

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 26, 2008.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
John T. Buckley
Rolando T. Acosta
Dianne T. Renwick
Leland G. DeGrasse, Justices.

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

Respondent,

-against-

Kevin Weems, also known as
Jeffrey Banks,

Defendant-Appellant.
-----X

M-3605
Ind. No. 5600/04

An order of this Court having been entered on June 12, 2008 (M-2375), inter alia, granting defendant leave to file a pro se supplemental brief in connection with the appeal from a judgment of the Supreme Court, New York County, rendered on or about November 7, 2005,

And defendant having moved for an extension of time in which to file the aforesaid 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 September 29, 2008 for the December 2008 Term, to which Term the appeal is adjourned. 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 August 26, 2008.

Present - Hon. Jonathan Lippman, Presiding Justice,
Richard T. Andrias
David Friedman
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----x
McMahan Securities Co., L.P.,

Petitioner-Appellant,

-against-

Aviator Master Fund, Ltd., et al.,

Respondents-Respondents.
-----x

M-3798
Index No. 603161/07

An order of this Court having been entered on July 15, 2008 (M-2728), denying a stay of proceedings in the above-captioned action pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about May 16, 2008 (mot. seq. no. 001),

And petitioner-appellant having moved for renewal and/or reargument of the aforesaid order or, in the alternative, for preference in hearing of the appeal,

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

It is ordered that the motion is denied.

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 August 26, 2008.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John T. Buckley
Rolando T. Acosta
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
Jaime Silva,

Plaintiff,

-against-

F.R. Real Estate Development Corp.,
et al.,

Defendants.

M-3795

Index No. 27519/03

-----X
F.R. Real Estate Development Corp.,
et al.,

Third-Party Plaintiffs-Respondents,

-against-

Galaxy General Contracting Corp.,
Third-Party Defendant.

Third-Party
Index No. 83927/04

-----X
Galaxy General Contracting Corp.,
Second Third-Party Plaintiff-
Respondent,

-against-

Second Third-Party
Index No. 84525/05

Zurich Specialties London Ltd.,
Second Third-Party Defendant-
Appellant.

-----X

Appeals having been taken by second third-party defendant-appellant-respondent "Zurich" from orders of the Supreme Court, Bronx County, entered on or about July 9, 2007 and May 6, 2008, and from the judgment of said Court, entered on or about July 19, 2007, and from the order which vacated said judgment entered on or about January 3, 2008; and second third-party plaintiff respondent-appellant "Galaxy" having taken a cross appeal from said order entered on or about May 6, 2008,

And an order of this Court having been entered on March 4, 2008 (M-729/M-887), inter alia adjourning Zurich's perfected appeals from the order and judgment of the Supreme Court entered on or about July 9, 2008 and July 19, 2008, respectively, to the September 2008 Term and directing appellant Zurich to perfect its prospective appeal from the order entered on January 3, 2008 for said September 2008 Term,

And appellant Zurich having moved for, inter alia, an order enlarging its time in which to perfect its appeal from the order entered on or about May 6, 2008, and adjournment and consolidation of all the aforesaid appeals,

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

Ordered that the motion is granted to the extent of directing movant to perfect all the appeals herein on or before September 29, 2008 for the December 2008 Term, to which Term the perfected appeals are adjourned. The Clerk is directed to calendar all the appeals herein for hearing together in said December 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 August 26, 2008.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John T. Buckley
Rolando T. Acosta
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
Jaime Silva,

Plaintiff,

-against-

F.R. Real Estate Development Corp.,
et al.,

Defendants.

M-3795

Index No. 27519/03

-----X
F.R. Real Estate Development Corp.,
et al.,

Third-Party Plaintiffs-Respondents,

-against-

Galaxy General Contracting Corp.,
Third-Party Defendant.

-----X

Galaxy General Contracting Corp.,
Second Third-Party Plaintiff-
Respondent,

-against-

Zurich Specialties London Ltd.,
Second Third-Party Defendant-
Appellant.

-----X

Third-Party
Index No. 83927/04

Second Third-Party
Index No. 84525/05

Appeals having been taken by second third-party defendant-appellant-respondent "Zurich" from orders of the Supreme Court, Bronx County, entered on or about July 9, 2007 and May 6, 2008, and from the judgment of said Court, entered on or about July 19, 2007, and from the order which vacated said judgment entered on or about January 3, 2008; and second third-party plaintiff respondent-appellant "Galaxy" having taken a cross appeal from said order entered on or about May 6, 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 August 26, 2008.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John T. Buckley
Rolando T. Acosta
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
In the Matter of the Application of

William Kyle, et al.,
Petitioners-Appellants, M-3568 & M-3680

For a Judgment, etc., Index No. 110838/07

-against-

Hon. Gerald Lebovits, JHC, et al.,
Respondents-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about October 26, 2007,

And petitioners-appellants having moved for an order enlarging the record on appeal to include certain transcripts and exhibits from another proceeding, and granting petitioners' counsel leave to appeal as a non-party appellant with respect to certain sanctions imposed upon them, and for related relief (M-3568),

And respondents-respondents having cross-moved for an order striking petitioners' brief (M-3680),

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 (M-3568) is granted to the extent of directing appellants to serve and file 10 copies of a supplemental record on appeal containing Exhibits A-D to the moving papers on or before September 2, 2008, and the motion is otherwise denied. The cross motion (M-3680) is denied without prejudice to respondents addressing the issue of counsel's appellate status on the appeal. Sua sponte, the appeal is adjourned to the November 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 August 26, 2008.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
John T. Buckley
Rolando T. Acosta
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----x
Duane Morris LLP,

Plaintiff-Respondent-Appellant,

M-3750

-against-

Index No. 109609/05

Astor Holdings, Inc., et al.,
Defendants-Appellants-Respondents.

