

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 22, 2008.

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

-----X  
Lucille Flowers and Carrie  
Hernandez Montgomery,  
Plaintiffs-Respondents,

-against-

M-2363X  
Index No. 22700/05

Manuel Monegro,  
Defendant-Appellant,

Carlton A. Williams  
and Diana Williams,  
Defendants.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about August 27, 2007,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" May 6, 2008, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 22, 2008.

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

-----X  
Linda Salvini,  
Plaintiff-Respondent,

-against-

M-2365X  
Index No. 105221/06

New York City Transit  
Authority and Roberto Robles,  
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about October 23, 2007,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" May 7, 2008, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 22, 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-2469  
Ind. No. 3086/06

Julio Viafara, also known as  
Julio Vefara,  
Defendant-Appellant.

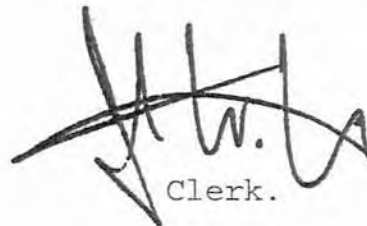
-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, rendered on or about January 2, 2007,

Now, upon reading and filing the stipulation of the parties hereto, dated May 9, 2008, and due deliberation having been had thereon,

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

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 22, 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,  
Appellant,

-against-

Joshua Iscoa,  
Defendant-Respondent.

M-2173  
M-2206  
Ind. No. 4218/06

-----X

The People having moved for an enlargement of time in which to perfect the appeal from an order of the Supreme Court, New York County, entered on or about April 18, 2007 (M-2173),

And the People having subsequently moved for leave to withdraw the aforesaid appeal (M-2206),

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

It is ordered that the appeal is deemed withdrawn.

ENTER:

  
Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 22, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,  
Peter Tom  
Luis A. Gonzalez  
John T. Buckley  
Dianne T. Renwick, Justices.

-----X  
Bonnie Wilson,

Plaintiff-Respondent,

-against-

The City of New York,

Defendant-Appellant.  
-----X

M-2229  
Index No. 22054/04

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 November 30, 2006,

Now, upon reading and filing the papers with respect to the motion, and the correspondence from defendant's counsel, dated May 7, 2008, and due deliberation having been had thereon,

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

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 22, 2008.

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

-----X  
In the Matter of

Joel Gomez,  
Petitioner-Appellant,

For a Judgment Pursuant to Article 78  
of the CPLR,

-against-

M-2086  
Index No. 115388/06

Triborough Bridge and Tunnel  
Authority,  
Respondent-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 15, 2006 (mot. seq. no. 001),


And an order of this Court having been entered on December 20, 2007 (M-5840), inter alia, enlarging the time of defendant in which to perfect the aforesaid appeal to the May 2008 Term,

And petitioner-appellant having untimely moved for a further enlargement of 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 denied and the appeal 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 May 22, 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-1999  
Index No. 601777/07

Itex Corporation, et al.,  
Defendants-Respondents.

-----X

Respondent Itex Corporation having moved for dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about February 4, 2008 (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 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 May 22, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,  
Luis A. Gonzalez  
Eugene Nardelli  
Milton L. Williams, Justices.

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

-against-

M-5860  
Ind. No. 5797/00

Manuel DeJesus,  
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on October 16, 2007 (Appeal Nos. 798-799), unanimously modifying the judgment of the Supreme Court, Bronx County, rendered on or about December 14, 2001 as amended by judgment of said court rendered on or about May 16, 2006,

And defendant-appellant having moved to discontinue the appeal taken from the judgment of resentence of said court rendered on or about May 16, 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 dismissed, the appeal from the judgment of resentence having been the subject of the decision and order of this Court entered on October 16, 2007 (Appeal Nos. 798-799).

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 May 22, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,  
Luis A. Gonzalez  
Eugene Nardelli  
Milton L. Williams, Justices.

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

-against-

M-6091  
Ind. No. 815/00

Kervin Sanchez,  
Defendant-Appellant.  
-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the order of the Supreme Court, New York County, entered on or about July 31, 2007, denying defendant's application for resentencing pursuant to the Drug Law Reform Act, and for leave to prosecute the appeal as a poor person on the original record and upon a reproduced appellant's brief, and for assignment of counsel,

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

It is ordered that the motion is granted to the extent of deeming the notice of appeal taken from only the order entered on or about July 31, 2007 as timely filed, and permitting said 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.

