

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 2, 2009.

PRESENT: Hon. Luis A. Gonzalez, 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-1350
Ind. No. 2236/06

Barry Norman,
Defendant-Appellant.

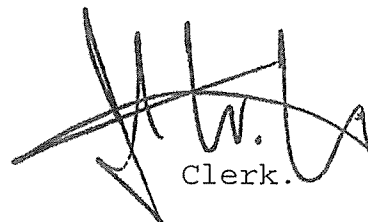
-----X

An order of this Court having been entered on October 11, 2007 (M-4703), granting defendant leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about February 14, 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, Stanley Neustadter, Esq., Cardozo School of Law, 55 Fifth Avenue, Room 1701, New York, N.Y. 10003, Tel. No. (212)790-0368, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2009.

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

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

-against-

M-1112
Ind. No. 6255/06

Jamel Bell, also known as
John Bell,
Defendant-Appellant.

-----X

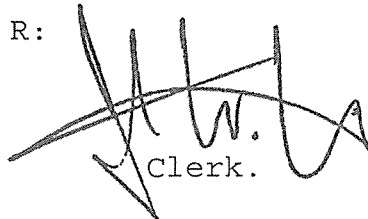
An order of this Court having been entered on October 21, 2008 (M-4590), inter alia, granting defendant-appellant an extension of time to file a pro se supplemental brief in connection with the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about September 17, 2007,

And defendant-appellant having moved to withdraw his previously filed pro se supplemental brief, and for an extension of time to file an amended pro se supplemental brief,

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

It is ordered that the motion is granted to the extent of deeming the pro se supplemental brief previously filed with the Clerk's office of this Court withdrawn, and defendant-appellant is directed to serve and file 10 copies of his amended pro se supplemental brief on or before July 13, 2009 for the September 2009 Term, to which Term the appeal is adjourned. Appellant is advised that his appeal will not be heard unless and until all material furnished to appellant has been returned.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2009.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzaelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
Mark A. Muth, Jr., an infant by his
father and natural guardian Mark
Muth, Sr., and Mark A. Muth, Jr.,
individually,
Plaintiffs-Respondents,

M-1345
Index No. 13121/05

-against-

Abner Doubleday Inc. and
Cooperstown All Star Village, LLC,
Defendants-Appellants.

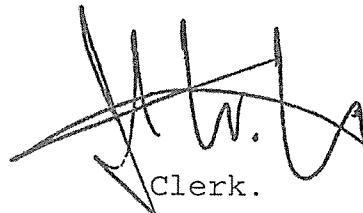
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about June 26, 2007,

Now, upon reading and filing the stipulation of the parties hereto, dated March 17, 2009, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the April 2009 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 April 2, 2009.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
 Peter Tom
 John T. Buckley
 John W. Sweeny, Jr.
 James M. Catterson, Justices.

-----X
In re Darren F.,
 Petitioner-Respondent,

-against-

M-285
Docket No. U-13694/06

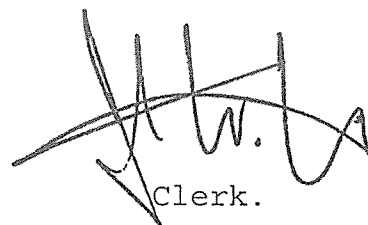
Marie-Amina T.,
 Respondent-Appellant.
-----X

Respondent-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on January 15, 2009 (Appeal No. 5049),

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

It is ordered that the motion is denied.

E N T E R:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2009.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
David Friedman
James M. McGuire
Rolando T. Acosta, Justices.

-----X
In re Daniel D. and Another,

Dependent Children Under the Age of Eighteen Years, etc.,

M-396
Index No. 350353/05

John D.,
Respondent-Appellant,

Commissioner of the Administration for Children's Services,
Petitioner-Respondent.

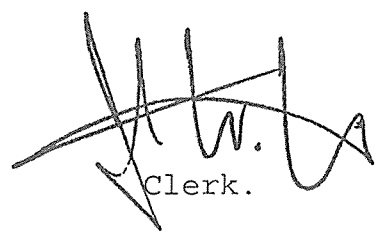
-----X

Respondent-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on December 30, 2008 (Appeal No. 4929),

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

It is ordered that the motion is denied.

E N T E R:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2009.