Astor Holdings, Inc., et al.,
Third-Party Plaintiffs-Appellants-
Respondents,

-against-

Krieg, Keller, Sloan, Reilly & Roman,
LLP,
Third-Party Defendant,

Index No. 590785/06

-and-

Steeffel, Levitt & Weiss, P.C.,
Third-Party Defendant-Respondent-
Appellant.

-----x

An appeal and cross appeals having been taken to this Court from the order of the Supreme Court, New York County, entered on or about October 25, 2007,

And defendants-appellants Astor Holdings, Inc., et al. having moved for an enlargement of time in which to perfect its direct appeal,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties dated August 1, 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 and cross appeals to the January 2009 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 August 26, 2008.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John T. Buckley
Rolando T. Acosta
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
Steven Plotnicki,

Plaintiff-Appellant-Respondent,

-against-

Duane Morris LLP, et al.,

Defendants,

Steeffel, Levitt & Weiss, P.C.,

Defendant-Respondent-Appellant.
-----X

M-3749
Index No. 111326/06

Plaintiff-appellant-respondent having moved for an enlargement of time in which to perfect the direct appeal taken from the order of the Supreme Court, New York County, entered on or about October 26, 2007 (mot. seq. no. 001),

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties dated August 1, 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 and cross appeal to the January 2009 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 August 26, 2008.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John T. Buckley
Rolando T. Acosta
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
New York Foundation for Senior
Citizens Inc., et al.,
Petitioners-Respondents,

-against-

Norman Mactas Ackerman,
Respondent-Appellant.

M-3830
Index No. 111987/07

-----X

An appeal having been taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about May 30, 2008,

And an order of this Court having been entered on July 8, 2008 (M-2933), inter alia, granting a stay of eviction on the terms and conditions contained in the stipulation of the parties, dated June 23, 2008, and denying, with leave to renew, so much of the motion seeking poor person relief and the assignment of counsel,

And respondent having renewed his motion for poor person relief and the assignment of counsel, to extend the stay of eviction granted by the aforesaid order of this Court, entered on July 8, 2008 (M-2933), and for related relief,

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

It is ordered that the motion, to the extent it seeks to extend the stay of eviction is granted on condition the appeal is perfected on or before September 29, 2008 for the December 2008 Term. Upon failure to so perfect, an order vacating the stay may be entered ex parte, provided that petitioners serve a copy of this order upon appellant within 10 days after the date of entry hereof. So much of the motion which seeks leave to prosecute

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 26, 2008.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John T. Buckley
Rolando T. Acosta
Dianne T. Renwick
Leland G. DeGrasse, Justices.

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

Respondent,

-against-

Thomas Smith,

Defendant-Appellant.
-----X

M-3652
Ind. No. 3435/05

Defendant-appellant, in connection with an appeal taken from the judgment of the Supreme Court, New York County, rendered on or about March 9, 2006, 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 September 29, 2008 for the December 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 August 26, 2008.

Present: Hon. Angela M. Mazzarelli, Justice Presiding
John T. Buckley
Rolando T. Acosta
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
Christopher Chunn,
Plaintiff,

-against-

New York City Housing Authority,
Defendant-Respondent,

-and-

American Security Systems, Inc.,
Defendant-Appellant.

- - - - -
New York City Housing Authority,
Third-Party Plaintiff-Respondent,

-against-

American Security Systems, Inc.,
Third-Party Defendant-Appellant.

- - - - -
New York City Housing Authority,
Second Third-Party
Plaintiff-Respondent,

-against-

National Casualty Company and
Scottsdale Insurance Company,
Second Third-Party
Defendants-Appellants.

-----X

Defendant American Security Systems, Inc. having moved for an order staying all proceedings including trial in the above-entitled action pending hearing and determination of the appeals taken from the order of the Supreme Court, New York County, entered on or about March 11, 2008 (mot. seq. no. 001),

M-3640
Index No. 116764/06

Third-Party
Index No. 590332/07

Second Third-Party
Index No. 590870/07

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 all proceedings, including trial, pending hearing and determination of the aforesaid appeals.

ENTER:

Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 26, 2008.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
John T. Buckley
Rolando T. Acosta
Dianne T. Renwick
Leland G. DeGrasse, Justices.

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

-against-

Dan Landy,
Defendant-Appellant.

