

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David B. Saxe, Justices.

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

-against-

M-1521
Ind. No. 908/07

Carlos Duran,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about July 11, 2007,

Now, upon reading and filing the stipulation of the parties hereto, dated March 7, 2008, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 April 1, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
The Richard Avedon Foundation,
Plaintiff-Respondent,

-against-

M-1525
Index No. 601062/07

Dominique Nabokov,
Defendant-Appellant.
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about November 7, 2007,

Now, upon reading and filing the stipulation of the parties hereto, dated March 17, 2008, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 April 1, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

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

-against-

M-1545
Ind. No. 7049/99

Pedro Garcia,
Defendant-Appellant.

-----X

An appeal having been taken from judgments of the Supreme Court, Bronx County, entered on or about January 15, 2002 and November 15, 2002, respectively,

Now, upon reading and filing the stipulation of the parties hereto, dated February 28, 2008, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 April 1, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
In the Matter of the Application of
The MHG Family Limited Partnership,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78 M- 956
of the CPLR, Index No. 112187/06

-against-

New York City Water Board, et al.,
Respondents-Respondents.
-----X

A decision and order of this Court having been entered on December 27, 2007 (Appeal No. 2430),

And petitioner-appellant having moved for reargument of the aforesaid order and decision,

Now, upon reading and filing the correspondence from appellant's counsel, dated March 10, 2008, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn in accordance with the aforesaid correspondence the said action having been settled.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

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

-against-

M-1325
Ind. No. 1797/06

Ramon Correa,
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 February 6, 2008, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

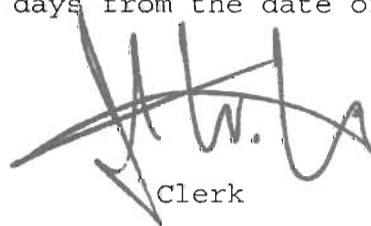
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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 10 reproduced copies of such brief, together with the original record, with 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, of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:



Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

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

-against-

M-1284
Ind. No. 6418/06

Jerry Francois,
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 January 29, 2008, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

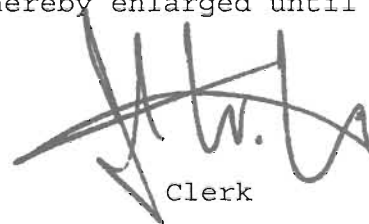
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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 10 reproduced copies of such brief, together with the original record, with 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.

Steven Banks, 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 April 1, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

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

-against-

M-1285
Ind. No. 4709/06

Yacouba Haidara, also known as
Hadira Yacouba,
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 September 26, 2007, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

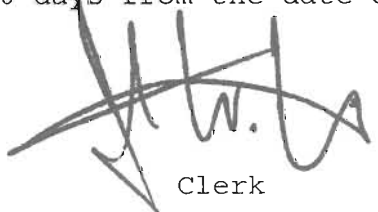
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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 10 reproduced copies of such brief, together with the original record, with 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, of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:



Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

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

-against-

M-1286
Ind. No. 4897/06

Harold Hayes,
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 February 20, 2008, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

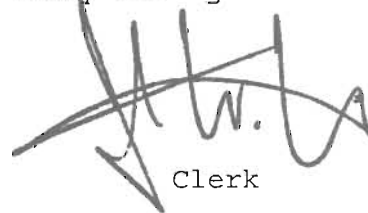
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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 10 reproduced copies of such brief, together with the original record, with 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.

Steven Banks, 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 April 1, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
Angela M. Mazzaelli
Richard T. Andrias d
David B. Saxe, Justices.

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

-against-

M-1287
Case No. 449C/05

Robert L. Merritt,
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 February 4, 2008, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

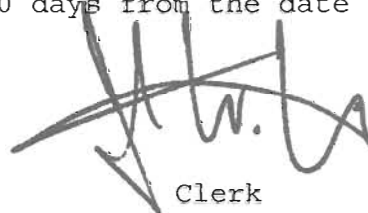
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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 10 reproduced copies of such brief, together with the original record, with 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, of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:



Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
John T. Buckley
Karla Moskowitz, Justices.

-----X
Martin Riskin, et al.,
Plaintiffs-Appellants,

-against-

M-899
Index No. 112188/99

Pam Vic Enterprises, Ltd.,
also known as Pam-Vic Enterprises,
Ltd., also known as Pamvic
Enterprises, Ltd., et al.,
Defendants-Respondents.

-----X

Plaintiffs-appellants having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about March 30, 2007 (mot. seq. no. 007),

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

Ordered that the motion is granted to the extent of enlarging appellants' time in which to perfect the appeal to the September 2008 Term.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

PRESENT: Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
John T. Buckley
Karla Moskowitz, Justices.

-----X
Samantha Carroll, et al., etc.,
Plaintiffs,

-against-

M-1398
Index No. 109293/02

Nostra Realty Corporation,
Defendant.

-----X
Nostra Realty Corporation, et al.,
Third-Party Plaintiffs-Respondents,

-against-

Index No. 590007/06

Firemen's Insurance Company of
Washington, D.C.,
Third-Party Defendant-Appellant.