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.

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 May 22, 2008.

Present - Hon. Jonathan Lippman, Justice Presiding,  
Angela M. Mazzairelli  
David Friedman  
John T. Buckley, Justices.

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

-against-

David Wesley, also known as Kevin  
Kimp,  
Defendant-Appellant.

M-4985  
M-6660  
Ind. No. 6221/06

-----X  
Separate appeals having been taken to this Court from judgments of the Supreme Court, New York County, entered on or about August 14, 2007 and November 27, 2007, respectively,

And defendant having moved, by separate motions, for leave to proceed pro se on the appeal(s) (M-4985), and for leave to prosecute the appeals as a poor person, for leave to have the appeals heard on the original records and upon a reproduced appellant's brief, and for related relief (M-6660),

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

It is ordered that the motion (M-4985) for leave to proceed pro se on the appeals is denied. The motion (M-6660) for poor person relief is granted to the extent of permitting the appeal(s) 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 briefs are 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(s). The time within which appellant shall perfect the appeals is hereby enlarged until 120 days from the date of filing of the record(s).

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 May 22, 2008.

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

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

Respondent,

-against-

Melic Bradford,

Defendant-Appellant.

M-2071  
M-2123  
Ind. Nos. 1324/07  
2279/00  
3092/07  
3330/07

-----X  
An order of this Court having been entered on March 25, 2008 (M-1169) granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about December 13, 2007, and assigning Steven Banks, Esq., as counsel to prosecute the appeal;

And assigned counsel having moved by a separate motions for an order vacating the aforesaid order of this Court entered on March 25, 2008 (M-1169) to the extent of relieving assigned counsel and for other relief (M-2071 and M-2123),

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

It is ordered that the motions are granted to the extent of 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, Robert S. Dean, Esq., Center For Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. (212)577-2523, 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 May 22, 2008.

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

-----X  
Vanessa C. David,

Petitioner-Appellant,

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

M-2179  
Index No. 112791/05

-against-

New York City Commission on Human  
Rights, et al.,

Respondents-Respondents.  
-----X

Petitioner-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 29, 2007,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the September 2008 Term, with no further enlargements to be granted.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 22, 2008.

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

-----X  
John Hon, et al.,  
Plaintiffs-Respondents-Appellants,

-against-

Prince Development Company, LLC,  
et al.,  
Defendants-Respondents,

M-1850  
M-2003  
Index No. 602236/04

Generation Building Company, LLC,  
Defendant-Appellant-Respondent.

-----X

An appeal and cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about May 30, 2007,

And defendant-appellant-respondent and plaintiffs-respondents-appellants having moved by separate motions for an enlargement of time in which to perfect said appeal and cross appeal,

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

It is ordered that the motion and cross motion are granted to the extent of enlarging the time in which to perfect the appeal and cross appeal 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 May 22, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,  
Angela M. Mazzairelli  
David B. Saxe  
Milton W. Williams  
John T. Buckley, Justices.

-----X  
Morris I. Gletzer, etc.,  
Plaintiff-Respondent,

-against-

Amos Harris,  
Defendant-Appellant.

-----  
Greenpoint Mortgage Funding, Inc.,  
et al.,  
Petitioners-Appellants,

M-2002  
Index Nos. 605036/01  
113930/05

-against-

Morris I. Gletzer, etc.,  
Respondent-Respondent,

Amos Harris, et al.,  
Respondents.

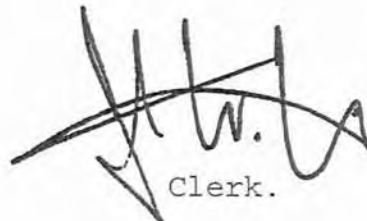
-----X

Plaintiff-respondent having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on March 13, 2008 (Appeal Nos. 2391-2392N),

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 May 22, 2008.

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

-----X  
Joseph W. McGarr, as Executor of the  
Estate of Kathleen M. Mooney,  
Plaintiff-Appellant,

-against-

The Guardian Life Insurance Company  
of America, et al.,  
Defendants,

M-1855  
Index No. 115473/97

James Downing,  
Defendant-Respondent.

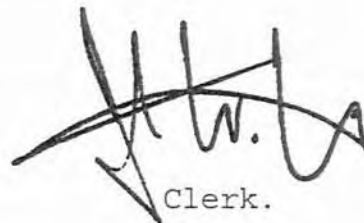
-----X

Plaintiff-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on February 28, 2008 (Appeal No. 2931),

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 May 22, 2008.

