

At a 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 29, 2008.

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

-----X
Bay Park Medical Services, P.C.,
doing business as Occupational
Health Services,

Plaintiff-Appellant,

-against-

New York City Housing Authority,

Defendant-Respondent.
-----X

M-1949X

Index No. 107167/07

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about December 21, 2007 (mot. seq. no. 001),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 14, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 29, 2008.

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

-----X
Kevin D. Lovitt,
Plaintiff-Respondent,

-against-

M-1974X
Index No. 115475/06

Nobok, Inc.,
Defendant-Appellant,

Nobok, Ltd.,
Defendant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about October 1, 2007 (mot. seq. no. 003),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 16, 2008, and due deliberation having been had thereon,

Ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

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 29, 2008.

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

-----X
Jian Cai Ou,
Plaintiff-Respondent,

-against-

M-1979X
Index No. 104211/05

125 Bowery Inc.,
Defendant-Appellant,

Asian City, Inc.,
Defendant.

-----X
125 Bowery Inc.,
Third-Party Plaintiff-Appellant,

-against-

Third-Party
Index No. 590957/06

Quality Media Inc., et al.,
Third-Party Defendants-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about January 18, 2008 (mot. seq. no. 004),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 14, 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 29, 2008.

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

-----X
National Union Fire Insurance Company
of Pittsburgh, PA.,
Plaintiff-Respondent,

-against-

M-1980X
Index No. 603858/03

Xiao-Zi Dong, et al.,
Defendants,

Michael K. Shin, Jeanette Shin,
Defendants-Appellants.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about January 4, 2008 (mot. seq. no. 002),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 14, 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 29, 2008.

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

-----X
Gemma Comas,
Petitioner-Respondent,

-against-


M-1981X
Index No. 105394/07

Sublime Management, Inc.,
Respondent-Appellant.
-----X

An appeal having been taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about December 7, 2007, as amended by the order and judgment (one paper) of said Court entered on or about January 17, 2008 (mot. seq. no. 002),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 15, 2008, and due deliberation having been had thereon, it is

Ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

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 29, 2008.

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

-----X
Delta Jimenez,
Plaintiff-Respondent,

-against-

M-1982X
Index No. 23425/02

St. George Express Luxury and
Limo Services, Inc., et al.,
Defendants-Appellants.
-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about October 25, 2007,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 14, 2008, and due deliberation having been had thereon,

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

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 29, 2008.

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

-----X
Dritan Kokonozi,
Plaintiff-Respondent,

-against-

M-1942
Index No. 108196/04

Beth Israel Medical Center, Inc.,
Maxwell Kates, Inc., East Union
Square Condominium,
Defendants,

Beth Israel Medical Center,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 18, 2007 (mot. seq. no. 003),

Now, upon reading and filing the stipulation of the parties hereto, dated April 10, 2008, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the May 2008 Term, is withdrawn in accordance with the aforesaid stipulation, the underlying 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 29, 2008.

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

-----X
Philips South Beach, LLC,
Plaintiff-Appellant-Respondent,

-against-

M-1966
Index No. 600147/06

Morgans Hotel Group Management,
LLC, formerly known as Ian Schrager
Hotel Management, LLC, et al.,
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 August 1, 2006 (mot. seq. no. 001),

Now, upon reading and filing the stipulation of the parties hereto, dated April 10, 2008, and due deliberation having been had thereon,

It is ordered that the appeal and cross appeal, previously perfected for the May 2008 Term, are withdrawn in accordance with the aforesaid stipulation. (See M-1967, 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 29, 2008.

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

-----X
Philips South Beach, LLC,

Plaintiff-Respondent,

-against-

M-1967
Index No. 600147/06

Morgans Hotel Group Management,
LLC, formerly known as Ian Schragger
Hotel Management, LLC, et al.,

Defendants-Appellants.
-----X

An appeal having been taken from the orders of the Supreme Court, New York County, entered on or about December 20, 2006 (mot. seq. no. 003) and March 15, 2007, respectively,

Now, upon reading and filing the stipulation of the parties hereto, filed April 11, 2008, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the May 2008 Term, is withdrawn in accordance with the aforesaid stipulation. (See M-1966, 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 in the County of New York on April 29, 2008.