-----X

Third-party defendant-appellant Firemen's Insurance Company of Washington, D.C. having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about May 30, 2007,

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 in which to perfect the appeal to the September 2008 Term.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
John T. Buckley
Karla Moskowitz, Justices.

-----X
Daisy Curbean, Sanu Dieng, Alioune
Dieng, and Issachar Dieng, an infant
under the age of fourteen (14) years,
by their mother and natural guardian,
Daisy Curbean,
Plaintiffs-Respondents-Appellants,

M-877
Index No. 107258/98

-against-

H. Kibel, The Kibel Company and
Wetherhole Apartments,
Defendants-Appellants-Respondents.

-----X
Defendants-appellants-respondents having moved for an enlargement of time in which to perfect their appeal from the judgment of the Supreme Court, New York County, entered on or about May 3, 2007,

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 in which to perfect the appeal and cross appeal to the September 2008 Term, with leave to seek a further enlargement if necessary.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
John T. Buckley
Karla Moskowitz, Justices.

-----X
Kathryn Jordan,

Plaintiff-Appellant,

M-1298

-against-

Index No. 600245/07

Salvatore Gangemi, et al.,

Defendants-Respondents.
-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about August 7, 2007,

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 in which to perfect the appeal to the October 2008 Term.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

PRESENT: Hon. Jonathan Lippman, Presiding Justice,
Angela M. Mazzairelli
Eugene Nardelli
John W. Sweeny, Jr., Justices.

-----X
Jan Leighton,
Plaintiff-Appellant,

-against-

Young Ja Kim Leighton,
Defendant-Respondent.

M-1042
Index No. 350612/06

-----X

An order of this Court having been entered on August 2, 2007 (M-3678), inter alia, granting appellant's motion for a stay of proceedings, pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County entered on or about April 23, 2007,

And a decision and order of this Court having been entered on December 6, 2007 (Appeal No. 1522) affirming the order of the Supreme Court, New York County (Jacqueline Silbermann, J.), entered on April 23, 2007,

And an appeal having been taken by plaintiff to the Court of Appeals from the aforesaid decision and order of this Court (Appeal No. 1522),

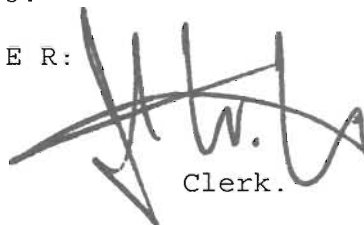
And an order of the Court of Appeals having been entered on February 12, 2008, dismissing plaintiff's appeal,

And defendant-respondent having moved for modification of the aforesaid stay (M-3678), as to allow defendant to move in Supreme Court for consolidation of the present action with an action subsequently commenced in said 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 only to the extent of continuing the relief afforded defendant by an order of a Justice of this Court dated February 22, 2008.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
Milton W. Williams
Rolando T. Acosta, Justices.

-----x
The Commissioner of Social Services
of the City of New York as assignee
of Lorraine Campbell,
Petitioner-Respondent,

-against-

M-1226
Docket No. P-22029/01

Irving Harris,
Respondent-Appellant.

-----x

An appeal having been taken to this Court by respondent from an order of the Family Court, New York County, entered on or about July 6, 2007,

And respondent-appellant having moved for leave to prosecute said appeal as a poor person, for the assignment of 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 only to the extent of enlarging the time in which to perfect the appeal to the September 2008 Term, and the motion is otherwise denied (See M-1226A decided simultaneously herewith).

ENTER:


Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

PRESENT: Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
Milton W. Williams
Rolando T. Acosta, Justices.

-----X
In the Matter of a Proceeding for
Support under Article 4 and 5-A of
the Family Court Act,

The Commissioner of Social Services
of the City of New York as assignee
of Lorraine Campbell,
Petitioner-Respondent,

M-1226A
Docket No. P-22029/01

-against-

Irving Harris,
Respondent-Appellant.

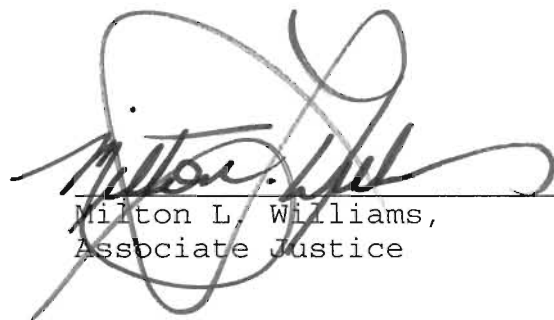
-----X

Respondent-appellant father having moved for a stay of the order of the Family Court, New York County, entered on or about July 6, 2007, pending hearing and determination of the appeal taken therefrom, 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. (See M-1226, decided simultaneously herewith).

Dated: New York, New York


Milton L. Williams,
Associate Justice

Entered: APR 01 2008

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

Present - Hon. Jonathan Lippman, Presiding Justice,
Angela M. Mazzarelli
David B. Saxe
Milton L. Williams
John T. Buckley, Justices.

-----X
Lombard & Co., Inc.,
Plaintiff-Respondent,

-against-

German De La Roche,
Defendant-Appellant.