Present - Hon. Jonathan Lippman, Presiding Justice,  
Luis A. Gonzalez  
John T. Buckley  
John W. Sweeny, Jr., Justices.

-----X  
Jericho Group, Ltd.,

Plaintiff-Respondent,

-against-

Midtown Development, L.P.,

Defendant-Appellant.  
-----X

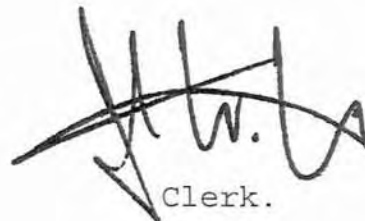
M-909  
Index No. 113274/04

Plaintiff-respondent having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on January 15, 2008 [Corrected Order January 16, 2008] (Appeal No. 2547N),

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 May 22, 2008.

Present - Hon. Jonathan Lippman, Presiding Justice,  
Angela M. Mazzarelli  
Luis A. Gonzalez  
John W. Sweeny, Jr.  
Rolando T. Acosta, Justices.

-----X  
Edna Potts Peters, etc.,  
Plaintiff-Respondent,

-against-

The City of New York Health and  
Hospitals Corporation, et al.,  
Defendants,

M-1472  
Index No. 22574/98

Victor Mariani, M.D.,  
Defendant-Appellant.

-----  
[and a third-party action]  
-----X

Defendant-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on February 26, 2008 (Appeal No. 2618),

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 May 22, 2008.

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

-----X  
Ann Marie Nathel,  
Plaintiff-Appellant,

-against-

M-2370  
Index No. 313512/05

Sheldon Nathel,  
Defendant-Respondent.

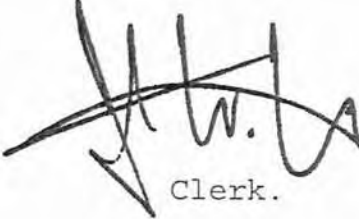
-----X

Plaintiff-appellant having moved for an order staying trial in the above-entitled action pending hearing and determination of the appeals taken from the orders of the Supreme Court, New York County, both entered on or about April 30, 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 only to the extent of staying trial without prejudice to other proceedings in Supreme Court, New York County, on condition that the appeals are perfected for the October 2008 Term. Upon failure to so perfect, an order vacating the stay may be entered ex parte, provided that respondent serves a copy of this order upon appellant within 10 days after the date of entry hereof.

ENTER:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 22, 2008.

Present: Hon. Peter Tom, Justice Presiding,  
David Friedman  
Eugene Nardelli  
John T. Buckley  
Dianne T. Renwick, Justices.

-----X  
Tonya Morris,  
Plaintiff-Respondent,

-against-

M-1877  
Index No. 20054/05

Mady Cisse and Abdul Sawaneh,  
Defendants-Appellants,

-and-

Paul Hiltbrand Ltd.,  
Defendant.

-----X

An appeal having been taken from an order and amended order of the Supreme Court, Bronx County, entered on or about September 24, 2007 and February 21, 2008, respectively,

And, plaintiff-respondent having moved for an order striking the record on appeal, directing defendant-appellant to serve a supplemental record on appeal to include certain documents, for an enlargement of time in which to perfect said appeal, and for related relief,

Now, upon reading and filing the papers with respect to the motion including the stipulation of the parties hereto, dated April 29, 2008, and due deliberation having been had thereon,  
it is

Ordered that the motion is deemed withdrawn.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 22, 2008.

Present: Hon. Peter Tom, Justice Presiding,  
Angela M. Mazzairelli  
Richard T. Andrias  
Milton L. Williams, Justices.

-----X  
The People of the State of New York  
ex rel. Jose Rodriguez,  
Petitioner-Appellant,

-against-

M-1720  
Index No. 250548/07

Warden, Rikers Island Correctional Facility and New York State Division of Parole,  
Respondent-Respondent.

-----X

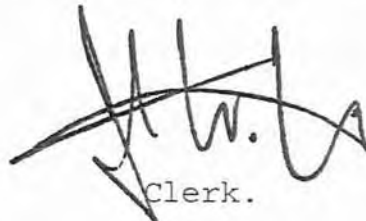
Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, entered on or about January 2, 2008, which dismissed a habeas corpus proceeding, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for assignment of counsel,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the Attorney General of the State of New York and files 10 reproduced copies of such brief, together with the original record, with this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record.