M-3654
Ind. No. 5996/02

-----X

Consolidated appeals having been taken to this Court from the judgment of the Supreme Court, New York County, rendered on or about October 23, 2003, and from the order of said Court entered on or about April 16, 2004,

And defendant-appellant having moved for leave to file a pro se supplemental brief in connection with the consolidated appeals, 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 September 29, 2008 for the December 2008 Term, to which Term the consolidated appeals are 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 appeals 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 August 26, 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-3483
Ind. No. 1873/06

Hilbert Stanley, also known as
Travione Weeks, also known as
Malik Howard,
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 July 10, 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, 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 August 26, 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-3484
Ind. No. 5745/07

Marvin Holmes,
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 June 18, 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.

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 August 26, 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-3485
Ind. No. 4429/07

Lawrence Green,
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 June 18, 2008, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

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

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 August 26, 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-3486
Ind. No. 991/07

Jose Perez,
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 July 7, 2008, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

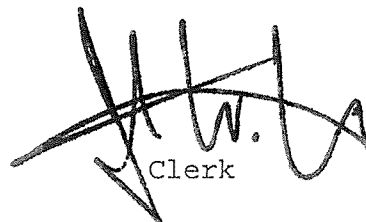
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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.

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 August 26, 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-3487
Ind. No. 7117/02

Rovell Washington,
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 June 25, 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.

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.

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 August 26, 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-3490
Ind. No. 3398/07

Darnell Jackson,
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 June 19, 2008, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

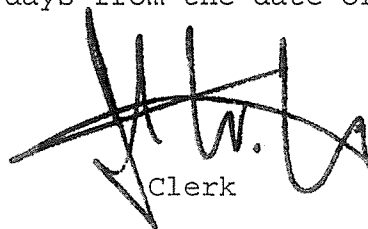
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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.

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 August 26, 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-3492
Ind. No. 2879/07

Ibrahima Kane,
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 July 10, 2008, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

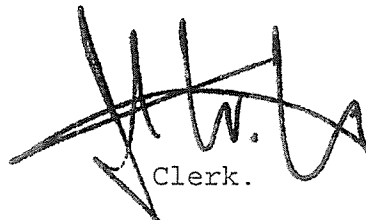
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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

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 August 26, 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-3536
Ind. No. 5003/07

Claudio Lopez,
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 June 23, 2008, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

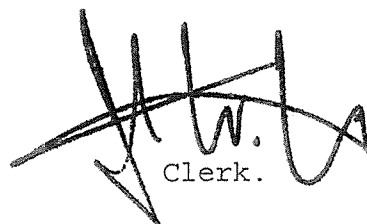
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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, 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 August 26, 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-3538
Ind. No. 3164/07

Reinaldo Berrocal,
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 July 8, 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, 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 August 26, 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-3539
Ind. No. 3070/07

Bobby Carter,
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 June 18, 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, 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 August 26, 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-3541
Ind. No. 433/03

Lamar Frazier,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of resentence of the Supreme Court, New York County, rendered on or about June 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, 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 August 26, 2008.

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

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

-against-

M-3739
Ind. No. 1456/07

Hector Bonilla,
Defendant-Appellant.

-----X

An order of this Court having been entered on November 27, 2007 (M-5696) granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about September 11, 2007, and assigning Steven Banks, Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

Now, upon reading and filing the papers with respect to the motion,

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Steven Banks, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. (212)402-4100, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 26, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Angela M. Mazzarelli
Milton L. Williams
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X
Miron Zohar, et al.,
Plaintiffs-Appellants,

-against-

M-3261
Index No. 601505/06

3 West 16th Associates, LLC.,
et al.,
Defendants-Respondents.

-----X

Plaintiffs-appellants having moved for reargument of the decision and order of this Court entered on June 3, 2008 (Appeal No. 3780),

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 August 26, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Richard T. Andrias
Eugene Nardelli
Rolando T. Acosta
Leland G. DeGrasse, Justices.

-----X
Mergent Services and John Bal,

Plaintiffs-Appellants,

-against-

M-3057
Index No. 601777/07

Itex Corporation, et al.,

Defendants-Respondents.
-----X


An order of this Court having been entered on May 22, 2008 (M-1999), dismissing the appeal taken from the order of the Supreme Court, New York County, entered on or about February 4, 2008 (mot. seq. no. 001),

And plaintiffs-appellants having moved for reinstatement of the aforesaid appeal or, in the alternative, for leave to appeal to the Court of Appeals,

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

It is ordered that the motion is denied.

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 August 26, 2008.

Present : Hon. Jonathan Lippman, Presiding Justice,
Richard T. Andrias
Eugene Nardelli
Rolando T. Acosta
Leland G. DeGrasse, Justices.

-----X
Sara Kinberg,

Plaintiff-Appellant,

-against-

M-3114
Index No. 16440/02

Heidi Opinsky,

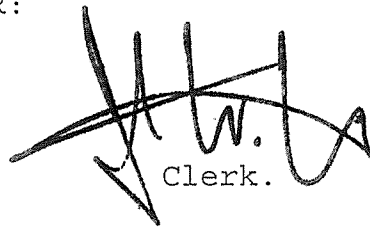
Defendant-Respondent.
-----X

Plaintiff-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 May 22, 2008 (Appeal No. 3708),

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 August 26, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Richard T. Andrias
Eugene Nardelli
Rolando T. Acosta
Leland G. DeGrasse, Justices.

