

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 November 20, 2008.

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

-----X
HSAC Corp.,
Plaintiff-Appellant,

-against-

M-5202X
Index No. 602604/07

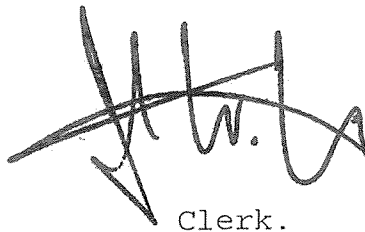
105/107 Reade LLC,
Defendant-Respondent.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about December 3, 2007 (mot. seq. no. 001),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" October 27, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 November 20, 2008.

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

-----X
Yvonne Newkirk, as Mother and Natural
Guardian of Tyvonne Newkirk, an
Infant under the Age of 14 Years,
Plaintiffs-Respondents,

-against-

M-5209

Index No. 21521/99

The City of New York, The Board of
Education of the City of New York,
Defendants,

The New York City Housing Authority,
Defendant-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about March 7, 2008,

Now, upon reading and filing the stipulation of the parties hereto, filed October 27, 2008, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the December 2008 Term, is withdrawn in accordance with the aforesaid stipulation.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 November 20, 2008.

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

-----X
Gary C. Thompson,
Plaintiff-Appellants,

-against-

M-4842
Index No. 975/03

Andre Bonnick, Pauleta A. Morris,
Hermin Young, Valrie Barrett and
Deslie Pommells,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about November 16, 2007,

And, plaintiff-appellant having moved for an enlargement of time in which to perfect the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motion and correspondence from Pollack, Pollack, Issac & DeCicco filed October 27, 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 November 20, 2008.

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

-----X
Callisto Pharmaceuticals, Inc.,
Plaintiff-Appellant,

-against-

M-4650
Index No. 604374/06

Tapestry Pharmaceuticals, Inc.,
et al.,
Defendants-Respondents.

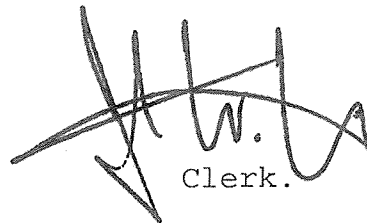
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about July 25, 2007 (mot. seq. no. 003),

Now, upon reading and filing the papers with respect to the motion and the correspondence dated October 27, 2008 from David Jaroslawicz, Esq., and due deliberation having been had thereon,

It is ordered that the motion and the 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 November 20, 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-4438
Ind. No. 2923/04

Apolinar Roque,
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 23, 2008, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

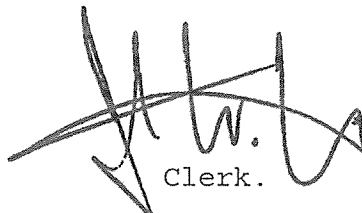
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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 November 20, 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-4967
Ind. No. 928/08

Eric Herbert Bowman,
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 September 16, 2008, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

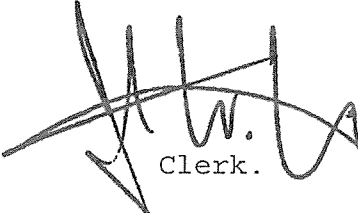
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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 November 20, 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-4968
Ind. No. 6095/06

Steven Finkelstein,
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 August 22, 2008, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

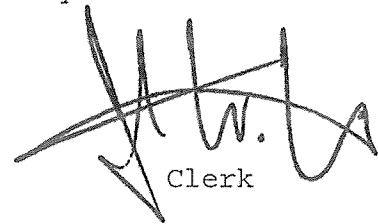
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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 November 20, 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-4969
Ind. No. 2330/01

Garnell Gillian,
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 August 21, 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 November 20, 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-4970
Ind. No. 5643/07

Edward 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 October 8, 2008, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

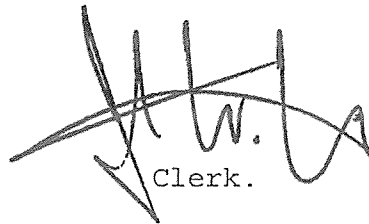
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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 November 20, 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-4971
Ind. No. 3757/05

Richard Hope,
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 September 22, 2008, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

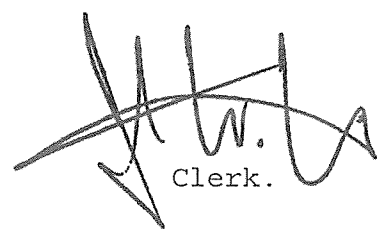
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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 November 20, 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-4972
Ind. No. 3410N/08

Anthony Letterio,
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 October 2, 2008, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

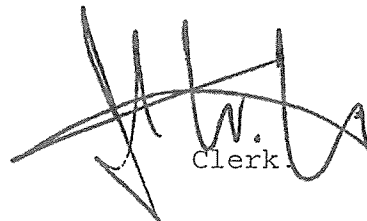
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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 November 20, 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-4973
Ind. No. 880/08

Martin U. Nnodimele,
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 September 24, 2008, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

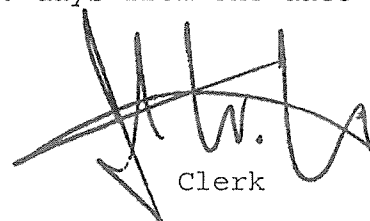
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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 November 20, 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-4974
Ind. No. 642/06

Manuel Perez,
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 1, 2008, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

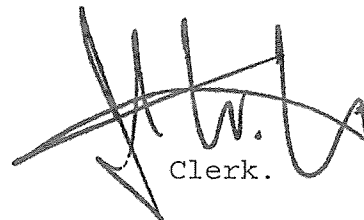
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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 November 20, 2008.

PRÉSENT - 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-4975
Ind. No. 4443/07

Bernard Solomon, also known as
John Bernard,
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 September 29, 2008, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

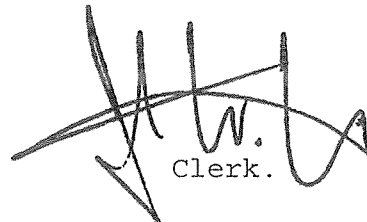
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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

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

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, 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 November 20, 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-4983
Ind. Nos. 6228/06
1909/07

Nelson Sanchez,
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 October 17, 2007, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

E N T E R:



Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 20, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Angela M. Mazzairelli
John T. Buckley
James M. McGuire
Leland G. DeGrasse, Justices.