M-338
Index No. 110816/95

- - - - -
Arthur B. Calcagnini, Jr.,
Additional Defendant-Respondent.

-----X

Defendant-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on December 20, 2007 (Appeal Nos. 2389/2390/2390A),

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

It is ordered that the motion, to the extent that it seeks leave to appeal to the Court of Appeals, is denied. The motion, to the extent that it seeks reargument, is granted to the extent of issuing a corrected order of this date (Appeal Nos. 2389/2390/2390A), and otherwise denied.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
John T. Buckley
Karla Moskowitz, Justices.

-----X
Susan Angel,

Plaintiff-Appellant,

M-1098

-against-

Index No. 350072/05

Christopher O'Neill,

Defendant-Respondent.
-----X

Plaintiff-appellant having moved, pursuant to CPLR 5704(a), for an order of this Court granting certain relief denied by a Justice of the Supreme Court, New York County, on or about February 22, 2008,

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

Ordered that the motion is denied.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,
David Friedman
Eugene Nardelli
James M. Catterson
Karla Moskowitz, Justices.

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

-against-

M-757
Ind. No. 928/06

Alston Phillips,
Defendant.

-----X

Defendant having moved for an extension 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 13, 2006, and for leave to prosecute the appeal as a poor person, and for leave to have the appeal heard on the original record and typewritten briefs, and related relief,

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

It is ordered that the motion is denied (CPL §460.30 subd. 1).

ENTER:


Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

Present: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Eugene Nardelli
John W. Sweeny, Jr., Justices.

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

M-934

-against-

Ind. No. 4622/05

Harry West,
Defendant-Appellant.

-----X

Defendant-appellant, in connection with an appeal taken from the judgment of the Supreme Court, New York County, rendered on or about August 23, 2006 and from the order of said Court entered on or about September 12, 2007, having moved for leave to file a pro se supplemental 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 directing defendant to serve and file 10 copies of his pro se supplemental brief on or before July 7, 2008 for the September 2008 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.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

Present: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Eugene Nardelli
John W. Sweeny, Jr., Justices.

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

Respondent,

M-943

-against-

Ind. No. 465/03

Carlos Hernandez,

Defendant-Appellant.
-----X

Defendant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about April 6, 2005,

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 in which to perfect the appeal to the September 2008 Term.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

PRESENT: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Eugene Nardelli
John W. Sweeny, Jr., Justices.

-----X
In the Matter of the Application of
Allstate Insurance Company, etc.,
Petitioner-Respondent,

-against-

M-876
Index No. 23023/06

Martin Harris,
Respondent,

-and-

National Grange Mutual Insurance Company,
Additional Respondent-Appellant,

-and-

Vincenzo Materia, et al.,
Additional Respondents.

-----X
Additional respondent-appellant National Grange Mutual Insurance Company having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about April 3, 2007,

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 in which to perfect the appeal to the September 2008 Term, with no further enlargements to be granted.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
Eugene Nardelli
James M. Catterson
Karla Moskowitz, Justices.

-----X
Eugene Miniero, et al.,
Plaintiffs-Respondents,

-against-

The City of New York,
Defendant-Appellant,

M-906
M-917
Index No. 25285/92

-and-

Mine Safety Appliance Company,
Defendant-Appellant.

-----X

An order of this Court having been entered on January 17, 2008 (M-6358/M-6403) inter alia, consolidating the appeals taken from the order of the Supreme Court, Bronx County, entered on or about February 13, 2007,

And defendants-appellants having moved by separate motions for an enlargement of time in which to perfect the consolidated appeals,

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

It is ordered that the motions are granted to the extent of enlarging the time in which to perfect the consolidated appeals to the September 2008 Term.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,
David B. Saxe
David Friedman
Luis A. Gonzalez
James M. Catterson, Justices.

-----X
Sung Hwan Co., Ltd.,
Plaintiff-Respondent-Appellant,

-against-

M-325
Index No. 112444/01

Rite Aid Corporation,
Defendant-Appellant-Respondent.

-----X

Plaintiff-respondent-appellant having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on December 6, 2007 (Appeal Nos. 2296-2297),

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

It is ordered that the motion is denied.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Luis A. Gonzalez
Rolando T. Acosta, Justices.

-----X
Matthew Serino, et al.,
Plaintiffs,

-against-

M-6580
Index No. 604396/02

Kenneth Lipper, et al.,
Defendants-Appellants-Respondents,

PricewaterhouseCoopers, LLP,
Defendant-Respondent-Appellant,

Abraham Biderman,
Defendant-Respondent,

Lawrence Block, et al.,
Defendants.

Lipper Holdings, LLC, et al.,
Plaintiffs-Respondents,

Kenneth Lipper,
Plaintiff-Appellant-Respondent,

-against-

Index No. 600150/05

PricewaterhouseCoopers LLP,
Defendant-Respondent-Appellant,

PricewaterhouseCoopers
(Netherlands Antilles),
Defendant.

-----X
Defendant-respondent Abraham Biderman having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on November 20, 2007 (Appeal Nos. 894-895),

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

It is ordered that the motion is denied.