-----X
In re Theresa Cannalunga, etc.,

Petitioner-Appellant,

-against-

M-3195
Index No. 108662/06

Robert Doar, as Commissioner of the Office of Temporary and Disability Assistance of the New York State Department of Family Assistance, et al.,

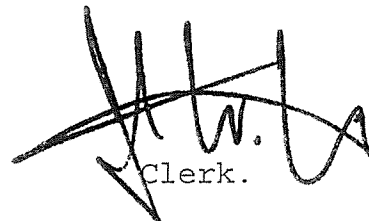
Respondents-Respondents.
-----X

Petitioner-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on May 22, 2008 (Appeal Nos. 3712-3713),

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 August 26, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
Richard T. Andrias
Milton L. Williams, Justices.

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

-against-

M-3188
Ind. No. 4205/06

Andrew Rodriguez,
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, Bronx County, rendered on or about January 30, 2008, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

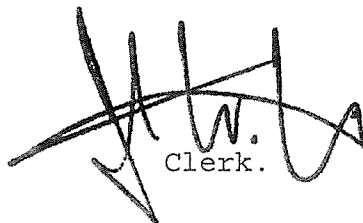
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 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 August 26, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

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

-against-

M-3094
Ind. No. 2766/06

Fernando Cruz,
Defendant-Appellant.
-----X

Assigned counsel having moved for an order dismissing defendant's appeal from the judgment of the Supreme Court, New York County, rendered on or about March 2, 2007, without prejudice to reinstatement at such time appellant again becomes amenable to the jurisdiction of this Court,

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

Ordered that the motion is granted to the extent of deeming the appeal withdrawn.

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 August 26, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
Samiha Koura Daiuto, as Administratrix
of the Estate of Nadia Koura,
Deceased.

Plaintiff-Appellant,

M-3470
Index No. 604658/02

-against-


Stephane S. Lubicz, M.D., et al.,
Defendants-Respondents.

-----X
Plaintiff-appellant having moved to withdraw the appeal from the order of the Supreme Court, New York County, entered on or about May 1, 2007 (mot. seq. no. 005),

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.

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 August 26, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
The People of the State of New York
ex rel. Keith Johnson,
Petitioner-Respondent,

-against-

M-3238
Index No. 75087/06

Warden, Anna M. Kross Center,
New York State Division of Parole,
et al.,
Respondents-Appellants.

-----X

Petitioner-respondent having moved for dismissal of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about March 30, 2007,

Now, upon reading and filing the papers with respect to the motion, including the correspondence from appellants' counsel dated July 7, 2008, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of deeming the appeal withdrawn.

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 August 26, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

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

-against-

M-3232
Ind. No. 2822/05

Cesar Paulino,
Defendant-Appellant.
-----X

Assigned counsel having moved for an order dismissing defendant's appeal from the judgment of the Supreme Court, New York County, rendered on or about April 12, 2006, without prejudice to reinstatement at such time appellant again becomes amenable to the jurisdiction of this Court,

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

Ordered that the motion is granted to the extent of deeming the appeal withdrawn.

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 August 26, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
The People of the State of New York
ex rel. Kwan Brown,
Petitioner,

-against-

M-3239
Index No. 75036/07

Warden, Otis Bantum Correctional
Center, New York State Division of
Parole, et al.,
Respondents.

-----X

Petitioner having moved for dismissal of the appeal taken by respondents from the order of the Supreme Court, Bronx County, entered on or about April 13, 2007,

Now, upon reading and filing the papers with respect to the motion, and the correspondence from Hannah Stith Long, Esq., Assistant Attorney General dated August 21, 2008, and due deliberation having been had thereon, it is

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

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 August 26, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
The People of the State of New York
ex rel. Hakim Jones,
Petitioner-Respondent,

-against-

M-3243
Index No. 1414/06

Warden, Rikers Island Correctional
Facility, et al.,
Respondents-Appellants.
-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about March 5, 2007,

And petitioner-respondent having moved for dismissal of the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motion, and the correspondence from Hannah Stith Long, Esq., Assistant Attorney General dated August 21, 2008, and due deliberation having been had thereon, it is

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

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 August 26, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
The People of the State of New York
ex rel. Anthony Scott,
Petitioner-Respondent,

-against-

M-3242
Index No. 75021/07

Warden, Rikers Island Correctional
Facility, et al.,
Respondents-Appellants.
-----X

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

And petitioner-respondent having moved for dismissal of the aforesaid appeal, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the correspondence from Hannah Stith Long, Esq., Assistant Attorney General dated August 21, 2008, and due deliberation having been had thereon, it is

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

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 August 26, 2008.

Present: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
PT & L Contracting Corporation,
Petitioner-Appellant,

-against-

M-3286
Index No. 104063/07

Freund, Freund & Co.,
Respondent-Respondent.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about June 25, 2007,

And respondent-respondent having moved for dismissal of the aforesaid appeal, 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 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 August 26, 2008.