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

Respondent,

M-5055

DC #7

-against-

Ind. No. 3613/04

Angel Aviles,

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about May 5, 2005, and the judgment of resentence of said Court rendered on or about July 9, 2007,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on October 30, 2008, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the February 2009 Term of this Court and counsel is directed to so perfect.

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 November 20, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Angela M. Mazzarelli
John T. Buckley
James M. McGuire
Leland G. DeGrasse, Justices.

-----X

The People of the State of New York,

Respondent,

M-5061

DC #10

-against-

SCI No. 29647C/05

Messiah Bey,

Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about June 5, 2006,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on October 30, 2008, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the February 2009 Term of this Court and counsel is directed to so perfect.

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 November 20, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Angela M. Mazzarelli
John T. Buckley
James M McGuire
Leland G. DeGrasse, Justices.

-----X

The People of the State of New York,

Respondent,

M-5063

DC #12

-against-

Ind. No. 2585/06

Luis Black,

Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about February 8, 2007,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on October 30, 2008, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the February 2009 Term and counsel is directed to so perfect.

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 November 20, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Angela M. Mazzarelli
John T. Buckley
James M. McGuire
Leland G. DeGrasse, Justices.

-----X

The People of the State of New York,

Respondent,

M-5079

DC #19

-against-

Ind. No. 2058/05

Calvin Chan,

Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about September 19, 2007,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on October 30, 2008, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the February 2009 Term of this Court and counsel is directed to so perfect.

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 November 20, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Angela M. Mazzarelli
John T. Buckley
James M. McGuire
Leland G. DeGrasse, Justices.

-----X

The People of the State of New York,

Respondent,

M-5084

DC #34

-against-

Ind. No. 6425/05

Anthony Griffin,

Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about October 19, 2006,

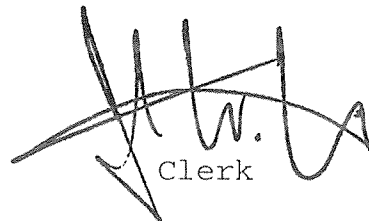
And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on October 30, 2008, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the February 2009 Term of this Court and counsel is directed to so perfect.

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 November 20, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Angela M. Mazzarelli
John T. Buckley
James M. McGuire
Leland G. DeGrasse, Justices.

-----X

The People of the State of New York,

Respondent,

M-5133

DC #37

-against-

Ind. No. 4407/04

Kenneth Hayes,

Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about September 9, 2005,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on October 30, 2008, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the February 2009 Term of this Court and counsel is directed to so perfect.

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 November 20, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Angela M. Mazzairelli
John T. Buckley
James M. McGuire
Leland G. DeGrasse, Justices.

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

Respondent, M-5137
DC #42
-against- Ind. No. 763/04

Larry Jones,
Defendant-Appellant.
-----X

Appeals having been taken to this Court by defendant from judgments of the Supreme Court, Bronx County, rendered on or about May 16, 2005 and May 12, 2006, and from the order of said Court entered on or about March 27, 2006,

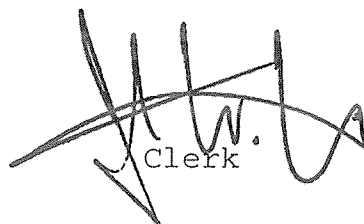
And said appeals not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on October 30, 2008, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeals,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeals is enlarged to the February 2009 Term of this Court and counsel is directed to so perfect.

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 November 20, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Angela M. Mazzairelli
John T. Buckley
James M. McGuire
Leland G. DeGrasse, Justices.

-----X

The People of the State of New York,

Respondent,

M-5138

DC #43

-against-

Ind. No. 4131/06

Damien Jones,

Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about November 15, 2006,

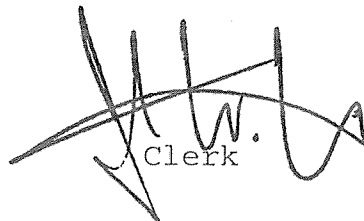
And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on October 30, 2008, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the February 2009 Term of this Court and counsel is directed to so perfect.

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 November 20, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Angela M. Mazzarelli
John T. Buckley
James M. McGuire
Leland G. DeGrasse, Justices.

-----X

The People of the State of New York,

Respondent,

M-5139

DC #44

-against-

Ind. No. 5733/06

Gary Kelly,

Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about August 1, 2007,

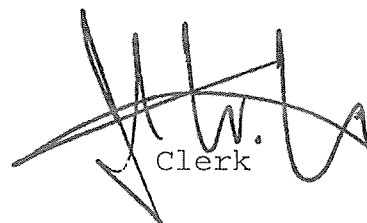
And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on October 30, 2008, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the February 2009 Term of this Court and counsel is directed to so perfect.

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 November 20, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Angela M. Mazzarelli
John T. Buckley
James M. McGuire
Leland G. DeGrasse, Justices.

-----X

The People of the State of New York,

Respondent,

M-5143

DC #47

-against-

Ind. No. 2938/04

Henry Lopez,

Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about January 3, 2007,

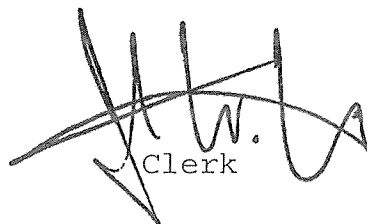
And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on October 30, 2008, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the February 2009 Term of this Court and counsel is directed to so perfect.

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 November 20, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Angela M. Mazzarelli
John T. Buckley
James M. McGuire
Leland G. DeGrasse, Justices.

-----X

The People of the State of New York,

Respondent,

M-5144

DC #48

-against-

SCI No. 1981/06

Clifton Little, also known as
Charles J. Little,

Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about February 14, 2007,

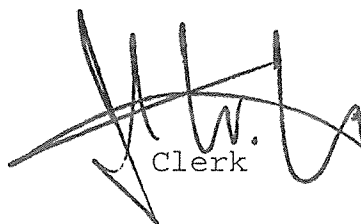
And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on October 30, 2008, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the February 2009 Term of this Court and counsel is directed to so perfect.

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 November 20, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Angela M. Mazzarelli
John T. Buckley
James M. McGuire
Leland G. DeGrasse, Justices.