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

-----X
White Diamond Enterprises, Inc.,
et al.,

Plaintiffs-Appellants,

M-1584

-against-

Index No. 111930/05

Stephen Guy Polis,

Defendant-Respondent.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about February 19, 2008 (mot. seq. no. 005),

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

Now, upon reading and filing the papers with respect to the motion, and the correspondence from plaintiffs' counsel, dated March 26, 2008, and due deliberation having been had thereon,

It is ordered that the motion and the appeal 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 April 29, 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
ex rel. Otis Cottle,
Petitioner-Appellant,

-against-

M-1777
Index No. 75001/07

Warden, Riker's Island Correctional
Facility and New York State Division
of Parole,
Respondent.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about March 30, 2007,

And petitioner-appellant having moved to withdraw 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 and the appeal 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 April 29, 2008.

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

-----X
Kiss Products, Inc.,
Plaintiff-Respondent,

-against-

Uptown Nails USA, Inc.; Uptown Nails, LLC; Uptown Nails USA, Inc., doing business as Pretty Woman; Uptown Nails USA, Inc., doing business as Manhattan Girl; Uptown Nails, LLC, doing business as Manhattan Girl; Pretty Woman; Manhattan Girl; Larry G. Kapfer, Jr., Individually; John J. Manzione, Individually; John J. Manzione, doing business as Pretty Woman; and Tirsa Oliva, Individually,
Defendants-Appellants.

M-1635
Index No. 601157/01

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about March 6, 2008 (mot. seq. no. 013),

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

Now, upon reading and filing the papers with respect to the motion, and the correspondence from appellants' counsel, dated April 11, 2008, and due deliberation having been had thereon,

It is ordered that the motion and the underlying appeal are deemed withdrawn, in accordance with the aforesaid correspondence.

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 29, 2008.

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

-----X
Lorraine Chanin Rachimi,

Plaintiff-Appellant,

M-1842

-against-

Index No. 350597/03

Peter Rachimi,

Defendant-Respondent.
-----X

An appeal having been taken from the judgment of divorce of the Supreme Court, New York County, entered on or about March 7, 2007,

And defendant-respondent having moved for an order striking appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and correspondence from defendant-respondent's counsel, dated April 9, 2008, and due deliberation having been had thereon, it is

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

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 29, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,
David B. Saxe
Luis A. Gonzalez
Eugene Nardelli, Justices.

-----X
John M. Van Deventer, James R. Clark
and C2C Consultants, Ltd.,
Plaintiffs-Counterclaim
Defendants-Respondents,

-against-

M-1693
Index No. 603151/03

CS SCF Management Limited,
Credit Suisse First Boston (USA),
CS Capital Partners, Ltd.,
CS Structured Credit Fund, Ltd.,
Defendants-Counterclaim
Plaintiffs-Appellants,

Credit Suisse First Boston,
Defendant-Appellant,

Credit Suisse Fund Administration
Limited, and Queensgate Bank and
Trust Company, Ltd.,
Defendants.

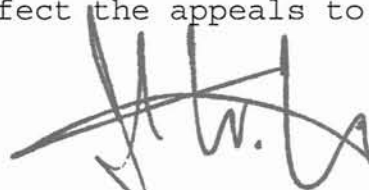
-----X

Appellants CS SCF Management Limited, et al. having moved for an enlargement of time in which to perfect the appeals from orders of the Supreme Court, New York County, entered on or about July 5, 2007 (mot. seq. nos. 022, 027, 030 and 031),

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 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 29, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Karla Moskowitz, Justices.

-----X
Judy Clarke,
Plaintiff-Respondent,

-against-

M-749
Index No. 16545/04

Ira Karmin, M.D., et al.,
Defendants-Appellants.

-----X

Defendants-appellants having moved for an order staying the trial in the above-entitled action pending hearing and determination of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about November 19, 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 on condition that the appeal is perfected for the October 2008 Term. Upon failure to so perfect, an order vacating the stay may be entered ex parte, provided that plaintiff-respondent serves a copy of this order upon appellants within 10 days after 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 29, 2008.