PRESENT - Hon: Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
Arlin LLC,
Plaintiff-Appellant,

-against-

M-3119
Index No. 100819/06

Gregory Arnold, 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 31, 2007 (mot. seq. no. 003),

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

Ordered that the motion is denied and, sua sponte, the appeal is dismissed.

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 August 26, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
Sophony St. Cloud,
Plaintiff-Respondent,

-against-

M-3198
Index No. 102404/06


Victor Tolentino,
Defendant-Appellant.
-----X

Defendant-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 September 5, 2007 (mot. seq. no. 001),

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

Ordered that the motion is denied and, sua sponte, the appeal is dismissed.

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 August 26, 2008.

PRESENT: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
Magten Asset Management Corp.,
Plaintiff-Appellant,

-against-

M-3407
Index No. 600410/06

The Bank of New York,
Defendant-Respondent.
-----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 May 8, 2007,

Now, upon reading and filing the papers with respect to the motion, including the stipulation dated July 29, 2008 and due deliberation having been had thereon,

It is ordered that the motion and appeal are deemed withdrawn, 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 August 26, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

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

-against-

M-3420
Ind. No. 531/08

Woodrow McNeely,
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 June 25, 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, 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 August 26, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
Alamin O. Hassan, also known as
Alamin Hassan O.,
Plaintiff-Appellant,

-against-

M-3323
Index No. 400669/07

Moran ID No. 906866 and
New York City,
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 July 13, 2007 (mot. seq. no. 001), and for leave to prosecute the appeal as a poor person, on the original record and upon a reproduced appellant's brief, and for related relief,

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

Ordered that the motion is granted on condition appellant perfects the appeal for the December 2008 Term, with no further enlargements to be granted. Sua sponte, upon failure to so perfect, an order dismissing the appeal may be entered ex parte, provided that defendants-respondents serve a copy of this order upon appellant within 10 days from the date of entry hereof. The motion is otherwise 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 August 26, 2008.

PRESENT: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
Public Adjustment Bureau, Inc.,
Plaintiff-Appellant,

-against-

M-3226
Index No. 601202/05

Seward Park Housing Corp.,
Defendant-Respondent,

Greater New York Mutual Insurance Co.,
Defendant.


-----X

Plaintiff-appellant having moved for, inter alia, an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about October 12, 2007 (mot. seq. no. 003), and enlarging the record on appeal to include the one-page "Case Inquiry" document (Exhibit A. to the moving papers),

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

It is ordered that the motion is granted to the extent of enlarging appellant's time in which to perfect the appeal to the December 2008 Term, and permitting plaintiff-appellant to submit the one-page "Case Inquiry" document as an exhibit.

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 August 26, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
Nicole Virgilio,
Plaintiff-Appellant,

-against-

M-3319
Index No. 26411/04

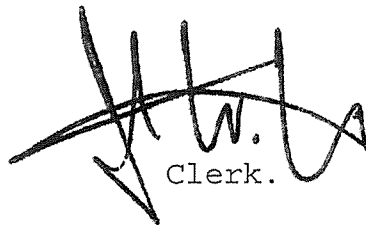
Kristen Britt, et al.,
Defendants-Respondents.
-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about March 28, 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 granted to the extent of enlarging appellant's time in which to perfect the appeal to on or before September 29, 2008 for the December 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 August 26, 2008.

Present: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
Dawn M. Caltenco,

Plaintiff-Respondent,

-against-

M-3511
Index No. 20815/00

The City of New York,

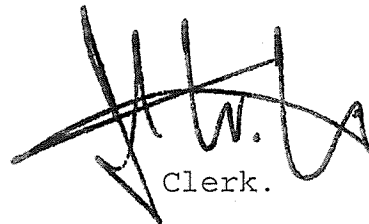
Defendant-Appellant.
-----X

Defendant-appellant 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 October 20, 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 to the extent of enlarging the time in which to perfect the appeal to the January 2009 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 August 26, 2008.

Present: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
Muriel Siebert,

Plaintiff-Appellant,

-against-

M-3590
Index No. 117696/05

Nicholas Dermigny,

Defendant-Respondent.
-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order and judgment of the Supreme Court, New York County, both 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 January 2009 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 August 26, 2008.

Present: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
Jeanette Santiago, as the
mother and natural guardian of
Ramon Orlando Toro Santiago,
an infant, and Jeanette Santiago,
Individually,
Plaintiffs-Respondents,

M-3512

Index No. 24656/03

-against-

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

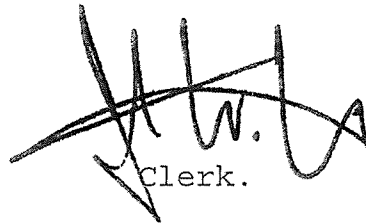
-----X

Defendants-appellants 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 December 4, 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 to the extent of enlarging the time in which to perfect the appeal to the January 2009 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 August 26, 2008.

Present: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
Rosalee DeJesus, an Infant by
her Mother and Natural Guardian,
Emilia DeJesus, and Emilia DeJesus,
Individually,

Plaintiffs-Respondents,

-against-

M-3333
Index No. 112753/00

191st Street Associates, LLP, et al.,

Defendants-Appellants.