-----X

The People of the State of New York,

Respondent,

M-5158

DC #62

-against-

Ind. No. 1565/04

Anthony M. Ortega,

Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about April 24, 2006,

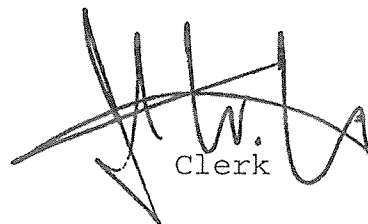
And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on October 30, 2008, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the February 2009 Term of this Court and counsel is directed to so perfect.

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 November 20, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Angela M. Mazzarelli
John T. Buckley
James M. McGuire
Leland G. DeGrasse, Justices.

-----X

The People of the State of New York,

Respondent,

M-5160

DC #64

-against-

Ind. No. 6695/05

Paul Pacheco,

Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about September 6, 2006,

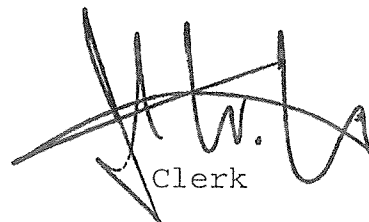
And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on October 30, 2008, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the February 2009 Term of this Court and counsel is directed to so perfect.

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 November 20, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Angela M. Mazzarelli
John T. Buckley
James M. McGuire
Leland G. DeGrasse, Justices.

-----X

The People of the State of New York,

Respondent,

M-5165

DC #69

-against-

Ind. No. 6845/05

Deandre Pickett,

Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about November 1, 2006,

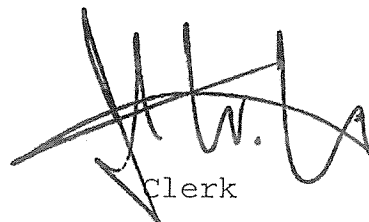
And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on October 30, 2008, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the February 2009 Term of this Court and counsel is directed to so perfect.

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 November 20, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Angela M. Mazzaelli
John T. Buckley
James M. McGuire
Leland G. DeGrasse, Justices.

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

Respondent,

M-5173

DC #77

-against-

Ind. No. 4593/05

Jayson Smith,

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about November 21, 2006,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on October 30, 2008, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the February 2009 Term of this Court and counsel is directed to so perfect.

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 November 20, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Angela M. Mazzarelli
John T. Buckley
James M. McGuire
Leland G. DeGrasse, Justices.

-----X

The People of the State of New York,

Respondent,

M-5177

DC #81

-against-

Ind. No. 675/06

Jason Williams,

Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about April 18, 2007,


And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on October 30, 2008, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the February 2009 Term of this Court and counsel is directed to so perfect.

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 November 20, 2008.

PRESENT: Hon. Jonathan Lippman, Presiding Justice,
Angela M. Mazzairelli
John T. Buckley
James M. McGuire
Leland G. DeGrasse, Justices.

-----X
L.A. Wenger Contracting Co., Inc.,
on behalf of itself and all those
similarly situated,
Plaintiff-Appellant,

-against-

M-5277
Index No. 601467/08

Kreisler Borg Florman General
Construction Company, Inc., et al.,
Defendants-Respondents.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about October 30, 2008 (mot. seq. no. 002),

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

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

Ordered that the motion is 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 November 20, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Richard T. Andrias
David B. Saxe
John W. Sweeny, Jr.
Leland G. DeGrasse, Justices.

-----X
Richard J.J. Scarola,
Plaintiff-Appellant,

-against-

M-4579

Index No. 570554/07

Sander Lehrer and Reavis Parent
Lehrer, LLP,
Defendants-Respondents.

- - - - -
Sander Lehrer and Reavis Parent
Lehrer, LLP,
Third-Party Plaintiffs,

-against-

Scarola Ellis LLP and Scarola
Reavis Parent, LLP,
Third-Party Defendants.

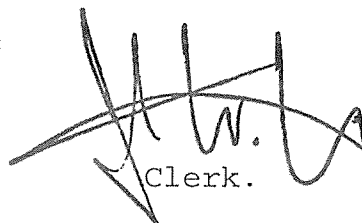
-----X

Plaintiff-appellant, Richard J.J. Scarola, having moved for leave to appeal to this Court from the order of the Appellate Term entered in the office of the Clerk of the Supreme Court, New York County, on or about March 7, 2008,

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

It is ordered that the motion is denied.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 20, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,
David B. Saxe
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

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

-against-

M-4618
Ind. No. 3344/07

Dennis Almonte,
Defendant-Appellant.

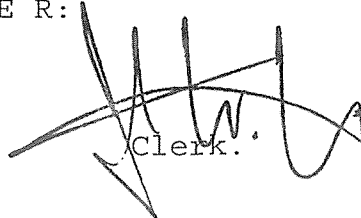
-----X

An order of this Court having been entered on May 1, 2008 (M-1784) 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 October 9, 2007, and assigning Robert S. Dean, Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Robert S. Dean, 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.

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 November 20, 2008.

PRESENT: Hon. Jonathan Lippman, Presiding Justice,
David B. Saxe
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X

In the Matter of

Isaiah F.,
Isis F.,

Dependent Children under 18 Years
of Age Alleged to be Abused and/or
Neglected Pursuant to Article 10
of the Family Court Act.

Administration for Children's
Services,
Petitioners-Respondents,

M-4585
Docket Nos. NA13575/06
NA13576/06

Alexander F.,
Cherise F.,
Anita T.,
Respondents,

Alexander W.,
Respondent-Appellant.

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

-----X

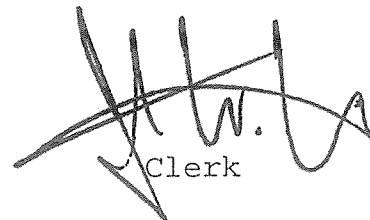
Respondent Alexander W., having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about September 9, 2008, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of
(1) assigning, pursuant to Article 18b of the County Law and

§1120 of the Family Court Act, Geoffrey Berman, Esq., 2005 Palmer Avenue #176, Larchmont, NY 10538, Telephone No. (914)834-3053, as counsel for purposes of prosecuting the appeal; (2) **directing the Clerk of said Family Court to have transcribed within 60 days of service of a copy of this order upon the Clerk, the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the State of New York from funds available therefor¹ within 60 days of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for transferring the record from the Family Court to this Court; and (4) enlarging the time to perfect this appeal until 120 days from the date of filing of the record. Assigned counsel is directed to immediately subpoena the record from the Family Court and to serve a copy of this order upon the Clerk of the Family Court.