ENTER:

A handwritten signature in black ink, appearing to be "J. W. L.", written over a horizontal line. The signature is stylized and somewhat illegible.

Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Eugene Nardelli
Rolando T. Acosta, Justices.

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

-against-

M-5744
Ind. No. 6295/99

Jody Parrella,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on February 10, 2004 (Appeal No. 2812), unanimously affirming a judgment of the Supreme Court, Bronx County (Alexander Hunter, J.), rendered on August 1, 2001,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate counsel, and for 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 said application is denied.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

Present - Hon. Peter Tom, Justice Presiding,
David B. Saxe
Eugene Nardelli
Milton L. Williams, Justices.

-----X
Massimiliano Sacca,

Plaintiff-Respondent,

-against-

M-1219
Index No. 100104/05

41 Bleeker Street Owners Corp.,

Defendant-Appellant.
-----X

An appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about December 24, 2007, and said appeal having been perfected,

And defendant-appellant having moved for a stay of trial pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is granted.

ENTER:


Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,
David B. Saxe
Eugene Nardelli
Milton W. Williams, Justices.

-----X
Wilfredo Montanez,
Plaintiff-Respondent,

-against-

M-1013
Index No. 106200/02

New York City Housing Authority,
also known as NYCHA,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about October 3, 2007,

And plaintiff-respondent having moved for dismissal of the aforesaid appeal, or for other relief,

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

It is ordered that the motion is denied, without prejudice to respondent filing a supplemental record consisting of documents submitted in the underlying arbitration. The appeal is adjourned to the June 2008 Term.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

PRESENT - Hon. Angela M. Mazzairelli, Justice Presiding,
Richard T. Andrias
Milton W. Williams
John T. Buckley
Rolando T. Acosta, Justices.

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

-against-

M-686
Ind. No. 3163/05

Angel Gonzalez,
Defendant-Appellant.

-----X

The People having moved for dismissal of the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about February 24, 2006,

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

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

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
John T. Buckley
James M. Catterson, Justices.

-----x
In the Matter of the Application of
Delene Lewis,
Petitioner-Appellant,

For a Judgment, etc.,

-against-

M-991
Index No. 400415/07

New York City Housing Authority,
Respondent-Respondent.

-----x

Respondent-respondent having moved, pursuant to CPLR 5513(a), for dismissal of the appeal from an order of the Supreme Court, New York County, entered on or about September 27, 2007 (mot. seq. no. 001), as untimely taken,

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

It is ordered that the motion is denied.

ENTER:



Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
John T. Buckley
James M. Catterson, Justices.

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

-against-

M-996
Ind. No. 4758/01

Luis Nieves,
Defendant.

-----X

Defendant having moved for an extension of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about February 25, 2002, and for leave to prosecute the appeal as a poor person, and for leave to have the appeal heard on the original record and typewritten briefs, and related relief,

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

It is ordered that the motion is denied (CPL §460.30 subd. 1).

ENTER:



Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
John T. Buckley
James M. Catterson, Justices.

-----X
In the Matter of

Kendra R.,

A Dependent Child under 18 Years
of Age Pursuant to §384-b of the
Social Services Law,

M-1056

Docket No. B-1790/01

- - - - -
Abbott House Family Services,
et al.,
Petitioners-Respondents,

Charles R.,
Respondent-Appellant.

- - - - -
Steven Banks, Esq.,
Law Guardian for the Child.

-----X

Respondent-appellant father, Charles R., having moved for leave to prosecute, as a poor person, the appeal from the order of the Family Court, Bronx County, entered on or about November 21, 2007, and for assignment of counsel, a free copy of the transcript, and related relief,

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

Ordered that the motion is denied, with leave to renew upon submission of a copy of the Family Court order appealed from and upon proof of service of the moving papers upon the Law Guardian and the Agency.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
David Friedman
James M. McGuire, Justices.

-----X
LaSalle Bank National Association, etc.,
Plaintiff-Appellant,

-against-

M-288
Index No. 603339/03

Nomura Asset Capital Corporation,
et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on November 13, 2007 (Appeal No. 1090),

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

It is ordered that the motion is denied.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

PRESENT - Hon: Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
John T. Buckley
James M. Catterson, Justices.

-----X
Maurice Oparaji,
Plaintiff-Appellant,

-against-

M-959
Index No. 1180/06

The New York Mortgage Company, LLC,
Defendant-Respondent.
-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about January 7, 2008 and October 22, 2007,

And plaintiff-appellant having moved for an order to waive the requirements of 22 NYCRR 670.10.2(f) regarding certification of the record on appeal, and other relief,

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

It is ordered that the motion is denied. The plaintiff's attention is directed to the applicable rules of this Court under 22 NYCRR 600.1 et seq.

ENTER:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
David Friedman
James M. Catterson
Rolando T. Acosta, Justices.