(And other actions)
-----X

Defendants/third-party and second third-party plaintiffs-appellants, 191st Street Associates, LLP, et al., 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 June 27, 2007 (mot. seq. no. 003),

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 February 2009 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 August 26, 2008.

Present: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
Phillips Nizer LLP,

Plaintiff-Respondent,

-against-

M-3212
Index No. 104389/06

Yien Koo Wang King, et al.,

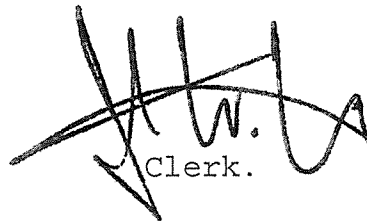
Defendants-Appellants.
-----X

Defendants-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 7, 2007 (mot. seq. no. 003),

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 May 2009 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 August 26, 2008.

Present: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
Hudson Towers Housing Company, etc.,

Plaintiff-Appellant,

-against-

VIP Yacht Cruises, Inc.,

Defendant-Respondent.
-----X

M-3379
Index No. 601835/04

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 July 1, 2005 (mot. seq. no. 004),

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the May 2009 Term with leave to seek a further enlargement if necessary.

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 August 26, 2008.

Present: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
The Insurance Corporation of
New York,

Plaintiff-Respondent,

-against-

M-3392
Index No. 600925/08

Kenning Management of Connecticut,
LLC, et al.,

Defendants-Appellants.
-----X

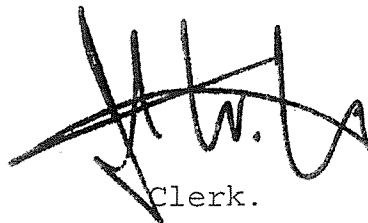
An appeal having been taken from the order of the Supreme Court, New York County, entered on or about June 10, 2008,

And defendants-appellants having moved for a stay of all proceedings, 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 denied and the interim relief granted by an order of a Justice of this Court, dated July 10, 2008, is hereby vacated.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 26, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
Anna Pezhman,
Plaintiff-Appellant,

-against-

M-3338
Index No. 6889/05

Department of Education of City of
New York and Jackquelyn H. Young,
Defendants-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about June 26, 2008,

And plaintiff-appellant having moved for an order enlarging the record on 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.

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 August 26, 2008.

PRESENT - Hon: Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
Hazel Mignott,
Plaintiff-Appellant,

-against-

M-2978
Index No. 100173/01

Melvin Kreidman, Kreidman & Slater and
Sharon Cuff Slater as Administratrix
of the Estate of Jerry Slater,
Deceased.
Defendants-Respondents.

-----X

Plaintiff-appellant, in connection with an appeal from the order of the Supreme Court, New York County, entered on or about March 24, 2005, having moved this Court for an order restoring the aforesaid appeal to the calendar of this court, to substitute Sharon Cuff Slater as Administratrix of the Estate of Jerry Slater, deceased, as defendant-respondent on the appeal, and for amendment of the caption,

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

It is ordered that the motion is granted to the extent of substituting Sharon Cuff Slater as Administratrix of the Estate of Jerry Slater, deceased, as respondent on the appeal, and adjourning the appeal and submission of respondents' respective briefs to the January 2009 Term, without prejudice to respondents raising the arguments concerning appellant's delay on the aforesaid appeal. The motion is otherwise 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 August 26, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
Kevin Tejada, an Infant Under the Age
of 14 Years by his Parent and Natural
Guardian Ana Pichardo, and Ana Pichardo,
Individually,
Plaintiffs-Appellants,

-against-

M-3345
Index No. 22319/97

Woodycrest Realty, L.L.C.,
Defendant-Respondent.
-----X

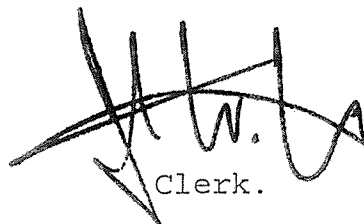
An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about June 5, 2007, and said appeal having been perfected for the September 2008 Term,

And defendant-respondent having moved for an order dismissing plaintiffs' appeal or, in the alternative, directing plaintiffs to remove and redact certain material from said record on appeal and brief, 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 granted to the extent of adjourning the appeal and submission of defendant's respondent's brief until the December 2008 Term, without prejudice to respondent addressing the issue concerning the content of appellant's brief on the appeal. The motion is otherwise denied.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 26, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
In the Matter of a Support Proceeding

M-3497

L. D.,
Petitioner-Respondent-Appellant,

-against-

Action No. 1
Docket No. F3040-06/06A

T. B.,
Respondent-Appellant-Respondent.

-----X
In the Matter of a Support Proceeding

T. B.,
Petitioner-Appellant-Respondent/
Respondent,

-against-

Action No. 2
Docket No. F14747-06/06A

L. D.,
Respondent-Respondent-Appellant/
Appellant.

-----X

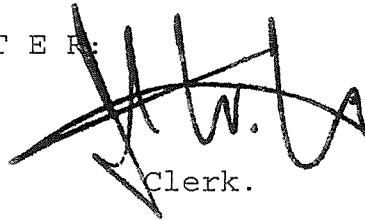
Appeals and cross appeals having been taken by the respective parties in Action Nos. 1 and 2 from the orders of the Family Court, New York County, entered on or about January 9, 2008 and May 2, 2008, respectively; and L. D. having taken an appeal from the order of said court entered on or about May 30, 2008,