ENTER:



Clerk

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 20, 2008.

PRESENT: Hon. Jonathan Lippman, Presiding Justice,
David B. Saxe
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X
One Hundred Grand, Inc.,
Petitioner-Appellant,

-against-

M-4475
Index No. 570709/06

Karen Chaplin, formerly known as
Karen Rochon,
Respondent-Respondent.

-----X

Respondent having moved for leave to appeal to this Court from the decision and order of the Appellate Term entered in the office of the Clerk of the Supreme Court, New York County, on or about May 12, 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. Appellant shall file two copies of the pre-argument statement and of this order with the Clerk of the Appellate Term with proof of service, pursuant to Section 600.17 of the Rules 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 November 20, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Luis A. Gonzalez
Eugene Nardelli
Rolando T. Acosta
Leland G. DeGrasse, Justices.

-----X

In the Matter of

Jayvon Nathaniel L.,

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

M-4022
Docket No. B2542/04

- - - - -

Leake and Watts Services, Inc.,
et al.,

Petitioners-Respondents,

Natasha A.,

Respondent-Appellant.

- - - - -

Ronald Fischer, Esq.,

Law Guardian for the Child.

-----X


Respondent-appellant mother having moved for leave to prosecute, as a poor person, the appeal from the order of the Family Court, Bronx County, entered on or about July 17, 2008, and for assignment of counsel, a free copy of the transcript, and related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Robin Steinberg, Esq., The Bronx Defenders, 860 Courtlandt Avenue, Bronx, NY 10451, Telephone No. 718-838-7878, as counsel, for purposes of prosecuting the appeal;

(2) directing the Clerk of said Family Court to have transcribed within 60 days of service of a copy of this order upon the Clerk, the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹; (3) permitting appellant to dispense with any fee for transferring the record from the Family Court to this Court; and (4) enlarging the time to perfect this appeal until 120 days from the date of filing of the record. Assigned counsel is directed to immediately subpoena the record from the Family Court and to serve a copy of this order upon the Clerk of the Family Court.

ENTER:



Clerk.

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 20, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Luis A. Gonzalez
Eugene Nardelli
Rolando T. Acosta
Leland G. DeGrasse, Justices.

-----X

In the Matter of

Vincent P. and Claudette P.,

M-4172

Dependent Children under 18 Years
of Age Alleged to be Abused and/or
Neglected Pursuant to Article 10
of the Family Court Act.

Docket Nos. NN12621-00/07F
NN12622-00/07F
NN12621-00/07G
NN12622-00/07G

Administration for Children's
Services,
Petitioner-Respondent,

Dorothy P.,
Respondent-Appellant.

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

-----X

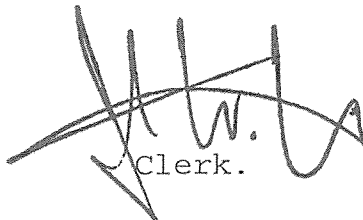
Respondent-appellant mother having moved for leave to prosecute, as a poor person, the appeal from the order of the Family Court, New York County, entered on or about June 10, 2008, and for assignment of counsel, a free copy of the transcript, and related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Geoffrey P. Berman, Esq., 2005 Palmer Avenue, #176, Larchmont, NY 10538, Telephone No. 914-834-3053

as counsel, for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed within 60 days of service of a copy of this order upon the Clerk, the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹; (3) permitting appellant to dispense with any fee for transferring the record from the Family Court to this Court; and (4) enlarging the time to perfect this appeal until 120 days from the date of filing of the record. Assigned counsel is directed to immediately subpoena the record from the Family Court and to serve a copy of this order upon the Clerk of the Family Court.

ENTER:



Clerk.

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 20, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,
Luis A. Gonzalez
Eugene Nardelli
Rolando T. Acosta
Leland G. DeGrasse, Justices.

-----X
In the Matter of a Proceeding Pursuant to
Article 6 of the Family Court Act.

James M.,
Petitioner-Respondent,

-against-

M-4173
Docket No. V13227/00

Rosanna R.,
Respondent-Appellant.
-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about July 17, 2008, and for assignment of counsel, a free copy of the transcript, and related relief,


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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and § 1120 of the Family Court Act, Howard Simms, Esq., 295 Greenwich Street, Suite 222, New York, NY 10007, Tel. No. 646-485-4009, as counsel, for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed within 60 days of service of a copy of this order upon the Clerk, the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹; (3) permitting appellant to dispense with any fee for transferring the record from the Family

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

Court to this Court; and (4) enlarging the time to perfect this appeal until 120 days from the date of filing of the record. Assigned counsel is directed to immediately subpoena the record from the Family Court and to serve a copy of this order upon the Clerk of the Family Court.

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 November 20, 2008.

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

-----X

In re Philips Lin,
Petitioner-Respondent,

-against-

M-4070
Index No. 105564/07

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

-----X

A decision and order of this Court having been entered on June 24, 2008 (Appeal No. 4000), affirming the order of the Supreme Court, New York County, entered on or about August 27, 2007, and, inter alia, granting petitioner's application to confirm an attorney fee arbitration award,

And petitioner-respondent having moved for enforcement of the aforesaid attorney fee arbitration award,

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 November 20, 2008.

PRESENT: Hon. Jonathan Lippman, Presiding Justice,
John W. Sweeny, Jr.
James M. Catterson
Rolando T. Acosta
Dianne T. Renwick, Justices.

-----X
Luanne Lacarrere,
Plaintiff-Respondent,

-against-

M-4783
Ind. No. 350506/04

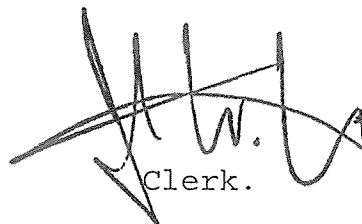
Kristopher Lacarrere,
Defendant-Appellant.
-----X

Leshanski & O'Sullivan, LLP non-party claimant-respondent having moved for dismissal of the appeal taken from the judgment and order (one paper) of the Supreme Court, New York County, entered on or about November 7, 2007 (mot. seq. no. 016),

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, without prejudice to non-party claimant-respondent law firm Leshanski & O'Sullivan, LLP seeking further relief in the Supreme Court. The stay granted by an order of this Court dated May 13, 2008 (M-2016) 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 November 20, 2008.