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

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

Angelina B.,
Petitioner-Respondent,

-against-

M-1455
Docket Nos. V6418-19/07

Ruben B.,
Respondent-Appellant.

-----X

Petitioner-respondent mother having moved for leave to respond, as a poor person, to the appeal taken from the order of the Family Court, Bronx County, entered on or about December 19, 2007, 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) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for the appellant and 10 copies thereof are filed with this Court, and (2) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Michael S. Bromberg, Esq., 44 Hampton Street, Sag Harbor, New York 11963, Telephone No. 631-725-0641, as counsel for purposes of responding to the appeal. (See M-1000, 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 29, 2008.

PRESENT - Hon. David B. Saxe, Justice Presiding,
Luis A. Gonzalez
John T. Buckley
Rolando T. Acosta, Justices.

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

Angelina B.,
Petitioner-Respondent,

-against-

M-1000
Docket Nos. V6418-19/07

Ruben B.,
Respondent-Appellant.
-----X

Respondent-appellant father 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 December 19, 2007, 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 granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Neal Futerfas, Esq. 50 Main Street, Suite 1000, White Plains, New York 10606, Telephone No. 914-682-2171, as counsel for purposes of prosecuting the appeal; (2) **directing the Clerk of said Family Court to have transcribed within 60 days of service of a copy of this order upon the Clerk,** 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 60 days of service of a copy of this order upon the Clerk;** (3) permitting

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

appellant to dispense with any fee for transferring the record from the Family Court to this Court; and (4) enlarging the time to perfect this appeal until 120 days from the date of filing of the record. **Assigned counsel is directed to immediately subpoena the record from the Family Court and to serve a copy of this order upon the Clerk of the Family Court.** (See M-1455, decided simultaneously herewith).

E N T E R:

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 29, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
Eugene Nardelli
James M. Catterson
Karla Moskowitz, Justices.

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

Paula A.,
Petitioner-Respondent,
-against-
M-255 & M-256
Docket Nos. O22782/07
V22784/07

Jose A.,
Respondent-Appellant.
-----X

Respondent-appellant having moved by separate motions for leave to prosecute, as a poor person, the respective appeals taken from the orders of the Family Court, Bronx County, entered on or about October 11, 2007, 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, sua sponte, consolidating the aforesaid appeals and (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Neal Futerias, Esq., 50 Main Street, Suite 1000, White Plains, NY 10606, Telephone No. 914-682-2171, as counsel, for purposes of prosecuting the consolidated appeals; (2) **directing the Clerk of said Family Court to have transcribed within 60 days of service of a copy of this order upon the Clerk, the minutes of the proceedings held therein, for inclusion in the record(s) on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹;**

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

(3) permitting appellant to dispense with any fee for transferring the record(s) from the Family Court to this Court; and (4) enlarging the time to perfect the consolidated appeals until 120 days from the date of filing of the record(s). **Assigned counsel is directed to immediately subpoena the record(s) from the Family Court and to 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 April 29, 2008.

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

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

Brenda J.,
Petitioner-Respondent, M-1222
Docket No. V4490/04

-against-

Nicole M.,
Respondent-Appellant.

-----X

Respondent-appellant mother, Nicole M., 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 December 24, 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 granted to the extent of
(1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Kenneth Tuccillo, Esq., 385 Warburton Avenue, Hastings On Hudson, NY 10706, Telephone No. 914-439-4843, as counsel, for purposes of prosecuting the appeal;
(2) **directing the Clerk of said Family Court to have transcribed within 60 days of service of a copy of this order upon the Clerk, 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; (3) permitting appellant to dispense with any fee for transferring the record from the Family Court to this Court; and (4) enlarging the time to perfect this appeal until 120 days from the date of filing of the record. **Assigned counsel is directed to immediately subpoena the record from the Family Court and to serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



Clerk.

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 29, 2008.

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

-----X
In the Matter of a Proceeding Under
Article 10 of the Family Court Act.