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

-----X
Jonathan R. Steinberg,
Plaintiff-Appellant,

-against-

M-941
Index No. 114728/99

Queens Import Motors, et al.,
Defendants-Respondents.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about August 25, 2008 (mot. seq. no. 010),

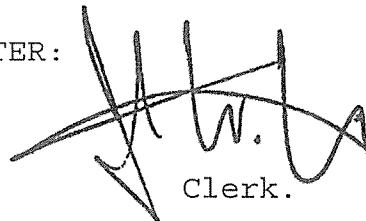
And an order of this Court having been entered on January 22, 2009 (M-5689), denying plaintiff's motion for a stay of further proceedings in said Supreme Court including an attorney fee hearing,

And plaintiff-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the aforesaid order of this Court, 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.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2009.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Eugene Nardelli
John T. Buckley
Rolando T. Acosta, Justices.

-----X
Continental Casualty Company,
et al.,

Plaintiffs-Appellants,

-against-

M-710
Index No. 120016/03

PricewaterhouseCoopers, LLP,
Defendant-Respondent.

- - - - -

Eagle Partners, L.P., et al.,
Plaintiffs-Appellants,

-against-

Index No. 121132/03

PricewaterhouseCoopers, LLP,
Defendant-Respondent.

- - - - -

Jeremy M. Jones, et al.,
Plaintiffs-Appellants,

-against-

Index No. 602962/03

PricewaterhouseCoopers, LLP,
Defendant-Respondent.

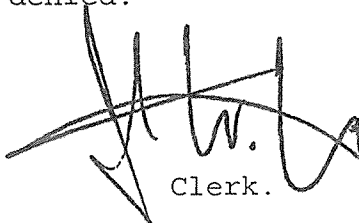
-----X

Plaintiffs having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on December 30, 2008 (Appeal Nos. 4920, 4920A and 4920B),

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

It is ordered that the motion is denied.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2009.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
James M. Catterson
Rolando T. Acosta
Dianne T. Renwick, Justices.

-----X
Natalia Anikushina,
Plaintiff-Appellant,

-against-

Courtney D. Moodie,
Defendant,

M-825
Index No. 117618/03

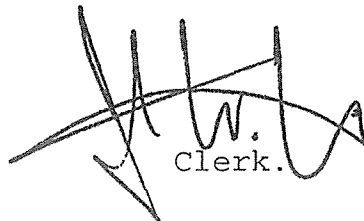
Consolidated Delivery Logistics, Inc.,
et al.,
Defendants-Respondents.
-----X

Defendants-respondents having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on January 20, 2009 (Appeal No. 4522),

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

It is ordered that the motion is denied.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2009.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzairelli
David Friedman
John T. Buckley
John W. Sweeny, Jr., Justices.

-----X
In re New York State Urban
Development Corporation, doing
business as Empire State Development
Corporation, etc.,
Petitioner-Respondent,

-against-

Nawam Entertainment, Inc.,
doing business as Euro World, etc.,
Claimant-Appellant.

M-6013
M-323
Index No. 401141/03

- - - - -

In re New York State Urban
Development Corporation, doing
business as Empire State Development
Corporation, etc.,
Petitioner-Appellant,

-against-

Nawam Entertainment, Inc.,
doing business as Euro World, etc.,
Claimant-Respondent.

-----X

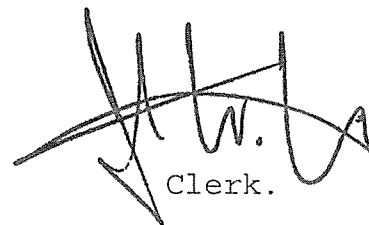
Claimant Nawam having moved (M-6013) for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from so much of the decision and order of this Court entered on December 4, 2008 with respect to the affirmance of the judgment of the Supreme Court, New York County entered January 9, 2008 (Appeal No. 4752),

And, petitioner New York State Urban Development Corporation having cross-moved (M-323) for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from so much of the aforesaid decision and order of this Court entered on December 4, 2008 with respect to the dismissal, as academic, of petitioner's appeal from the order of Supreme Court entered on October 2, 2006 (Appeal No. 4753N),

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

It is ordered that the motion and cross motion are denied.

ENTER:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2009.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Eugene Nardelli
Karla Moskowitz
Dianne T. Renwick, Justices.

-----X
Vincent Ayala, a minor under the age
of eighteen by his mother and natural
guardian, Layda Rosa, et al.,
Plaintiffs-Respondents,

M-6117
Index No. 113491/05

-against-

Carol Douglas,
Defendant-Appellant.