And L. D. having moved for an order consolidating the respective appeals and cross appeals,

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

It is ordered that the motion is granted to the extent of permitting the respective parties to prosecute the appeals and cross appeals upon 10 copies of one record and of one set of appellant's points covering the appeals and enlarging the time in which to perfect the consolidated appeals and cross appeals to the January 2009 Term. The attention of the parties is directed to Rule 600.11(d) of this Court with respect to a joint record and costs thereof. The parties are further directed to avoid unnecessary duplication in the record of exhibits submitted in Family Court.

E N T E R :

A handwritten signature in black ink, appearing to be "J.W. La", written over the word "ENTER:" and the word "Clerk.".

Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 26, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
Patricia Taylor,
Plaintiff-Appellant,

-against-

M-3368
Index No. 400019/08

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

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about June 18, 2008 (mot. seq. no. 001),

And plaintiff-appellant having moved for a stay of eviction, pending hearing and determination of the aforesaid appeal, and for limited poor person 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 eviction is denied. So much of the motion which seeks limited poor person relief is denied, with leave to renew upon petitioner's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a).

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 August 26, 2008.

Present: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

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

Respondent,

-against-

M-3358
Ind. No. 2204/07

Allen Proctor,

Defendant-Appellant.
-----X

An order of this Court having been entered on September 13, 2007 (M-4271) assigning Robert S. Dean, Esq., as counsel to prosecute defendant's appeal from the judgment of the Supreme Court, New York County, rendered on or about July 11, 2007,

And defendant-appellant having moved for an order relieving assigned counsel and to substitute other counsel to prosecute the appeal,

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

It is ordered that the motion is denied.

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 August 26, 2008.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John T. Buckley
Rolando T. Acosta
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
Sonia Alvia & Jose Alvia,
Plaintiffs-Respondents,

-against-

M-3588
Index No. 105913/06

Mutual Redevelopment Houses, Inc.,
Defendant-Appellant.
-----X

Defendant-appellant having moved for a stay of trial pending hearing and determination of the appeal taken from an order of the Supreme Court, New York County, entered on or about May 21, 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 granted on consent.

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 August 26, 2008.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John T. Buckley
Rolando T. Acosta
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----x
Vertical Computer Systems, Inc., a
member of NOW Solutions, L.L.C., suing
in the right of NOW Solutions, L.L.C.,
and Vertical Computer Systems, Inc.,
suing in its own right,
Plaintiffs-Respondents,

-against-

M-3826
Index No. 600644/03

Ross Systems, Inc.,
Defendant-Appellant,

-and-

J. Patrick Tinley, Gary Gyselen and
Arglen Acquisitions, LLC,
Defendants.

-----x
Ross Systems, Inc.,
Plaintiff-Appellant,

-against-

Index No. 600679/04

NOW Solutions, L.L.C.,
Defendant-Respondent.

-----x

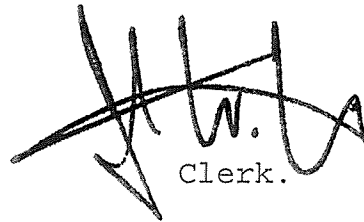
Appeals having been taken to this Court from judgments of the Supreme Court New York County, entered on or about October 11, 2007 and July 23, 2008, respectively,

And appellant Ross Systems, Inc. having moved for consolidation of the aforesaid appeals,

Now, upon reading and filing the papers with respect to the motion, including the stipulation between the parties; 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 one set of appellant's points covering the appeals. Sua sponte, the time to perfect the consolidated appeals is enlarged to the December 2008 Term.

ENTER:

A handwritten signature in black ink, appearing to be "J.W.L.", written over the typed name "J.W.L." and the title "Clerk.".

J.W.L.
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 26, 2008.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
John T. Buckley
Rolando T. Acosta
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----x
In the Matter of the Application of
Mark Oriole,
Petitioner-Respondent,

For a Judgment, etc.,

M-3853

Index No. 401832/07

-against-

Terry Saunders, etc.,
Respondent-Appellant.

-----x
Respondent-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 September 25, 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 December 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 August 26, 2008.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John T. Buckley
Rolando T. Acosta
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
Cesare Gaspari, DPM, et al.,

Plaintiffs-Respondents,

-against-

M-3528
Index No. 114960/05

Amnon Eric Sadeh, M.D., et al.,

Defendants,

Marlene Finkelstein, P.A.,

Defendant-Appellant.
-----X

Defendant-appellant having moved for leave to file a late notice of appeal from the order of the Supreme Court, New York County, entered on September 24, 2007 (mot. seq. no. 004) pursuant to CPLR 5520(a), and to enlarge the time in which to perfect said appeal,

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

It is ordered that the motion is granted to the extent of deeming the notice of appeal timely served and enlarging appellant's time in which to file said notice of appeal for a period of 30 days from the date of this order. The time in which to perfect the appeal is enlarged to the December 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 August 26, 2008.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
John T. Buckley
Rolando T. Acosta
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----x
Maria Grullon,

Plaintiff-Appellant,

-against-

David Martinez,

Defendant-Respondent.
-----x

M-3639
Index No. 5111/03

Plaintiff-appellant 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 September 10, 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 December 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 August 26, 2008.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John T. Buckley
Rolando T. Acosta
Dianne T. Renwick, Justices.