Present: Hon. Peter Tom, Justice Presiding,
David B. Saxe
David Friedman
John T. Buckley
James M. Catterson, Justices.

-----X
In the Matter of a Proceeding
for Support Under Article 4 of
the Family Court Act.

Maria C.,
Petitioner-Respondent,

M-2995
Docket No. F1113/07

-against-

Jorge R.,
Respondent-Appellant.

-----X

Petitioner-respondent, Maria C., having moved for leave to respond, as a poor person, to the appeal taken from the order of the Family Court, Bronx County, entered on or about March 26, 2008, for the assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and § 110 of the Family Court Act, Steven N. Feinman, Esq., 19 Court Plaza, Suite 201, White Plains, NY 10601, Telephone No. 914-949-8214, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for appellant and 10 copies thereof are filed with 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 November 20, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,
David B. Saxe
Milton L. Williams
James M. Catterson
Karla Moskowitz, Justices.

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

-against-

M-4680
Ind. No. 4115/06

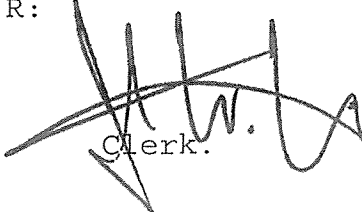
Billie Benjamin,
Defendant-Appellant.

-----X
An order of this Court having been entered on October 2, 2007 (M-4658) 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 May 17, 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, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel 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.

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 November 20, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,
David B. Saxe
John W. Sweeny, Jr.
James M. Catterson
Leland G. DeGrasse, Justices.

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

-against-

M-4745
Ind. No. 4795/06

Shawn Riley,
Defendant-Appellant.
-----X

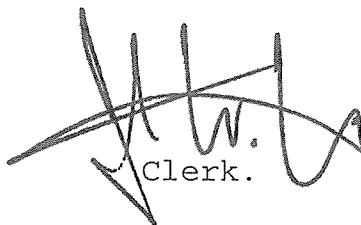
An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about June 12, 2007,

And the People having moved for an order to enlarge the record on appeal to include a copy of the APS DA Datasheet on the aforesaid appeal,

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

It is ordered that the motion is granted.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 20, 2008.

PRESENT - Hon. Angela M. Mazzairelli, Justice Presiding,
Richard T. Andrias
Eugene Nardelli
John T. Buckley
Helen E. Freedman, Justices.

-----X
Timothy Anderson, et al.,
Plaintiffs-Appellants,

-against-

M-4404
Index No. 24782/01

New York City Housing Authority,
Defendant-Respondent.

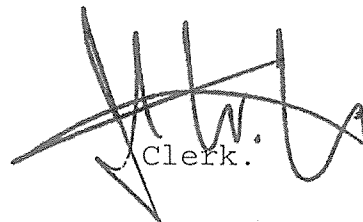
-----X

Defendant-respondent having moved to dismiss the appeal from the order of the Supreme Court, Bronx County, entered on or about November 6, 2002,

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.

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 November 20, 2008.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
James M. Catterson
Dianne T. Renwick
Helen E. Freedman, Justices.

-----X
Robert Brody,
Plaintiff-Respondent,

-against-

M-5185
Index No. 602707/07

466 Broome Street of New York City,
Inc., et al.,
Defendants-Appellants.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about September 24, 2008 (mot. seq. no. 001),

And defendants-appellants having moved for an order staying the disbursement of certain funds 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.

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 November 20, 2008.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
Eugene Nardelli
Milton L. Williams
Helen E. Freedman, Justices.

-----X
In the Matter of

Chandel B., also known as
Chandel Nyuel B., and
Quintin O.,

M-4352

Docket Nos. B3036/04
B3037/04

Dependent Children under 18 Years
of Age Pursuant to §384-b
of the Social Services Law.

Episcopal Social Services, et al.,
Petitioners-Respondents,

Beverly O., also known as
Beverly Angela O.,
Respondent-Appellant.

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

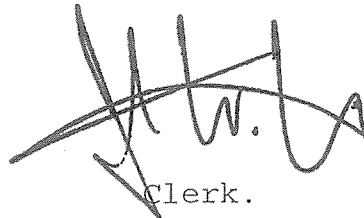
-----X
Respondent-appellant mother having moved for leave to prosecute, as a poor person, the appeal from the orders of the Family Court, New York County, entered on or about March 12, 2007 and March 11, 2007, respectively, and for assignment of counsel, a free copy of the transcripts, and related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Julian Hertz, Esq., 15 Sherwood Drive, Larchmont, NY 10538, Telephone No. 914-834-5461, as

counsel, for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed within 60 days of service of a copy of this order upon the Clerk, the minutes of the proceedings held therein, for inclusion in the record(s) on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹; (3) permitting appellant to dispense with any fee for transferring the record(s) from the Family Court to this Court; and (4) enlarging the time to perfect this appeal until 120 days from the date of filing of the record(s). Assigned counsel is directed to immediately subpoena the record(s) from the Family Court and to serve a copy of this order upon the Clerk of the Family Court.

ENTER:



Clerk.

1

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 20, 2008.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
Eugene Nardelli
Milton L. Williams
Helen E. Freedman, Justices.

-----X

In the Matter of

Jacob Evan R.,

A Dependent Child under 18 Years of Age Pursuant to §384-b of the Social Services Law of the State of New York.

M-4357

Docket No. B24624/06

- - - - -

The Children's Aid Society,
et al.,
Petitioners-Respondents,

Natividad G.,
Respondent-Appellant.

- - - - -

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

-----X


Respondent-appellant mother having moved for leave to prosecute, as a poor person, the appeal from the order of the Family Court, Bronx County, entered on or about July 8, 2008, and for assignment of counsel, a free copy of the transcript, and related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Robin Steinberg, Esq., The Bronx Defenders, 860 Courtlandt Avenue, Bronx, NY 10451, Telephone No. 718-838-7878, as counsel, for purposes of prosecuting the

appeal; (2) directing the Clerk of said Family Court to have transcribed within 60 days of service of a copy of this order upon the Clerk, the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹; (3) permitting appellant to dispense with any fee for transferring the record from the Family Court to this Court; and (4) enlarging the time to perfect this appeal until 120 days from the date of filing of the record. Assigned counsel is directed to immediately subpoena the record from the Family Court and to serve a copy of this order upon the Clerk of the Family Court.