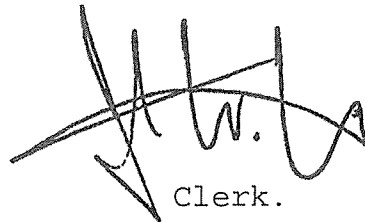
-----X

Defendant-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on December 9, 2008 (Appeal No. 4769),

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

It is ordered that the motion is denied.

E N T E R:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2009.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
John T. Buckley
John W. Sweeny, Jr., Justices.

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

-against-

M-552
Ind. No. 2631/01

Luis Rivera,
Defendant-Appellant.

-----X

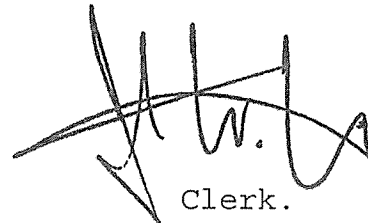
A decision and order of this Court having been entered on February 13, 2003 (Appeal No. 172), unanimously affirming a judgment of the Supreme Court, Bronx County (Lawrence Bernstein, J.), rendered on August 21, 2001,

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

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

It is ordered that said application is denied.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2009.

PRESENT - Hon. Peter Tom, Justice Presiding,
Karla Moskowitz
Dianne T. Renwick
Helen E. Freedman, Justices.

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

-against-

M-1052
Ind. Nos. 3650/08
4230/08

Juan Batista,
Defendant-Appellant.

-----X

Defendant having renewed his motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about October 29, 2008, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

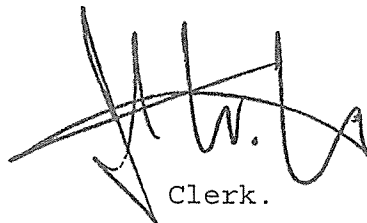
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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 April 2, 2009.

PRESENT: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Eugene Nardelli
John T. Buckley
Leland G. DeGrasse, Justices.

-----X
Norman Frenkel,

Plaintiff-Appellant,

-against-

Sherman Irby and Laura Irby,

Defendants-Respondents.
-----X

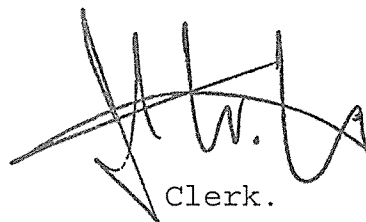
M-5729
Index No. 570673/07

Plaintiff 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 September 3, 2008,

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

It is ordered that the motion is denied.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2009.

Present - Hon. Peter Tom, Justice Presiding,
John T. Buckley
Karla Moskowitz
Dianne T. Renwick, Justices.

-----X
Barbara Mitchell,

Plaintiff-Respondent,

-against-

M-566
Index No. 106829/06

Atlantic Paratrans of NYC, Inc.,
et al.,

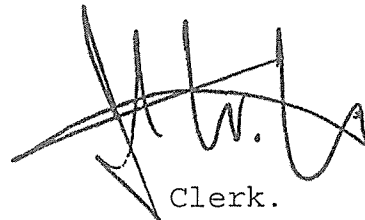
Defendants-Appellants.
-----X

Plaintiff-respondent having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on December 18, 2008 (Appeal No. 4859),

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

It is ordered that the motion is denied.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2009.

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

-----X
Edward A. Kaminsky,
Plaintiff-Appellant,

-against-

M-338
Index No. 150010/06

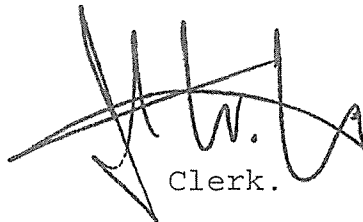
Herrick, Feinstein LLP, et al.,
Defendants-Respondents.
-----X

Plaintiff-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on December 18, 2008 (Appeal No. 3909),

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

It is ordered that the motion is denied.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2009.

Present - Hon. Peter Tom, Justice Presiding,
David B. Saxe
James M. Catterson
Karla Moskowitz
Leland G. DeGrasse, Justices.

-----X
Virginia Albizu,
Plaintiff-Respondent,

-against-

M-394
Index No. 302180/04

Jose Duval,
Defendant-Appellant.