Anthony C., Jr. and
Mia C.;
- - - - -
Christian B.,

M-1237
Docket Nos. NN2492/06
NN2495/06

NN2493/06

Children under the Age of 18 Years
Alleged to be abused and/or Neglected.

- - - - -
The Administration for Children's
Services, et al.,
Petitioners-Respondents,

Anthony C.,
Respondent-Appellant.

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

-----X
Respondent-appellant father, Anthony C., having moved for leave to prosecute, as a poor person, the appeal from the orders of the Family Court, Bronx County, entered on or about September 7, 2007 and October 29, 2007, respectively, 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 granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Julian Hertz, Esq., 15 Sherwood Drive, Larchmont, NY 10538, Telephone No. 914-834-5461, as counsel, for purposes of prosecuting the appeal; (2) directing

the Clerk of said Family Court to have transcribed within 60 days of service of a copy of this order upon the Clerk, 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; (3) permitting appellant to dispense with any fee for transferring the record from the Family Court to this Court; and (4) enlarging the time to perfect this appeal until 120 days from the date of filing of the record. **Assigned counsel is directed to immediately subpoena the record from the Family Court and to serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



Clerk.

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

At a Term of the Appellate Division of the Supreme Court held in and for the first Judicial Department in the County of New York on April 29, 2008.

Present: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
Milton L. Williams
John W. Sweeny, Jr., Justices.

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

-against-

M-1562
Ind. No. 5765/06

Dwight Ashe,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about January 26, 2007, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard upon 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 29, 2008.

Present: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
Milton L. Williams
John W. Sweeny, Jr., Justices.

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

-against- M-1591
Ind. No. 3189/06

Benigo Barreto,
Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about February 15, 2008, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard upon 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.

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, NY 10007, Tel. 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 April 29, 2008.

Present: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
Milton L. Williams
John W. Sweeny, Jr., Justices.

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

Respondent,

M-1573

-against-

Ind. No. 4926/06

Ricardo Rodriguez,

Defendant-Appellant.
-----X

Defendant having moved 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 5, 2008, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth the amount and sources of funds to pay the fee of trial counsel, "Mr. Russo", Esq., and to post the \$25,000 bail in the Supreme Court, the disposition thereof, and an explanation as to why similar funds are not available to prosecute the appeal. **(The application shall include an affidavit of the source[s] of all funds utilized by defendant.)**

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 29, 2008.

Present: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
Milton L. Williams
John W. Sweeny, Jr., Justices.

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

Respondent,

M-1641

-against-

Ind. No. 7972/00

Carlos Ferreira,

Defendant-Appellant.
-----X

Defendant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, New York County, rendered on or about May 4, 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 29, 2008.

PRESENT: Hon: Peter Tom, Justice Presiding,
Angela M. Mazzarelli
Milton L. Williams
John W. Sweeny, Jr., Justices.

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

-against-

Jason Rivera,
Defendant-Appellant.

M-1639
Case Nos. 30330C/05
55180C/05
Ind. No. 4035/04

-----X
An order of this Court having been entered on August 9, 2007 (M-3255), inter alia, granting defendant's motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about October 4, 2006, under Case No. 30330C/05, and assigning counsel therefor,

And defendant having moved for an order amending the notice of appeal and the aforementioned order to include Case No. 55180C/05 and Indictment No. 4035/04,

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 amending defendant's notice of appeal and the aforementioned order of this Court to include Case No. 55180C/05 and Indictment No. 4035/04, and extending the poor person relief previously granted to cover same.

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 29, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,
David B. Saxe
David Friedman
Milton L. Williams, Justices.

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

-against-

M-443
Ind. No. 369/05

Keith Bell,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on January 10, 2008 (Appeal No. 2516), unanimously affirming a judgment of the Supreme Court, New York County (Edward McLaughlin, J.), rendered on October 11, 2005,

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 29, 2008.

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

-----X
Carlos Urbina, et al.,
Plaintiffs-Respondents,

-against-

M-103
Index No. 111632/01

26 Court Street Associates, LLC,
et al.,
Defendants-Respondents-Appellants,

R&J Construction Corp.,
Defendant-Appellant-Respondent.