ENTER:



Clerk.

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 20, 2008.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
Eugene Nardelli
Milton L. Williams
Helen E. Freedman, Justices.

-----X
In the Matter of

Adaliz Marie R.,

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

The Children's Aid Society, et al., M-4343
Petitioners-Respondents, Docket No. B24623/06

Natividad G.,
Respondent-Appellant.

Steven Banks, Esq., Legal Aid Society,
Juvenile Rights Division,
Law Guardian for the Child.

-----X

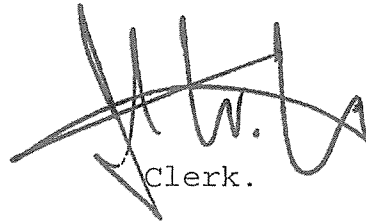
Respondent-appellant mother having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about July 8, 2008, and for assignment of counsel, a free copy of the transcript, and related relief,

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

Ordered that the motion is granted to the extent of
(1) assigning, pursuant to Article 18b of the County Law and § 1120 of the Family Court Act, Robin Steinberg, Esq., The Bronx Defenders, 860 Courtlandt Avenue, Bronx, New York 10451, Tel. No. 718-838-7878, as counsel, for purposes of prosecuting the appeal;
(2) directing the Clerk of said Family Court to have transcribed within 60 days of service of a copy of this order upon the Clerk,

the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹; (3) permitting appellant to dispense with any fee for transferring the record from the Family Court to this Court; and (4) enlarging the time to perfect this appeal until 120 days from the date of filing of the record. Assigned counsel is directed to immediately subpoena the record from the Family Court and to serve a copy of this order upon the Clerk of the Family Court.

E N T E R:



Clerk.

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 20, 2008.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
Eugene Nardelli
Milton W. Williams
David Friedman, Justices.

-----X
In the Matter of

Victoria J.,

A Person Alleged to Be a Juvenile
Delinquent,
Respondent-Appellant.

M-4126
Docket No. D-4076/08

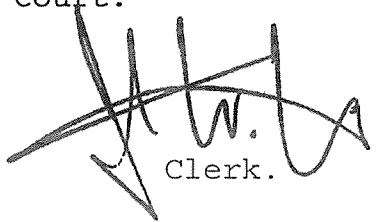
-----X

Law guardian for respondent-appellant having moved for leave to prosecute the appeal from an order of the Family Court, Bronx County, entered on or about August 7, 2008, as a poor person, for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Section 35 of the Judiciary Law and Section 1120 of the Family Court Act, Steven N. Feinman, Esq., 19 Court Plaza, Suite 201, White Plains, NY 10601, Telephone No. (914)949-8214, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the State of New York from funds available therefor;¹ **within 60 days of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for transferring the record from the Family Court to this Court; and (4) enlarging the time to perfect the appeal until 120 days from the date of filing of the record. **Assigned counsel is directed to immediately subpoena the record from the Family Court and to serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



Clerk.

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 20, 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

Davion A.; Eiosha D.; Jani A.;
Latear A.; Marcel A.; Nasir A.,

Children Under 18 Years of Age Alleged
to be Neglected under Article 10 of
the Family Court Act.

- - - - -
Administration for Children's Services,
Petitioner-Respondent,

M-3948
Docket Nos.
NN-01384-9/07

Marcel A.,
Respondent-Appellant.

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

-----X

Respondent-appellant/father having moved for leave to prosecute, as a poor person, the appeal from the order of the Family Court, New York County, entered on or about June 24, 2008, and for assignment of counsel, a free copy of the transcript, and related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Howard Simms, Esq., 295 Greenwich Street, Suite 222, New York, NY 10007, Telephone No. (646)485-4009 as counsel, for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed within 60 days of service of a copy of this order upon the Clerk, the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of

New York from funds available therefor¹; (3) permitting appellant to dispense with any fee for transferring the record from the Family Court to this Court; and (4) enlarging the time to perfect this appeal until 120 days from the date of filing of the record. Assigned counsel is directed to immediately subpoena the record from the Family Court and to serve a copy of this order upon the Clerk of the Family Court.

ENTER:

A handwritten signature in black ink, appearing to be "J. W. L.", written over the word "Clerk." The signature is stylized and somewhat illegible.

Clerk.

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 20, 2008.

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

-----X
The People of the State of New York
ex rel. William Allen,
Petitioner-Appellant,

-against-

M-3895
Index No. 75077/06

Warden, Rikers Island, et al.,
Respondent-Respondent.

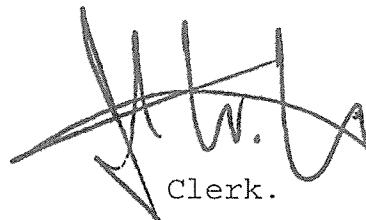
-----X

Petitioner-appellant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, Bronx County, entered on or about May 24, 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 appellant's time in which to perfect the appeal to on or before December 8, 2008 for the February 2009 Term, with no further enlargements to be granted.

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 November 20, 2008.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Luis A. Gonzalez
James M. Catterson
Rolando T. Acosta, Justices.

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

-against-

M-4785
Ind. No. 3466/07

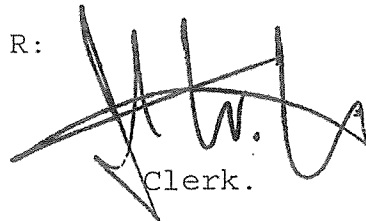
Joseph Cochran, also known as
Joseph C. Cochran,
Defendant-Appellant.

-----X
An order of this Court having been entered on June 17, 2008 (M-2682) 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 May 6, 2008, 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, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel 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.

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 November 20, 2008.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Luis A. Gonzalez
James M. Catterson
Rolando T. Acosta, Justices.

-----X

Herbert Aponte,
Plaintiff-Appellant,

-against-

M-4874
Index No. 403963/05

Atlantic Express, Co.,
Defendant-Respondent.

-----X

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

And plaintiff-appellant having renewed his motion for leave to prosecute said appeal as a poor person, for the assignment of counsel, and for related relief,

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

It is ordered that the motion is 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 November 20, 2008.

Present: Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Luis A. Gonzalez
James M. Catterson
Rolando T. Acosta, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-4755

Ind. No. 4433/07

Jarrold Beinerman,

Defendant-Appellant.