-----X
Oxford Towers Co., LLC,
Plaintiff-Appellant-Respondent,

M-438

-against-

Index No. 107373/06

Claudia Wagner and Don Lebowitz,
Defendants-Respondents-Appellants.
-----X

An appeal and cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about January 19, 2007 (mot. seq. no. 001),

And an appeal and cross appeal having been taken from the order and judgment (one paper) of the said court and Justice entered on or about July 16, 2007, which granted reargument and adhered to the prior determination,

And defendants having moved to dismiss without prejudice the respective parties appeal and cross appeal from the order entered January 19, 2007, or for, alternative 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 dismissing the appeal and cross appeal from the January 19, 2007 order, as superceded by the appeal and cross appeal from the order and judgment (one paper) entered July 16, 2007, and the time in which to perfect the aforesaid appeal and cross appeal from the order and judgment (one paper) is enlarged to the September 2008 Term. (See M-126, decided simultaneously herewith.)

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
David Friedman
James M. Catterson
Rolando T. Acosta, Justices.

-----X
Oxford Towers Co., LLC,
Plaintiff-Appellant-Respondent,

M-126

-against-

Index No. 107373/06

Claudia Wagner and Don Lebowitz,
Defendants-Respondents-Appellants.
-----X

An appeal and cross appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about January 19, 2007 (mot. seq. no. 001),

And plaintiff-appellant-respondent having moved for an enlargement of time in which to perfect the direct 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 academic, the appeals having been dismissed as superceded by the parties' appeal and cross appeal from the order and judgment (one paper) of the said court and Justice entered July 19, 2007. (See M-438, decided simultaneously herewith.)

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
John T. Buckley
James M. Catterson, Justices.

-----X
Anthony J. DeCintio, Individually and
as Administrator of the Estate of
Marie DeCintio, Deceased and
Anthony DeCintio,
Plaintiffs-Appellants,

-against-

M-1012
Index No. 20837/98

Richard DeLuca, M.D., Joan Albin, M.D.,
and Phillip Klapper, M.D.,
Defendants-Respondents,

-and-

Lawrence Hospital, Our Lady of Mercy
Medical Center, Robert Roe, M.D.,
Ronald Silverman, M.D., Michael Chang,
M.D., Paul Weinstein, M.D.,
Dev Panigrahi, M.D., Dial Hewlett, M.D.,
Marian Waxman, M.D., and Mark Rubin, M.D.,
Defendants.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about December 8, 2006,

And, defendants-respondents having moved to dismiss the appeal for failure to prosecute,

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

It is ordered that the motion to dismiss is denied; the appeal is adjourned to the June 2008 Term with leave to respondents to submit a supplemental record if so advised, with leave to seek costs on the appeal.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Luis A. Gonzalez
Rolando T. Acosta, Justices.

-----X
Citicorp Leasing, Inc.,

Plaintiff-Respondent,

-against-

M-1044
Index No. 601245/04

RIT Auto Leasing Group, Inc., et al.,

Defendants-Appellants,

Carol Valente Toporek,

Defendant.
-----X

Defendant-appellant Richard Toporek having moved for a stay of the order and judgment of contempt (one paper) of the Supreme Court, New York County, entered on or about January 24, 2008, 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.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

PRESENT - Hon. David B. Saxe, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
James M. McGuire, Justices.

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

-against-

M-1020
Ind. No. 724/06

Sharmeeka Evans, also known as
Sharkeeka Evans,
Defendant-Appellant.

-----X

Defendant having renewed her motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about March 2, 2007, 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 10 reproduced copies of such brief, together with the original record, with 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.

Steven Banks, Esq., 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.

E N T E R:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

Present: Hon. David B. Saxe, Justice Presiding,
John W. Sweeny, Jr.
James M. McGuire
Rolando T. Acosta, Justices.

-----X
In the Matter of a Proceeding Under
Article 6 of the Family Court Act

Enrique S.,
Petitioner-Respondent,

-against-

M-1289
Docket No. V-10273/03

Genell D.,
Respondent-Appellant.

-----X
In the Matter of a Family Offense
Proceeding,

Genell D.,
Petitioner-Appellant,

-against-

Docket No. O-10428/03

Enrique S.,
Respondent-Respondent

Eileen Mulunowicz, Esq., The
Children's Law Center,
Law Guardian for the Child.

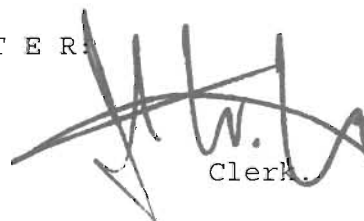
-----X

Respondent/petitioner-appellant mother, Genell D., having moved for an enlargement of time to perfect her appeal from the order of the Family Court, Bronx County, entered on or about May 8, 2006,

Now, upon reading and filing the papers with respect to the motion, including the stipulation of the parties filed March 12, 2008, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the September 2008 Term, and counsel for appellant is directed to so perfect.

E N T E R



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

PRESENT - Hon. David B. Saxe, Justice Presiding,
Luis A. Gonzalez
James M. Catterson
James M. McGuire, Justices.

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

-against-

M-89
Ind. No. 796/00

Paul Person,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on February 28, 2006 (Appeal No. 7944), unanimously affirming a judgment of the Supreme Court, New York County (John A.K. Bradley, J.), rendered on April 9, 2003,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate counsel, and for related relief,

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

It is ordered that said application is denied.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

PRESENT - Hon. David Friedman, Justice Presiding,
Luis A. Gonzalez
James M. McGuire
Karla Moskowitz, Justices.