Pursuant to Section 35 of the Judiciary Law, Zoe Dolan, Esq., 249 East 7<sup>th</sup> Street, #1, New York, NY 10009, Tel. No. 347-301-5180, is assigned as counsel for appellant for purposes of the appeal. Counsel is directed to perfect the appeal in accordance with Rule 600.18 of this Court. 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 May 22, 2008.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Milton W. Williams  
James M. Catterson  
Rolando T. Acosta, Justices.

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

-against-

M-1779  
SCID. No. 30082/07

Salvador Diaz,  
Defendant-Appellant.

-----X

Defendant pro se having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Roger Hayes, J.) entered on or about February 8, 2008, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 10 reproduced copies of such brief, together with the original record, with this Court.

The Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL 460.70) two transcripts of the stenographic minutes of the SORA hearing and any other proceedings before Justice Hayes as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

The time in which appellant shall 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 May 22, 2008.

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

-----X  
In the Matter of the Application of  
Execution of Arbitration Award,

Philips Lin,  
Petitioner-Respondent,

-against-

M-923  
Index No. 105564/07

Raymond H. Wong, et al.,  
Respondents-Appellants.

-----X

Respondents-appellants having moved for an enlargement of time in which to perfect their appeal from the order of the Supreme Court, New York County, entered on or about August 27, 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 denied as unnecessary, the appeal having been timely perfected.

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 May 22, 2008.

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

-----X  
Melia Rothfeder, et al.,  
Plaintiffs-Respondents,

-against-

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

M-1543  
Index No. 21891/02

- - - - -  
Barry S. Gedan, etc.,  
Non-party Appellant.

-----X

Non-party appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on February 5, 2008 (Appeal No. 2682N),

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 May 22, 2008.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
John T. Buckley  
John W. Sweeny, Jr.  
Dianne T. Renwick, Justices.

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

-against-

M-1808  
Ind. No. 3905/03

Jose Rios,  
Defendant-Appellant.

-----X

The People having moved for dismissal of the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about December 19, 2003,

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 May 22, 2008.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
John T. Buckley  
John W. Sweeny, Jr.  
Dianne T. Renwick, Justices.

-----X  
John O'Gorman and Patricia O'Gorman,  
Plaintiffs-Appellants,

-against-

M-1853  
Index No. 108613/05


Slattery Skanska, Inc., Gottlieb  
Skanska, Inc., Skanska USA Building,  
Inc. and Barney Skanska USA,  
Defendants-Respondents.  
-----X

Defendant-respondent Skanska USA Building Inc. having moved for dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about August 9, 2006 (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 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 May 22, 2008.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
John T. Buckley  
John W. Sweeny, Jr.  
Dianne T. Renwick, Justices.

-----X  
In the Matter of the Application of  
Marie Castro,  
Petitioner,

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

M-1983  
Index No. 405639/07

-against-

Department of Social Services East  
End Job Center #023 2322 3<sup>rd</sup> Ave  
New York, N.Y. 10035,  
Respondent.

-----X

An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about October 1, 2007 (mot. seq. no. 001), to review a determination of respondent,

And petitioner having moved for leave to prosecute the proceeding as a poor person, for leave to have the proceeding heard on the original record and upon a reproduced petitioner's brief,

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

It is ordered that the motion is granted to the extent of permitting the proceeding to be heard on the original record and upon a reproduced petitioner's brief, on condition that petitioner serves one copy of such brief upon the attorney for the respondent and file 10 copies of such brief, together with the original record, with this Court. Petitioner is permitted to dispense with payment of the required fee for the subpoena and 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 May 22, 2008.

Present - Hon. Luis A. Gonzalez, Justice Presiding,  
Milton L. Williams  
John T. Buckley  
James M. Catterson, Justices.