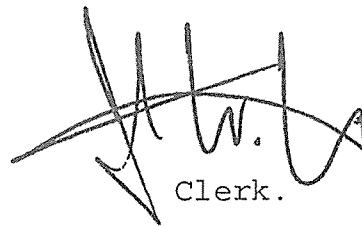
-----X

Defendant-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on December 23, 2008 (Appeal No. 4875 [M-4105]),

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

It is ordered that the motion is denied.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2009.

Present - Hon. Peter Tom, Justice Presiding,
John T. Buckley
Karla Moskowitz
Dianne T. Renwick, Justices.

-----X

Kevin Tejada, an infant under
the age of 14 years by his
parent and natural guardian,
Ana Pichardo, et al.,
Plaintiffs-Appellants,

M-6149
Index No. 22319/97

-against-

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

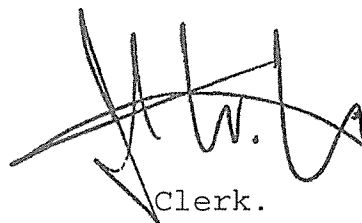
-----X

Defendant-respondent having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on December 18, 2008 (Appeal No. 4863N),

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

It is ordered that the motion is denied.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2009.

Present - Hon. Peter Tom, Justice Presiding,
David B. Saxe
James M. Catterson
Karla Moskowitz
Leland G. DeGrasse, Justices.

-----X
Arnold H. Nager, Individually
and on Behalf of All Others
Similarly Situated,
Plaintiffs-Appellants-Respondents,

-against-

M-300
M-810
Index No. 119294/02

Teachers' Retirement System of the
City of New York, et al.,
Defendants-Respondents-Appellants.

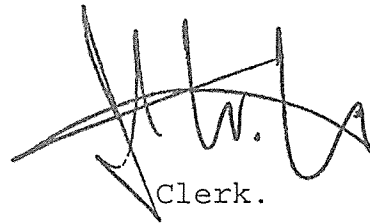
-----X

Plaintiffs-appellants-respondents having moved by separate motions for reargument (M-300) and for leave to appeal to the Court of Appeals (M-810) from the decision and order of this Court entered on December 23, 2008 (Appeal No. 4884N),

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 denied.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2009.

Present: Hon. Peter Tom, Justice Presiding,
David B. Saxe
Eugene Nardelli
Helen E. Freedman, Justices.

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

Respondent,

-against-

M-4980
Ind. No. 4732/05

Sidney Purdie,

Defendant-Appellant.
-----X

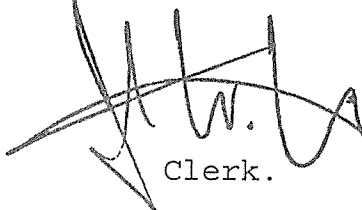
A decision and order of this Court having been entered on April 8, 2008 (Appeal No. 3295), unanimously affirming the judgment of the Supreme Court, New York County (Gregory Carro, J.), rendered on June 1, 2006,

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

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

It is ordered that said application is denied.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2009.

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

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

-against-

M-865
Ind. No. 1777/07

Keith Atkins,
Defendant-Appellant.

-----X

Defendant having renewed his motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about July 1, 2008, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

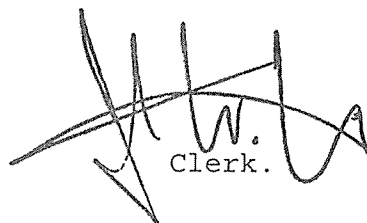
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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 April 2, 2009.

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

-----X
Carlos Figueroa,

Plaintiff-Appellant,

-against-

M-3475
Index No. 21134/06

Alexander Sanchez,

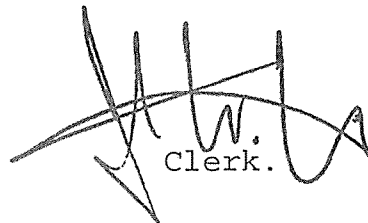
Defendant-Respondent.
-----X

Plaintiff-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County, entered on or about February 26, 2008, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, for the assignment of counsel, and for other relief,

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

It is ordered that said motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the attorney for respondent and file 10 copies of such brief, together with the original record, with this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record. The motion, to the extent it seeks the assignment of counsel, is denied.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2009.