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

-against-

Reynault Chevalier,
Defendant-Appellant.

M-1006
Ind. Nos. 348/07
372/07

-----X

Defendant having moved for an extension of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about August 16, 2007, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for assignment of counsel,

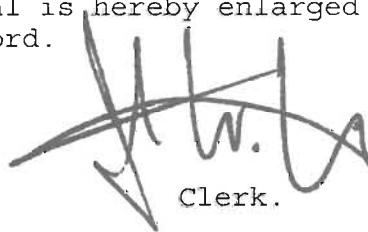
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of deeming the notice of appeal 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 10 reproduced copies of such brief, together with the original record, with 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.

Steven Banks, 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.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

PRESENT - Hon. David Friedman, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. McGuire, Justices.

-----X
Thomas W. D'Antonio,
Plaintiff-Respondent,

-against-

Garry Hiller and Larry Laimo,
Defendants-Appellants.

M-1005
M-1023
Index No. 112433/06

-----X

Plaintiff-respondent having moved to dismiss the appeal taken from the order of the Supreme Court, New York County, entered on or about February 27, 2007 (M-1005),

And, defendants-appellants having cross-moved for an enlargement of time in which to perfect said appeal (M-1023),

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 granted unless defendants-appellants perfect the aforesaid appeal on or before July 7, 2008, for the September 2008 Term. Upon failure to so perfect, an order dismissing the appeal may be entered ex parte, provided plaintiff-respondent serves a copy of this order upon the defendants-appellants within 10 days after the date of entry hereof. The cross motion is granted to the extent indicated.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

PRESENT : Hon. David Friedman, Justice Presiding,
Luis A. Gonzalez
James M. McGuire
Karla Moskowitz, Justices.

-----X
Maria Decarvalhosa,
Plaintiff-Respondent,

-against-

Renata Adler,
Defendant-Appellant.

M-1115
M-1207
Index Nos. 192/08
1351/07

-----X

Defendant-appellant having moved for consolidation of the appeals taken from the judgments of the Supreme Court, New York County, entered on or about May 8, 2007 and January 7, 2008, respectively, and for an enlargement of time to perfect the aforesaid appeals (M-1115),

And plaintiff-respondent having cross-moved for an order dismissing the appeal from the judgment of said Court, entered on or about January 7, 2008 (M-1207),

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

It is ordered that the motion is granted to the extent of permitting appellant to prosecute the appeals upon 10 copies of one record and of one set of appellant's points covering the appeals which are consolidated, and enlarging the time in which to perfect the consolidated appeal to the September 2008 Term. The cross motion is denied.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

Present: Hon. Luis A. Gonzalez, Justice Presiding,
Milton L. Williams
James M. Catterson
Karla Moskowitz, Justices.

-----X
The People of the State of New York
ex rel. Susan Calvello on behalf of
Steven Qualls,

Petitioner-Appellant,

M-960
Ind. No. 5714/07

-against-

Warden,

Respondent-Respondent.

-----X

Petitioner-appellant having moved this Court for a reduction of bail, pending hearing and determination of the appeal taken from the judgment of the Supreme Court, New York County, entered on or about February 19, 2008, dismissing petitioner's habeas corpus petition,

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

It is motion is denied.

ENTER:


Clerk.

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

BEFORE: Hon. **Hon. Angela M. Mazzarelli**,
Justice of the Appellate Division

-----X

The People of the State of New York,
Respondent,

-against-

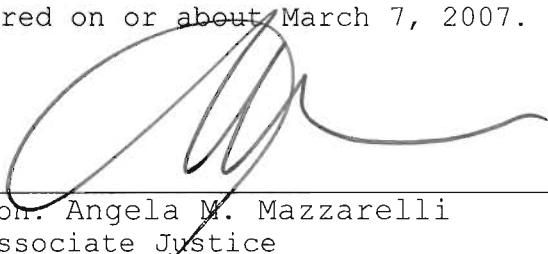
Luis Robles,
Defendant-Appellant.

-----X

M-693
Ind. No.2362/04
4265/04
CERTIFICATE
GRANTING LEAVE

I, Angela M. Mazzarelli, a Justice of the Appellate Division, First Judicial Department, do hereby certify that in the proceedings herein questions of law or fact are involved which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is hereby granted to the above-named defendant to appeal to the Appellate Division, First Judicial Department, from the order of the Supreme Court, Bronx County, entered on or about March 7, 2007.

Dated: **APR 01**, 2008
New York, New York



Hon. Angela M. Mazzarelli
Associate Justice

NOTICE: Within 15 days from the date hereon, an appeal must be taken, and this certificate must be filed with the notice of appeal. An appeal is taken by filing, in the Clerk's office of the criminal court in which the order sought to be appealed was rendered, a written notice in duplicate that appellant appeals to the Appellate Division, First Judicial Department (Section 460.10, subd. 4, CPL), together with proof that another copy of the notice of appeal has been served upon opposing counsel. The appeal (or consolidated appeals; see footnote) must be argued within 120 days from the date of the notice of appeal, unless the time to perfect the appeal(s) is enlarged by the court or a justice thereof.

footnote) must be argued within 120 days from the date of the notice of appeal, unless the time to perfect the appeal(s) is enlarged by the court or a justice thereof.

SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION : FIRST JUDICIAL DEPARTMENT
BEFORE: Hon. Luis A. Gonzalez,

Justice.

-----X

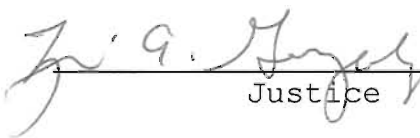
The People of the State of New York,	:	M-5234
Respondent,	:	
- against -	:	CERTIFICATE
	:	DENYING LEAVE
Kevin Mays,	:	
	:	Indictment No.
Defendant.	:	10122/93

-----X

I, Luis A. Gonzalez, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Section 460.15 of the Criminal Procedure Law, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, (Arlene Silverman, J.), entered on or about August 14, 2007, is hereby denied.

Dated: New York, New York

March 20, 2008


Justice

ENTERED

APR 01 2008

SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION : FIRST JUDICIAL DEPARTMENT
BEFORE: Hon. Luis A. Gonzalez,

Justice.

-----X

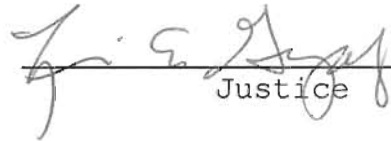
The People of the State of New York,	:	M-6162
Respondent,	:	
- against -	:	CERTIFICATE
	:	DENYING LEAVE
Cecil Jones, also known as Joseph Jones,	:	
	:	Indictment No.
Defendant.	:	3981/04

-----X

I, Luis A. Gonzalez, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Section 460.15 of the Criminal Procedure Law, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, (Arlene R. Silverman, J.), entered on or about November 8, 2007, is hereby denied.

Dated: New York, New York

March 20, 2008


Justice

ENTERED

APR 01 2008

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

BEFORE: Hon. JAMES M. MCGUIRE
Justice of the Appellate Division

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

M- 5845
Ind. No. 13060/94

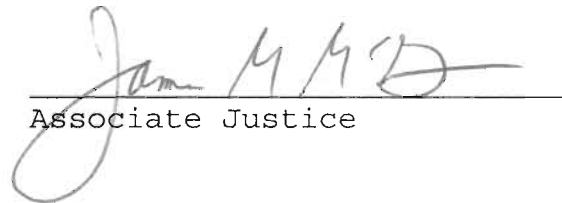
-against-

CERTIFICATE
DENYING LEAVE

JERRY RUSSO
Defendant.

-----X

I, JAMES M. MCGUIRE, a Justice of the Appellate Division,
First Judicial Department, do hereby certify that, upon
application made by the above-named defendant for a certificate
pursuant to Criminal Procedure Law, sections 450.15 and 460.15,
and upon the record and proceedings herein, there is no question
of law or fact presented which ought to be reviewed by the
Appellate Division, First Judicial Department, and permission to
appeal from the order of the Supreme Court, New York County,
entered on or about October 11, 2007 is hereby denied.



Associate Justice

Dated: March 26, 2008
New York, New York

ENTERED: APR 01 2008

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

Present - Hon. Luis A. Gonzalez, Justice Presiding,
Eugene Nardelli
John T. Buckley
James M. Catterson, Justices.

-----x
Paulette Simons, etc.,
Plaintiff-Respondent,

-against-

M-870
Index No. 116077/06

North Manhattan Nursing Home, Inc.,
doing business as Northern Manhattan
Rehabilitation & Nursing Center,
Defendant-Appellant,

North General Hospital,
Defendant.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about January 9, 2008, and said appeal having been perfected,

And defendant-appellant having moved for a stay of disclosure pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is granted.

ENTER:



Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

PRESENT: Hon. Peter Tom, Justice Presiding,
David B. Saxe
Eugene Nardelli
Milton L. Williams, Justices.

-----X
Amy Fabrikant,
Plaintiff-Respondent,

-against-

M-1149
Index No. 350394/04

Jay Fabrikant,
Defendant-Appellant.
-----X

Defendant-appellant having moved for a stay of enforcement of the order of the Supreme Court, New York County, entered on or about February 19, 2008, pending hearing and determination of the appeal taken therefrom,

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

It is ordered that the motion is granted to the extent of staying a scheduled contempt hearing on condition that appellant complies with the turnover provisions of the order of a Justice of this Court dated February 21, 2008 with respect to those timepieces identified in paragraph 7 of respondent's counsel's affirmation dated March 10, 2008 within 20 days of the date of entry of this order and perfects the appeal for the September 2008 Term. Should appellant fail to meet either condition respondent may enter an ex parte order vacating the stay upon condition that respondent serve a copy of this order upon appellant's counsel within 10 days of 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 April 1, 2008.

Present - Hon. Luis A. Gonzalez, Justice Presiding,
Eugene Nardelli
John T. Buckley
James M. Catterson, Justices.

