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 26, 2017.

PRESENT: Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
Angela M. Mazzarelli
Richard T. Andrias
Marcy L. Kahn, Justices.

-----X
Natalie Krodel,
Petitioner-Respondent,

-against-

M-5732

M-5719

Index No. 152176/14

Amalgamated Dwellings, Inc.,
Respondent-Appellant,

Abraham Bragin, et al.,
Respondents.

-----X

Petitioner having moved to dismiss the appeal taken from an order of the Supreme Court, New York County, entered on or about September 25, 2015 (M-5732),

And respondent-appellant having cross-moved for an enlargement of time to perfect the aforesaid appeal (M-5719),

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 to dismiss the appeal is denied (M-5719). The cross-motion is denied as unnecessary, said time to perfect the appeal having been enlarged to the June 2017 Term, by an order of this Court entered on October 27, 2016 (M-4630).

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 January 31, 2017.

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

-----X
James Pettus and Charlene Thompson,
Petitioners-Appellants, M-5606
M-5607
-against- Index Nos. 251413/14
250113/15
Board of Directors, Owners 800 Grand
Concourse, Charles H. Greenthal,
Agent/Mgmt.,
Respondents-Respondents.
-----X

Appeals having been taken from an order of the Supreme Court, Bronx County, entered on or about February 2, 2016 and from two orders by the same Court and Justice, entered on or about February 10, 2016,

And petitioner-appellant, pro se, having moved by separate motions for an enlargement of time to perfect the appeals, and for leave to file handwritten briefs (M-5606/M-5607),

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

It is ordered that the motions are granted to the extent of enlarging the time to perfect the appeals to the May 2017 Term, and otherwise denied (M-5606/M-5607).

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 January 31, 2017.

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

-----X
Jose Santiago,
Plaintiff-Appellant,

-against-

M-5407
Index No. 303510/12

New York City Housing Authority,
Defendant-Respondent.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about January 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 to the extent of enlarging the time to perfect the appeal to the May 2017 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 January 31, 2017.

PRESENT: Hon. David Friedman, Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Judith J. Gische
Ellen Gesmer, Justices.

-----X
Janina Wilk, etc., et al.,
Plaintiffs-Respondents,

-against-

M-4940
Index No. 105784/10

Columbia University, The Trustees of
Columbia University in the City of
New York, Bovis Lend Lease LMB, Inc.,
Defendants-Appellants.

-----X
Columbia University, et al.,
Third-Party Plaintiffs-Appellants,

-against-

Third-Party
Index No. 590780/10

A.C.T. Abatement Corporation,
Third-Party Defendant-Respondent.

-----X
A.C.T. Abatement Corporation,
Second Third-Party/Fourth
Party Plaintiff,

-against-

Second Third-Party
Index No. 590410/11

Total Safety Consulting, LLC,
Second Third-Party/Fourth
Party Defendant.

-----X
Total Safety Consulting, LLC,
Third Third-Party Plaintiff,
Respondent,

-against-

Third Third-Party
Index No. 590789/11

Breeze National, Inc.,
Third Third-Party Defendant-
Appellant.

-----X

Appeals having been taken from the order of the Supreme Court, New York County, entered on or about December 22, 2015,

And defendants-third-party plaintiffs-appellants having moved for an enlargement of time to perfect their appeal,

Now, upon reading and filing the papers with respect to the motion, including the correspondence from Michael J. Pearsall, Esq., dated October 26, 2016, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn.

ENTER:

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

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 January 31, 2017.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,
Rolando T. Acosta
Karla Moskowitz
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X
Joan Sheen Cunningham,
Petitioner-Respondent,

-against-

M-6041
Index No. 154933/16

Trustees of St. Patrick's Cathedral
and the Archdiocese of New York,
Respondents-Appellants.
-----X

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

And, respondents-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 granted on condition respondents perfect their appeal on or before March 20, 2017 for the June 2017 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 January 31, 2017.

PRESENT - Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Barbara R. Kapnick, Justices.

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

-against-

M-5654
Ind. No. 3420/12

Juan Marin-Flores,
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about April 24, 2015,

And, an order of this Court having been entered on September 15, 2015 (M-3744) granting defendant-appellant leave to prosecute the appeal as a poor person, and assigning counsel for purposes of prosecuting said appeal,

And, assigned counsel having moved for an order directing the production of minutes for the adjournment dates from the court reporters set forth in the moving papers,

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 the Clerk of the Supreme Court, New York County, to have transcribed all minutes of the proceedings held therein as not yet transcribed, including the minutes for the adjournment dates from the court register as set forth in the moving papers, for inclusion in the record on appeal, within 30 days from the

date of service upon the Clerk of a copy of this order, which counsel is directed to serve upon the Clerk and the individual court reporter(s) within 10 days from the date of entry hereof.

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 January 31, 2017.

PRESENT - Hon: John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Barbara R. Kapnick, Justices.

-----X
Blue Van LLC,
Plaintiff-Appellant,

-against-

M-5558
Index No. 602575/08

ThinkFilm LLC, et al.,
Defendants-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about April 21, 2009,

And law firm Mitchell Silberberg & Knupp LLP having moved for leave to withdrawn as appellate counsel, and to stay the appeal for a period of time to be determined by this Court to allow defendants sufficient time to retain new counsel before this Court,

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

It is ordered that the motion is granted to the extent of granting counsel for defendants leave to withdraw as appellate counsel (See CPLR 321[c]). The motion is otherwise denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 31, 2017.