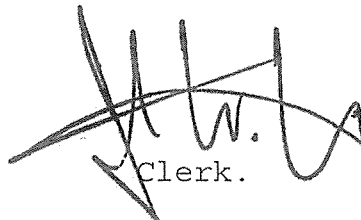
-----X

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 September 4, 2008, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth the amount and sources of funds to post the \$50,000 bail in the Supreme Court, the disposition thereof, and an explanation as to why similar funds are not available to prosecute the appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 20, 2008.

Present: Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Luis A. Gonzalez
James M. Catterson
Rolando T. Acosta, Justices.

-----X
Gunn, Steers & Company, L.L.C.
and John F. Gunn,

Plaintiffs-Appellants,

-against-

M-4853
Index No. 602318/07

William M. Steers,

Defendant-Respondent.
-----X

Plaintiffs-appellants having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about August 6, 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 granted to the extent of enlarging the time in which to perfect the appeal to the April 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 November 20, 2008.

PRESENT - Hon. David B. Saxe, Justice Presiding,
James M. Catterson
James M. McGuire
Rolando T. Acosta
Leland G. DeGrasse, Justices.

-----X
In the Matter of

Theodore H.,

A Person Alleged to Be a Juvenile
Delinquent,

M-4406

Docket No. E4100/08

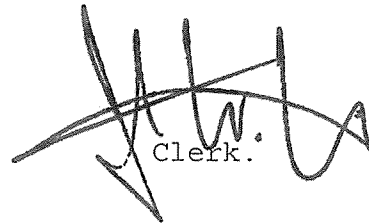
Appellant.
-----X

Appellant having moved for leave to prosecute the appeal from the order of the Family Court, New York County, entered on or about July 31, 2008, as a poor person, for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Section 35 of the Judiciary Law and Section 1120 of the Family Court Act, Steven N. Feinman, Esq., 19 Court Plaza, Suite 201, White Plains, New York 10601, Telephone No. 914-949-8214, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed within 60 days of service of a copy of this order upon the Clerk, the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the State of New York from funds available therefor¹; (3) permitting appellant to dispense with any fee for transferring the record from the Family Court to this Court; and (4) enlarging the time to perfect this appeal until 120 days from the date of filing of the record. Assigned counsel is directed to immediately subpoena the record from the Family Court and to serve a copy of this order upon the Clerk of the Family Court within 10 days of the date of entry hereof.

E N T E R :


Clerk.

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 20, 2008.

Present: Hon. David B. Saxe, Justice Presiding,
James M. Catterson
James M. McGuire
Rolando T. Acosta
Leland G. DeGrasse, Justices.

-----X
CG Limited Partnership,
Petitioner-Landlord-
Appellant-Cross-Respondent,

-against-

M-4440
Index No. 570147/07

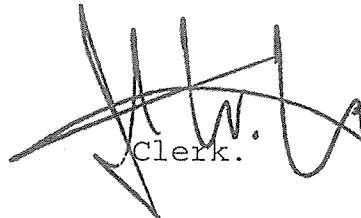
Kingsbridge Heights Care Center,
Inc.,
Respondent-Tenant-
Respondent-Cross-Appellant.
-----X

Respondent Kingsbridge Heights Care Center, Inc., having moved for leave to appeal to this Court from the decision and order of the Appellate Term entered in the office of the Clerk of the Supreme Court, New York County, on or about July 2, 2008,

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

It is ordered that the motion is denied.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 20, 2008.

PRESENT: Hon. David B. Saxe, Justice Presiding,
Eugene Nardelli
Karla Moskowitz
Dianne T. Renwick
Helen E. Freedman, Justices.

-----X
Garnold M. King, et al.,
Plaintiffs-Respondents,

-against-

M-4902
M-4927
Index No. 101056/06

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

-----X
Tammy D. Johnson, Individually and
Arjaye Johnson, an infant under
the age of 14 years by her
mother and natural guardian
Tammy D. Johnson,
Plaintiffs-Respondents,

-against-

Index No. 110686/05

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

-----X

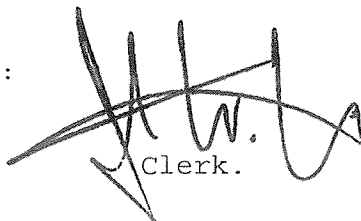
Appeals having been taken by Municipal appellants from the order of the Supreme Court, New York County, entered on or about July 31, 2008,

And appellants having separately moved for a stay of joint trial pending hearing and determination of the aforesaid appeals (M-4902 and M-4927),

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 on condition defendants-appellants perfect both appeals which are *sua sponte* consolidated, for the March 2009 Term. Appellants are granted leave to perfect the consolidated appeals upon 10 copies of one record covering the appeals.

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 November 20, 2008.

PRESENT: Hon. Luis A. Gonzalez, Justice Presiding,
James M. McGuire
Karla Moskowitz
Leland G. DeGrasse
Helen E. Freedman, Justices.

-----X

Flora Soto Hernandez, also known as
Flora Soto,

Plaintiff-Appellant,

M-4936

M-5016

-against-

Index No. 125594/02

Estate of Ziess,

Defendant-Respondent.

-----X

Defendant-respondent having moved to dismiss the appeal taken from the order of the Supreme Court, New York County, entered on or about December 10, 2007 (M-4936),

And plaintiff-appellant having cross-moved for an enlargement of time in which to perfect the appeal (M-5016),

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 cross motion (M-5016) is denied. The motion (M-4936) is granted and 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 November 20, 2008.

Present: Hon. Luis A. Gonzalez, Justice Presiding,
James M. McGuire
Karla Moskowitz
Leland G. DeGrasse
Helen E. Freedman, Justices.

-----X
The People of the State of New York
ex rel. Darren Bracey,
Petitioner,

-against-

M-4836
Index No. 251347/08

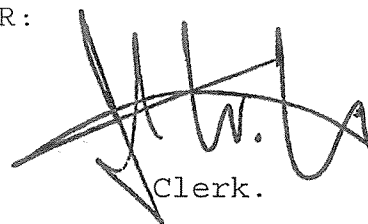
Warden, Rikers Island Correctional
Facility, et al.,
Respondents.
-----X

Petitioner having moved for leave to prosecute, as a poor person, the purported appeal taken from the judgment of the Supreme Court, Bronx County, entered on or about June 2, 2008, which dismissed a habeas corpus proceeding, 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 November 20, 2008.