-----X

Defendant-appellant-respondent 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 6, 2007 (Appeal Nos. 8721-8721A),

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.

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 29, 2008.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Milton L. Williams
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

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

-against-

M-1537
Ind. No. 1063/03

Michael Figueroa,
Defendant-Appellant.

-----X

Defendant-appellant having moved for reargument of the decision and order of this Court entered on February 21, 2008 (Appeal No. 2827),

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.

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 29, 2008.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,
David Friedman
John T. Buckley
James M. Catterson
Rolando T. Acosta, Justices.

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

-against-

M-1518
Ind. No. 1063/04

Juan Rodriguez,
Defendant-Appellant.

-----X

Defendant-appellant having moved to withdraw the appeal from the order of the Supreme Court, New York County, entered on or about October 27, 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 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 April 29, 2008.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,
David Friedman
John T. Buckley
James M. Catterson
Rolando T. Acosta, Justices.

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

-against-

M-1338
Ind. No. 444/07

Johnny Tanner, also known as
Johnny A. Tanner,
Defendant-Appellant.

-----X

Defendant having moved pro se for an enlargement of time in which to file a notice of appeal from a judgment of resentence of the Supreme Court, New York County, rendered on or about January 14, 2008, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

Ordered that the motion is granted to the extent of deeming the notice of appeal as timely filed and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 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 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.

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York, 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 April 29, 2008.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,
David Friedman
John T. Buckley
James M. Catterson
Rolando T. Acosta, Justices.

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

-against-

M-1383
Ind. No. 746/07

Raphael Black,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about January 30, 2008, for leave to prosecute the appeal as a poor person, upon the original record and a reproduced appellant's brief, and for related relief,

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

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

The motion, to the extent that it seeks poor person relief, is denied, with leave to renew upon petitioner-appellant's submission of a notarized affidavit, in compliance with CPLR 1101(a), including statement of facts to show merit of contentions, as well as a statement detailing the amount and sources of his income and listing his property with its value.

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 29, 2008.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,
David Friedman
John T. Buckley
James M. Catterson
Rolando T. Acosta, Justices.

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

-against-

M-1519
Ind. No. 2828/07

Victor Marte,
Defendant-Appellant.

-----X


Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about November 15, 2007, for leave to prosecute the appeal as a poor person, upon the original record and a reproduced appellant's brief, and for related relief,

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

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

The motion, to the extent that it seeks poor person relief, is denied, with leave to renew upon defendant's submission of a notarized affidavit, setting forth his indigency in compliance with CPLR 1101(a), including the amount of sources of the funds used to retain trial counsel, J. Ballard, Esq., and an explanation as to why similar funds are not available to prosecute this appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

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 29, 2008.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,
David Friedman
John T. Buckley
James M. Catterson
Rolando T. Acosta, Justices.

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

-against-

M-1516
Ind. No. 5177/03

Zwadie Nichols,
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to file a pro se supplemental brief in connection with an appeal from a judgment of the Supreme Court, New York County, rendered on or about March 17, 2005, for a copy of the trial transcripts and for an enlargement of time in which to file said pro se supplemental brief,

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 29, 2008.

Present - Hon. Richard T. Andrias, Justice Presiding,
Eugene Nardelli
Milton L. Williams
James M. Catterson
Karla Moskowitz, Justices.

-----X
David A. Kipper, M.D.,
Plaintiff-Respondent,

David A. Kipper, M.D., a Professional Corporation,
Plaintiff,

M-1212
Index No. 116587/04

-against-

NYP Holdings Co., Inc. doing business as The New York Post,
Defendant-Appellant.

-----X
Plaintiff-respondent 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 January 31, 2008 (Appeal No. 2651),

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.

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 29, 2008.

Present: Hon. Richard T. Andrias, Justice Presiding,
David Friedman
John T. Buckley
James M. McGuire
Karla Moskowitz, Justices.

-----X
Ruckle and Guarino, Inc.,
Plaintiff-Respondent,

-against-

M-1609
Index No. 6438/06

Michael Hangan, et al.,
Defendants-Appellants,

Edgewater Park Owners Cooperative
Inc.,
Defendant.