PRESENT - Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Barbara R. Kapnick, Justices.

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

-against-

M-5790
Ind. No. 3277/13

Angelo Burgos,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, New York County, rendered on or about February 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 enlarging the time to perfect the appeal to the May 2017 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 January 31, 2017.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Barbara R. Kapnick, Justices.

-----X
Jose Cerrato, et al.,
Plaintiff-Appellant,

-against-

M-5740
Index No. 303440/09

Sharon Hakmon, 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, Bronx County, entered on or about December 18, 2015, and for other relief,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the May 2017 Term, and otherwise denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 31, 2017.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Barbara R. Kapnick, Justices.

-----X
In the Matter of

Kalah O.,

CONFIDENTIAL

M-4405

Docket No. D-40655/15

A Person Alleged to be a Juvenile
Delinquent,

Respondent-Appellant.

-----X

Respondent-appellant having moved for an enlargement of time to perfect the appeal taken from the order of the Family Court, New York County, entered on or about November 12, 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 enlarging the time to perfect the appeal to the June 2017 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 January 31, 2017.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Barbara R. Kapnick, Justices.

-----X
Ten Sheridan Associates LLC,
Plaintiff-Respondent-Appellant,

-against-

M-5741
Index No. 151253/14

Lilian Cohen,
Defendant-Appellant-Respondent.
-----X

Plaintiff-respondent-appellant having moved for an enlargement of time to perfect the appeal and cross appeal taken from the order of the Supreme Court, New York County, entered on or about October 15, 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 enlarging the time to perfect the appeal and cross appeal to the June 2017 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 January 31, 2017.

Present: Hon. Rolando T. Acosta, Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Judith J. Gische
Troy K. Webber, Justices.

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

-against-

M-5713
Ind. No. 3140/14

David Brown,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about December 16, 2015, and for leave to prosecute the appeal as a poor person on the original record and upon a reproduced appellant's brief, and for assignment of counsel,

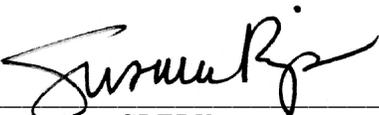
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of deeming the moving papers a timely filed notice of appeal, 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 transcript to appellant's counsel, without charge, the transcript to be returned to this Court when appellant's brief is filed.

Rosemary Herbert, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, NY 10007, Telephone No. (212) 402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 31, 2017.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Judith J. Gische
Troy K. Webber, Justices.

-----X
Paul Smentek,
Plaintiff-Respondent,

-against-

M-5586
Index No. 112704/08

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

-----X
CNY Builders, LLC, M&R Hotel, 343
West, LLC, McSam Hotel Group, LLC
and Tritel Construction Group,
Third-Party Plaintiffs-Appellants,

-against-

Aspro Mechanical Contracting, Inc.,
Third-Party Defendant-Appellant.

-----X

Defendants-third-party plaintiffs 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 18, 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 enlarging the time to perfect the appeal to the June 2017 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 January 31, 2017.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Judith J. Gische
Troy K. Webber, Justices.

-----X
Eli Cabinetry, Inc., Individually
and on behalf of all other Lienors,
Claimants or Creditors for work
and/or materials due and owing in
connection with the construction
and improvement of certain real
property described herein,
Plaintiff-Respondent,

-against-

Action No. 1
M-5665
Index No. 152751/14

P.C. Consulting Management Corp.,
SP 103 E 86 LLC, Paul Gambino and
"John Doe," said name being fictitious
the name being unknown to the plaintiff
person intended being an officer or
director P.C. Consulting Management
Corp.,
Defendants-Appellants.

-----X
P.C. Consulting Management Corp.,
Plaintiff-Appellant,

-against-

Action No. 2
Index No. 650700/15

SP 103 E 86 LLC and The Guarantee
Company of North America-USA,
Defendants.

-----X

Defendants PC Consulting and Paul Gambino having moved for a
an enlargement of time to perfect the appeal taken from the
orders of the Supreme Court, New York County, entered on or about
December 22, 2015, January 15, 2016 and from an order of the same
Court and Justice entered on or about February 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 enlarging the time to perfect the appeal to the June 2017 Term.

ENTER:


CLERK

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

BEFORE: Hon. Troy K. Webber
Justice of the Appellate Division

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

M-210
Ind. No. 3606/09

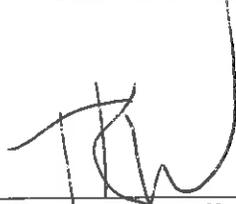
-against-

CERTIFICATE
GRANTING LEAVE TO APPEAL
TO THE COURT OF APPEALS

Durville Small,
Defendant-Appellant.
-----X

I, Troy K. Webber, Justice of the Appellate Division, Supreme Court, First Department, do hereby certify that in the record and proceedings herein¹ questions of law are involved which ought to be reviewed by the Court of Appeals and pursuant to CPL 460.20, it is ORDERED, that permission be, and it hereby is granted to the above-named respondent to appeal to the Court of Appeals.

Dated: January 31, 2017
New York, New York



Hon. Troy K. Webber
Associate Justice

Notice: Within 10 days from the issuance of this certificate, a jurisdictional statement must be filed with the Clerk of the Court of Appeals pursuant to Rule 500.2 of the Court of Appeals rules.

¹Description of Order:
12/21/2011 Sup. Ct. Bronx Co. Revd. 12/8/2016
App. Div. 1st Dept.
Appeal No. 1790