-----x
Aida Tawil, et al.,

Plaintiffs-Respondents,

-against-

Caffé Tina, et al.,

Defendants-Appellants.
-----x

M-1341
Index No. 101975/06

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about January 29, 2008, and said appeal having been perfected,

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

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

It is ordered that the motion is granted.

ENTER:



Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in in the County of New York on April 1, 2008.

Present: Hon. Luis A. Gonzalez, Justice Presiding,
Eugene Nardelli
John T. Buckley
James M. Catterson, Justices.

-----X
Jordan S. Josephson, M.D., et al.,
Plaintiffs,

-against-

M-1548
Index No. 106655/04

George Lastra,
Defendant.

-----X

A purported appeal having been taken from the order of a Justice of the Supreme Court, New York County, dated on or about November 2, 2007, which declined to grant defendant's application for a stay of all proceedings, pending the determination of a related matter, *Oxford Health Insurance, Inc. v Jordan S. Josephson, M.D., New York County Index No. 602899/04*, and for related relief,

And defendant having moved herein for said relief,

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

It is ordered that the motion, to the extent it seeks a stay of proceedings is deemed an application for relief pursuant to CPLR 5704(a), and as such it is denied without prejudice to bringing a motion on notice for similar relief in Supreme Court. So much of the motion which seeks poor person relief is denied, as academic.

ENTER:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

PRESENT: Hon. Eugene Nardelli, Justice Presiding,
Milton L. Williams
John T. Buckley
John W. Sweeny, Jr., Justices.

-----X
In re Barry Felder, et al.,
Petitioners-Respondents,

-against-

M-5543
Index No. 112051/05

The City of New York,
Respondent-Appellant.
-----X

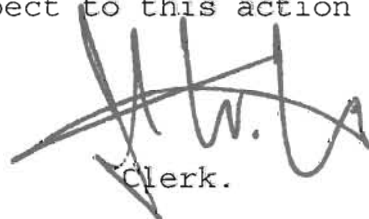
A decision and order of this Court having been entered on September 20, 2007 (Appeal No. 1152N),

And petitioners-respondents having moved this Court for reargument, renewal and reconsideration of the appeal, or in the alternative, for leave to appeal to the Court of Appeals from the aforesaid decision and order of this Court, and a continuing stay of proceedings pending the ultimate determination of the issues herein,

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

It is ordered that the so much of the motion which seeks leave to appeal to the Court of Appeals is denied. So much thereof which seeks reargument, renewal and reconsideration is granted to the extent of directing the respective parties to submit supplemental briefs on the issue of jurisdiction with respect to the filing of motions for leave to file a late notice of claim in the particular circumstances present in this case. Municipal appellant shall serve and file its supplemental brief on or before April 22, 2008; petitioners-respondents brief to be served and filed on or before May 13, 2008 and appellant's reply brief, if any, to be served and filed on or before May 20, 2008. The Clerk is directed to calendar the matter for hearing of further argument for June 5, 2008. Pending the further order of this Court, all proceedings with respect to this action are stayed.

ENTER:


Clerk.

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

BEFORE: Hon. Milton L. Williams
Justice of the Appellate Division

-----X
In the Matter of a Proceeding for
Support in Family Court

Jennifer H. S.,
Petitioner-Appellant,

-against-

M-290
Docket No. F-14075/03

Damien P. C.,
Respondent-Respondent,

In the Matter of a Proceeding for
Support in Family Court

Damien P.C.,
Petitioner-Respondent,

-against-

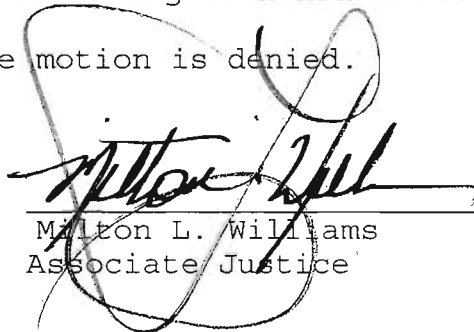
Docket No. F-15388/03

Jennifer H. S.,
Respondent-Appellant.
-----X

Appellant having moved for a stay of further proceedings pending hearing and determination of the appeal taken from orders of the Family Court, New York County, entered on or about March 30, 2007 and October 5, 2007, 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 denied.



Milton L. Williams
Associate Justice

Dated: April 1, 2008
New York, New York

ENTERED: APR 01 2008

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 1, 2008.

Present: Hon. Luis A. Gonzalez, Justice Presiding,
Milton L. Williams
James M. Catterson
Karla Moskowitz, Justices.

-----X
The People of the State of New York
ex rel. Susan Calvello on behalf of
Steven Qualls,

Petitioner-Appellant,

-against-

M-960
Index No. 400313/08

Warden,

Respondent-Respondent.
-----X

Petitioner-appellant having moved this Court for a reduction of bail, pending hearing and determination of the appeal taken from the judgment of the Supreme Court, New York County, entered on or about February 19, 2008, dismissing petitioner's habeas corpus petition,

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

It is motion is denied.

ENTER:



Clerk.