-----X

Plaintiff-respondent having moved for reargument of the decision and order of this Court entered on March 4, 2008 (Appeal Nos. 2947, 2948 and 2949),

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 29, 2008.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Eugene Nardelli
John W. Sweeny, Jr.
James M. McGuire, Justices.

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

-against-

Thomas Barnes, also known as
Tommy Barnes,
Defendant-Appellant.

M-709
Ind. Nos. 1325/04
4118/04

-----X

A decision and order of this Court having been entered on December 5, 2006 (Appeal No. 9726-9726A), unanimously affirming a judgment of the Supreme Court, New York County (Gregory Carro, J.), rendered on January 14, 2005,

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 29, 2008.

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

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

-against-

M-1487
Ind. No. 4896/06

Derrick Lattimore,
Defendant-Appellant.

-----X

Defendant having renewed his 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 July 16, 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.

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.

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 29, 2008.

Present - Hon. David Friedman, Justice Presiding,
Luis A. Gonzalez
Eugene Nardelli
James M. Catterson, Justices.

-----X
Diane Morris, etc.,
Plaintiff-Respondent,

-against-

M-696
Index No. 109209/02

Solow Management Corporation
Townhouse Company, L.L.C., et al.,
Defendants-Appellants,

Thermal Insulated Products, et al.,
Defendants.

-----X

Plaintiff-respondent 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 13, 2007 (Appeal Nos. 2368, 2368A, 2368B and 2368C),

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.

E N T E R:


Clerk.

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

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

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

M-982
Ind. No. 12836/90

-against-

CERTIFICATE
DENYING LEAVE

Tommy Tam,

Defendant.
-----X

I, Angela M. Mazzarelli, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, 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 (Ruth Pickholz, J.), entered on or about January 22, *2008* is hereby denied.



Justice

Dated: New York, New York

APR 23 2008

ENTERED

APR 29 2008

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

BEFORE: Hon. Richard T. Andrias,
Associate Justice

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

M-1505
Ind. No. 2209/04

-against-

CERTIFICATE
DENYING LEAVE

Lamar Pleasant,

Defendant.

-----X

I, Richard T. Andrias, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law Section 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the Order of the Supreme Court, New York County, (Renee A. White, J.), entered February 11, 2008, which denied defendant's motion pursuant to CPL 440.10, is hereby denied.

Dated: New York, New York
April 17, 2008



Justice of the Appellate Division

ENTERED

APR 29 2008

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

BEFORE: Hon. DAVID FRIEDMAN
Justice of the Appellate Division

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

M-1280
Ind. No. 3857/05

-against-

CERTIFICATE
GRANTING LEAVE

Curtis Hill,
Defendant-Appellant.

-----X
I, DAVID FRIEDMAN, 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, New York County, entered on or about February 7, 2008.¹

Dated: New York, New York
April 14, 2008

ENTERED APR 29 2008



DAVID FRIEDMAN
Justice of the Appellate Division

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.

¹In the event defendant has an existing (direct) appeal from a judgment, such appeal shall be consolidated with the appeal from the aforesaid order; and any poor person relief granted with respect to the appeal from the judgment shall be extended to cover the appeals so consolidated.

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

BEFORE: Hon. Eugene L. Nardelli
Justice of the Appellate Division

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

M-1517
Ind. No. 8642/94

-against-

CERTIFICATE
DENYING LEAVE

Dong Chong,

Defendant.

-----X

I, Eugene L. Nardelli, a Justice of the Appellate Division,
First Judicial Department, do hereby certify that, upon
application timely made by the above-named defendant for a
certificate pursuant to Criminal Procedure Law, section 460.15,
and upon the record and proceedings herein, there is no question
of law or fact presented which ought to be reviewed by the
Appellate Division, First Judicial Department, and permission to
appeal from the order of the Supreme Court, New York County,
entered on or about February 15, 2008, is hereby denied.



Justice of the Appellate Division

Dated: New York, New York

ENTERED APR 29 2008