-----x  
Zion Tsabbar, D.D.S.,  
Plaintiff-Appellant,

-against-

M-1520  
Index No. 404045/04

17 East 89<sup>th</sup> Street Tenants, Inc.,  
et al.,  
Defendants-Respondents.  
-----x

A decision and order of this Court having been entered on October 31, 2000 (*Tsabbar v Auld, et al.*, 276 AD2d 442 [2000]), affirming the order of the Supreme Court, New York County, (Paula J. Omansky, J.) entered on October 31, 1999, denying plaintiff's motion for partial summary judgment and holding that plaintiff's agreements with other healthcare professionals were not mere licenses but subleases for which approval was required under plaintiff's proprietary lease with defendant cooperative corporation,

And a decision and order of this Court having been entered on December 18, 2001 (*Tsabbar v Auld, et al.*, 289 AD2d 115 [2001], lv denied 98 NY2d 613 [2002]), inter alia, affirming the order of the Supreme Court, New York County (Paula J. Omansky, J.), entered January 25, 2001, which granted defendants' motion for summary judgment dismissing the complaint,

And a decision and order of this Court having been entered on December 24, 2002 (*Tsabbar v Delena, et al.*, 300 AD2d 196, 197 [2002], lv denied 100 NY2d 508 [2003]), affirming the order of the Supreme Court New York County (Walter Tolub, J.) entered October 1, 2001, which, inter alia, granted defendants' motion for summary judgment dismissing certain of plaintiff's claims with respect to his unsuccessful quest to sublet his professional cooperative apartment without board approval as barred by the doctrine of res judicata and collateral estoppel, and advising plaintiff that any further attempt by plaintiff to evade the underlying order proscribing his bringing any further litigation arising out of the allegations asserted therein would subject him to the imposition of sanctions pursuant to 22 NYCRR 130-1.1(a) and (c),

And a decision and order of this Court having been entered on April 22, 2004 (*17 East 89<sup>th</sup> Street Tenants, Inc. v Tsabbar*, 6 AD3d 309 [2004], lv to appeal dismissed in part, denied in part, 3 NY3d 686 [2004], reargument denied 3 NY3d 767 [2004]), affirming the order and judgment (one paper) of the Supreme Court, New York County (Joan A. Madden, J.), entered on April 29, 2003, which, inter alia, granted plaintiff cooperative summary judgment on its entire complaint including claims for ejectment, use and occupancy, attorneys fees and rent arrears,

And a decision and order of this Court having been entered on February 16, 2006 (*Tsabbar v Auld, et al.*, 26 AD2d 233 [2006]), inter alia, affirming the order of the Supreme Court, New York County (Paula J. Omansky, J.) entered December 1, 2004, which denied plaintiff's motion to vacate orders of the Supreme Court entered on or about October 19, 1999 and January 18, 2001, respectively, with respect to his professional cooperative apartment, and imposing sanctions upon plaintiff pursuant to 22 NYCRR 130-1.1 and awarding attorneys' fees, and directing the Clerks of the Supreme Court, New York and Bronx Counties, and the Clerk of the Appellate Division, First Department, to accept no further filings from this plaintiff as to the matter of plaintiff's professional cooperative apartment without prior leave of their respective courts,

And plaintiff having taken a further appeal to this Court from the order of the Supreme Court, New York County (Joan A. Madden, J.), entered on or about January 28, 2008 (Index No. 404045/04) which, inter alia, granted defendants' motion to dismiss the complaint with respect to plaintiff's professional cooperative apartment upon the grounds of collateral estoppel and res judicata,

And defendants-respondents having moved for dismissal of the aforesaid appeal from the order of the Supreme Court entered on or about January 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 and the appeal is dismissed with \$100 costs.

Sua sponte, the matter is remanded to Supreme Court, New York County, for determination of the appropriate sanctions and attorneys' fees, to be imposed upon plaintiff, necessitated by the defense of this action, up to and including the instant motion. Said appeal and the underlying premises of this action are in violation of the order(s) of this Court proscribing such litigation which orders have previously adjudicated this matter to its conclusion.

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 May 22, 2008.

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

-----X  
Eileen Singleton,  
Plaintiff-Respondent,

-against-

M-1962 & M-2054  
Index No. 18867/06

City of New York,  
Defendant-Appellant,

New York City Transit Authority  
and Manhattan And Bronx Surface  
Transit Operating Authority,  
Defendants-Appellants.


-----X

Defendants-appellants having moved, by separate motions, for an enlargement of time in which to perfect their respective appeals taken from the order of the Supreme Court, Bronx County, entered on or about June 7, 2007,

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

It is ordered that the motions are granted to the extent of enlarging the time in which to perfect the respective appeals, which are sua sponte consolidated, to the September 2008 Term. The Clerk is directed to calendar the appeals for hearing together during said September 2008 Term.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 22, 2008.

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

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

-against-

Praboodiya Autar,  
Defendant-Appellant.