Present: Hon. Luis A. Gonzalez, Justice Presiding,
James M. McGuire
Karla Moskowitz
Leland G. DeGrasse
Helen E. Freedman, Justices.

-----X
Soldiers', Sailors', Marines' and
Airmen's Club, Inc.,

Plaintiff-Respondent,

-against-

M-4965
Index No. 600813/07

The Carlton Regency Corp.,

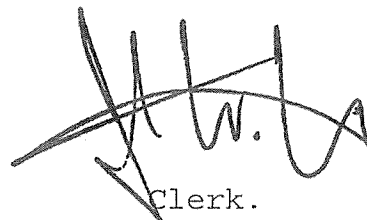
Defendant-Appellant.
-----X

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 January 18, 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 to the extent of enlarging the time in which to perfect the appeal to the June 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 November 20, 2008.

Present: Hon. Luis A. Gonzalez, Justice Presiding,
James M. McGuire
Karla Moskowitz
Leland G. DeGrasse
Helen E. Freedman, Justices.

-----X

Carlos Araujo,

Claimant-Appellant,

-against-

M-4824

Claim No. 97238

The State of New York,

Defendant-Respondent.

-----X

Claimant-appellant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Court of Claims of the State of New York, entered on or about December 12, 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 March 2009 Term.

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,

-against-

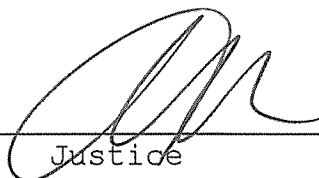
Milton Pacheco,

Defendant.

-----X

M-3648
Ind. No. 4446/77
4447/77
CERTIFICATE
DENYING LEAVE

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 (Robert Stolz, J.), entered on or about June 25, 2008, is hereby denied.



Justice

Dated: New York, New York
, 2008

ENTERED

NOV 20 2008

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 November 20, 2008.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
James M. Catterson
Dianne T. Renwick
Helen E. Freedman, Justices.

-----X
Debra H.,
Petitioner-Respondent,

-against-

M-5056
Index No. 106569/08

Janice R.,
Respondent-Appellant.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about October 9, 2008 (mot. seq. no. 001),

And respondent-appellant having moved to stay an equitable estoppel hearing and the appointment of a law guardian for the subject child, 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, to the extent it seeks to stay the equitable estoppel hearing, is granted. So much of the motion which seeks to stay the appointment of a law guardian for the subject child 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 November 20, 2008.

Present: Hon. Peter Tom, Justice Presiding,
David B. Saxe
David Friedman
John T. Buckley, Justices.

-----X
In the Matter of

Isabella Star G.,

A Dependent Child under 18 Years
of Age Pursuant to §384-b of the
Social Services Law of the State
of New York.

M-5246

Docket No. B12235/04

- - - - -
Episcopal Social Services, et al.,
Petitioners-Respondents,

Elizabeth G.,
Respondent-Appellant,

Silvio G.,
Respondent-Appellant.

- - - - -
Fiordaliza Rodriguez, Esq.,
Law Guardian for the Child.

-----X

Appeals having been taken from the order of the Family Court, Bronx County, entered on or about July 2, 2007,

And an order of this Court having been entered April 17, 2008 (M-6622) granting respondent-appellant mother, Elizabeth G., leave to prosecute, as a poor person, the aforesaid appeal and assigning, Robin Steinberg, Esq., as counsel on the appeal and related relief,

And, petitioner having moved to dismiss both the aforesaid appeals for failure to prosecute,

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

Ordered that the motion to dismiss the appeals is denied. Sua sponte, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Steven N. Feinman, Esq., 190 Court Plaza, White Plains, NY 10601, Telephone No. (914)949-8214, is assigned as counsel, for purposes of prosecuting the appeal on behalf of respondent-father. Appellant is permitted to dispense with any fee for transferring the record from the Family Court to this Court; and appellant father's time in which to perfect his appeal is enlarged to the March 2009 Term. **Assigned counsel for the father is directed to immediately obtain the record from counsel for respondent-appellant mother, Robin Steinberg, Esq.** (See the order of this Court entered April 17, 2008 [M-6622], a copy of which is annexed hereto.)

ENTER:

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

Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 17, 2008.

Present: Hon. Peter Tom, Justice Presiding,
David B. Saxe
David Friedman
John T. Buckley, Justices.

-----X
In the Matter of

Isabella Star G.,

A Dependent Child under 18 Years
of Age Pursuant to §384-b of the
Social Services Law of the State
of New York.

M-6622

Docket No. B12235/04

Episcopal Social Services, et al.,
Petitioners-Respondents,

Elizabeth G.,
Respondent-Appellant.

Fiordaliza Rodriguez, Esq.,
Law Guardian for the Child.
-----X

Respondent-appellant mother, Elizabeth G., having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about July 2, 2007, and for assignment of counsel, a free copy of the transcript, and related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Robin Steinberg, Esq., The Bronx Defenders, 860 Courtlandt Avenue, Bronx, NY 10451, Telephone No. 718-838-7878, as counsel, for purposes of prosecuting the appeal;

(2) directing the Clerk of said Family Court to have transcribed within 60 days of service of a copy of this order upon the Clerk, the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹; (3) permitting appellant to dispense with any fee for transferring the record from the Family Court to this Court; and (4) enlarging the time to perfect this appeal until 120 days from the date of filing of the record. Assigned counsel is directed to immediately subpoena the record from the Family Court and to serve a copy of this order upon the Clerk of the Family Court.

ENTER:



Clerk.

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 20, 2008.

Present: Hon. Peter Tom, Justice Presiding,
David B. Saxe
John W. Sweeny, Jr.
James M. Catterson
Leland G. DeGrasse, Justices.

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

-against-

M-4985 & M-5178
Ind. No. 1321/02

Andre Jeffries, also known as Jerry
Miles,
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 15, 2005, 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 said appeal, and for related relief (M-4985),

And respondent having cross-moved to dismiss the aforesaid appeal (M-5178),

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 serve one copy of such brief upon the District Attorney of said county and file 10 reproduced copies of such brief, together with the original record, with this Court. Appellant's time in which to perfect the appeal is enlarged to the February 2009 Term. The cross motion is denied.

ENTER:


clerk.