-----X
Richard J. McAllan,

Petitioner-Appellant,

For a Judgment, etc.,

M-3845

-against-

Index No. 115411/05

Michael R. Bloomberg, etc.,
et al.,

Respondents-Respondents.

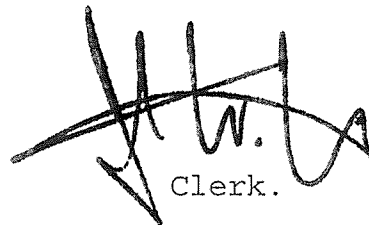
-----X

Petitioner having moved for an enlargement of time in which to perfect the appeal from orders of the Supreme Court, New York County, entered on or about August 11, 2006 (mot. seq. no. 001) and September 18, 2007 (mot. seq. no. 002),

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 December 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 August 26, 2008.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
James M. Catterson
Karla Moskowitz
Rolando T. Acosta, Justices.

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

-against-

Carmen Tancredi,
Defendant-Appellant.

M-3224
Ind. Nos. 6160/05
954/06

-----X

Defendant-appellant having moved for reargument of the decision and order of this Court entered on June 12, 2008 (Appeal Nos. 3930-3931), and upon reargument vacatur of the convictions rendered in Supreme Court, New York County on or about August 23, 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 denied.

ENTER:



Clerk.

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

BEFORE: Hon. Richard T. Andrias,
Justice of the Appellate Division

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

M-3161
Ind. No. 2209/04

-against-

Lamaar Pleasant, also known as
Lamaar A. Pleasant,

CERTIFICATE
DENYING LEAVE

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 May 16, 2008, which denied defendant's motion pursuant to CPL 440.10, is hereby denied.



Hon. Richard T. Andrias
Associate Justice

Dated: August 8, 2008
New York, New York

Entered: **AUG 26 2008**

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

BEFORE: Hon. DAVID FRIEDMAN
Justice of the Appellate Division

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

M-2674
Ind. No. 850/02

-against-

CERTIFICATE
DENYING LEAVE

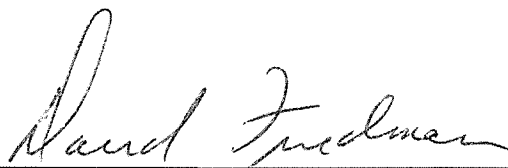
James Devonish,
Defendant-Appellant.

-----X

I, DAVID FRIEDMAN, 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 April 8, 2008, is hereby denied.

Dated: New York, New York
August 7, 2008

ENTERED



DAVID FRIEDMAN
Justice of the Appellate Division

AUG 26 2008

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

BEFORE: Hon. DAVID FRIEDMAN
Justice of the Appellate Division

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

M-1889
Ind. Nos. 6414/03
& 3459/04

-against-

Patrick Kelly,
Defendant-Appellant.

CERTIFICATE
DENYING LEAVE

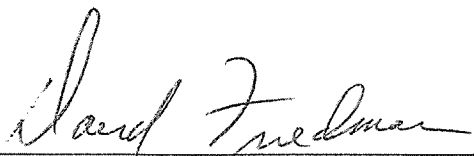
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I, DAVID FRIEDMAN, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, section 460.15, and upon the 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 March 5, 2008, is hereby denied. To the extent that defendant seeks poor person relief and assignment of counsel, that motion is hereby denied as academic.

Dated: New York, New York
August 7, 2008

ENTERED

AUG 26 2008



DAVID FRIEDMAN
Justice of the Appellate Division

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

BEFORE: Hon. John W. Sweeny, Jr.
Justice of the Appellate Division

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

M-2817
Ind. No. 59248C/04

-against-

CERTIFICATE
DENYING LEAVE

Mark Jenkins,

Defendant.
-----X

I, John W. Sweeny, Jr., 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, Bronx County, entered on or about May 14, 2008 (Troy K. Webber, J.) is hereby denied.


Associate Justice

Dated: August 11, 2008
New York, New York

ENTERED: **AUG 26 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- 3157
Ind. No. 2214/02

-against-

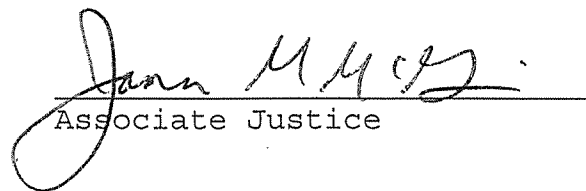
CERTIFICATE
DENYING LEAVE

KEVIN ALSTON

Defendant.

-----X

I, James M. McGuire, 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, Bronx County, entered on or about October 16, 2007 is hereby denied.


Associate Justice

Dated: August 12, 2008
New York, New York

ENTERED: **AUG 26 2008**