M-2027  
Case No. 54525C/05  
Ind. No. 1970/03

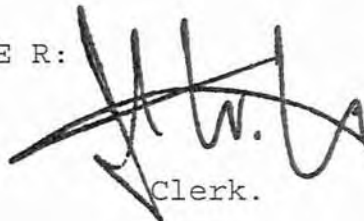
-----X

Defendant-appellant having moved for consolidation of the appeals taken from the judgments of the Supreme Court, Bronx County, rendered on or about September 25, 2007 (Case No. 54525C/05) and October 5, 2007 (Ind. No. 1970/03), respectively,

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

It is ordered that the motion is granted to the extent of permitting appellant to prosecute the appeals upon 10 copies of one record and of one set of appellant's points covering the appeals. The time to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

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 May 22, 2008.

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

-----X  
Wachovia Securities, LLC,  
Plaintiff-Appellant,

-against-

M-1963  
Index No. 104326/06

Richard A. Joseph, etc., et al.,  
Defendants-Respondents,

Delaware Charter Guarantee & Trust  
Company, doing business as Trustar  
Retirement Services, etc.,  
Defendant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, entered on or about February 7, 2007 (mot. seq. no. 001), and said appeal having been perfected for the September 2008 Term,

And defendants-respondents having moved for an order striking from the record on appeal the transcript of argument on the underlying motions which are the subject of the appeal from the judgment entered thereon, and for related relief,

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

Ordered that the motion is denied.

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 May 22, 2008.

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

-----X

Emigrant Bank, et al.,  
Plaintiffs-Appellants,

-against

M-2011  
Index No. 602173/06

UBS Real Estate Securities, Inc.,  
Defendant-Respondent.

-----X

Defendant-respondent having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on March 13, 2008 (Appeal No. 3081),

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 May 22, 2008.

PRESENT: Hon. David Friedman, Justice Presiding,  
Milton L. Williams  
James M. Catterson  
Rolando T. Acosta, Justices.

-----X  
Gary Norfleet,  
Plaintiff-Respondent,

-against-

Deme Enterprise, Inc., et al.,  
Defendants-Appellants.

M-2051  
Index No. 18969/06

-----X

Defendants-appellants having moved for an order staying the trial in the above-entitled action pending hearing and determination of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about January 14, 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.

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 May 22, 2008.

Present - Hon. David Friedman, Justice Presiding,  
Eugene Nardelli  
James M. Catterson  
James M. McGuire  
Rolando T. Acosta, Justices.

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

-against-

M-553  
Ind. No. 5477/03

Carlos Torres,  
  
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on November 21, 2006 (Appeal No. 9615), unanimously affirming a judgment of the Supreme Court, New York County (James A. Yates, J.), rendered on June 16, 2004,

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

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

It is ordered that said application is denied.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the first Judicial Department in the County of New York on May 22, 2008.

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

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

-against-

M-1841  
Ind. No. 2568/06

Bryan Andino,  
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 March 18, 2008, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard upon the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 10 reproduced copies of such brief, together with the original record, with this Court.

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

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

ENTER:



Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 22, 2008.

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

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

-against-

M-1887  
Ind. No. 90054/05

Latisha Lindsay,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about January 8, 2008, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

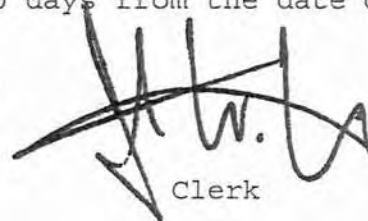
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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

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

ENTER:



Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the first Judicial Department in the County of New York on May 22, 2008.

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

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

-against-

M-2070  
Ind. No. 6196/06

Darryl Leak,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about March 17, 2008, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard upon the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 10 reproduced copies of such brief, together with the original record, with this Court.

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

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

ENTER:

  
Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 22, 2008.

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

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

-against-

M-1349  
Ind. No. 305/95

John Hall, also known as  
Charles Walker,

Defendant.  
-----X

Defendant having moved for an extension of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about February 26, 1998, and for leave to prosecute the appeal as a poor person, and for leave to have the appeal heard on the original record and typewritten briefs, and related relief,

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

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

ENTER:

  
Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 22, 2008.

Present: Hon. Eugene Nardelli, Justice Presiding,  
Milton L. Williams  
John T. Buckley  
James M. Catterson, Justices.

-----X  
George Eremeyev, et al.,

Plaintiffs-Appellants,

-against-

M-1705  
Index No. 8898/01

Manhattan Eye, Ear & Throat  
Hospital, et al.,

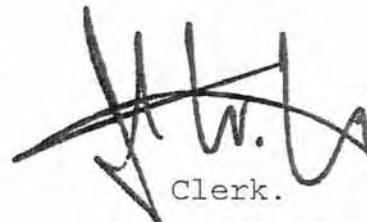
Defendants-Respondents.  
-----X

Plaintiffs having moved for an enlargement of time in which to file a notice of appeal from the order of the Supreme Court, Bronx County, entered on or about February 28, 2008, for poor person relief, and the assignment of Matthew Gaier of Kramer, Dillof, Livingston & Moore to represent appellants on the prospective appeal, and for related relief,

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

It is ordered that the motion, to the extent it seeks an enlargement of time to file a notice of appeal, is denied as unnecessary. The motion, to the extent it seeks poor person relief and the assignment of counsel, is denied. Plaintiffs are directed to perfect the appeal on or before August 4, 2008 for the October 2008 Term of this Court.

ENTER:

  
Clerk.



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 22, 2008.

Present - Hon. Eugene Nardelli, Justice Presiding,  
Milton L. Williams  
John W. Sweeny, Jr.  
James M. Catterson, Justices.

-----X  
In re Harold Bell,

Petitioner,

-against-

The New York City Housing Authority,

Respondent.  
-----X

M-2040  
Index No. 403022/05

Petitioner having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on March 4, 2008 (Appeal No. 2984), for a stay of eviction, and for other relief,

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

It is ordered that the motion is denied.

ENTER:

  
Clerk.

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

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

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

M-1538  
Ind. No. 5056/89

-against-

CERTIFICATE  
DENYING LEAVE

**Eduardo LaTorres,**

Defendant.

-----X

I, Angela M. Mazzarelli, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County (Bruce Allen, J.), entered on or about February 15, 2008, is hereby denied.



Justice

Dated: New York, New York  
**MAY 16**, 2008

**ENTERED**

**MAY 22 2008**

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,

Respondent,

-against-

Anthony Coston,

Defendant-Appellant.  
-----X

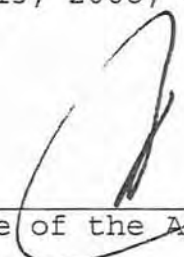
M-1961  
Ind. No.1853/03

CERTIFICATE  
GRANTING LEAVE

I, Richard T. Andrias, a Justice of the Appellate Division, First Judicial Department, do hereby certify that in the proceedings herein questions of law or fact are involved which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is hereby granted to the above-named defendant to appeal to the Appellate Division, First Judicial Department, from the order of the Supreme Court, Bronx County (Troy K. Webber, J.), entered March 13, 2008, denying his motion pursuant to CPL 440.10.<sup>1</sup>

Dated: New York, New York  
May 14, 2008

**ENTERED** MAY 22 2008

  
Justice of the Appellate Division

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

---

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

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

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

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

M-1780  
Ind. No. 8764/93

-against-

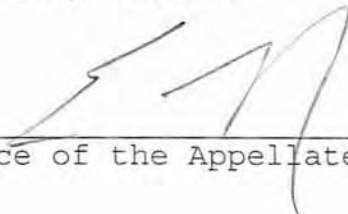
CERTIFICATE  
DENYING LEAVE

George Charlotte,

Defendant.

-----X

I, Eugene L. Nardelli, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, section 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County, entered on or about February 26, 2008, is hereby denied.

  
\_\_\_\_\_  
Justice of the Appellate Division

Dated: New York, New York

**MAY 16 2008**

**ENTERED** **MAY 22 2008**

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

BEFORE: Hon. Leland G. DeGrasse  
Justice of the Appellate Division

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

M-1951  
Ind. No. 4729/94

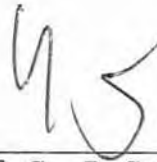
-against-

CERTIFICATE  
DENYING LEAVE

Karsem Williams, Defendant.  
-----X

I, Hon. Leland G. DeGrasse, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about March 6, 2008, is hereby denied.

Dated: New York, New York  
MAY 16, 2008



\_\_\_\_\_  
Hon. Leland G. DeGrasse  
Justice of the Appellate Division

**ENTERED** MAY 22 2008