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

-----X
Samaad Bishop,

Petitioner,

-against-

M-1088
Index No. 252102/08

Stevenson Commons Associates, L.P.,
et al.,

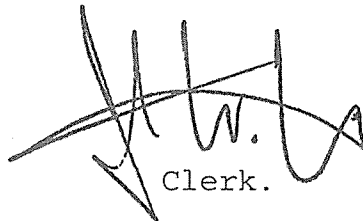
Respondents.
-----X

Petitioner having moved pursuant to CPLR 5704(a), for relief denied by a Justice of the Supreme Court, Bronx County, on or about February 23, 2009,

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

Ordered that the motion is denied.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2009.

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

-----X
Paul A. Firestone,
Plaintiff-Respondent,

-against-

M-942
Index No. 602533/06

Kevin McKeown,
Defendant-Appellant.

-----X

Defendant-appellant having moved for a further enlargement of time in which to perfect the appeal taken from the judgment of the Supreme Court, New York County, entered on or about July 2, 2007 (mot. seq. no. 004),

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

Ordered that the motion is denied 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 April 2, 2009.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
David Friedman
Rolando T. Acosta
Leland G. DeGrasse, Justices.

-----X

Marie Castro,
Petitioner,

-against-

M-574
Index No. 405639/07

Department of Social Services,
etc., et al.,
Respondents.

-----X

Petitioner having moved for reargument of the decision and order of this Court entered on January 8, 2009 (Appeal No. 4991),

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

It is ordered that the motion is denied.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2009.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Eugene Nardelli
James M. Catterson
Karla Moskowitz, Justices.

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

Respondent,

-against-

M-3738
Ind. No. 7806/91

Shane Watson,

Defendant-Appellant.

-----X

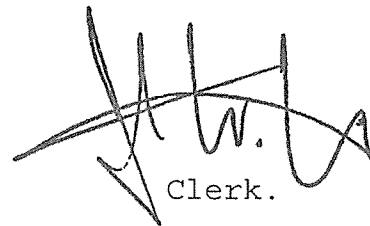
A decision and order of this Court having been entered on October 30, 1997 (Appeal No. 61819), unanimously affirming the judgment of the Supreme Court, Bronx County (Gerald Sheindlin, J.), rendered on November 23, 1993,

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

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

It is ordered that said application is denied.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2009.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,
David Friedman
James M. McGuire
Karla Moskowitz, Justices.

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

-against-

M-860
Ind. No. 5157/04

Michael Trought,
Defendant-Appellant.

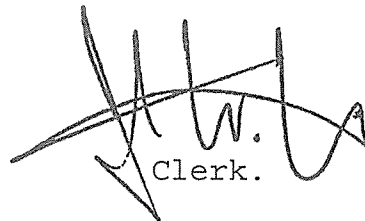
-----X

The People having moved to dismiss the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about April 21, 2005,

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

Ordered that the motion is granted 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 April 2, 2009.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,
David Friedman
James M. McGuire
Karla Moskowitz, Justices.

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

-against-

M-861
Ind. No. 643/07

Marino Echavarria,
Defendant-Appellant.

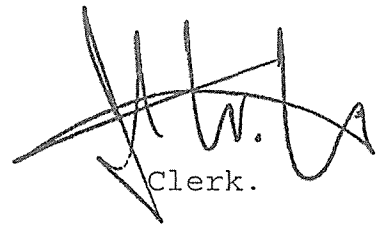
-----X

The People having moved to dismiss the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about September 21, 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 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 April 2, 2009.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,
David Friedman
James M. McGuire
Karla Moskowitz, Justices.

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

-against-

M-862
Ind. No. 1423/06

Carlos Canizales,
Defendant-Appellant.

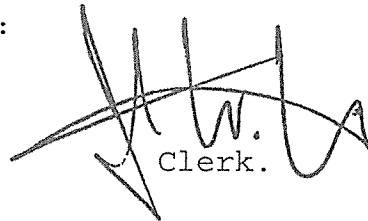
-----X

The People having moved to dismiss the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about November 3, 2006,

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

Ordered that the motion is granted and the appeal is dismissed.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2009.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,
David Friedman
James M. McGuire
Karla Moskowitz, Justices.

-----X

Lynn Furia,

Plaintiff-Appellant,

-against-

M-1041
Index No. 115099/06

David Ostad, M.D., et al.,

Defendants-Respondents.

-----X

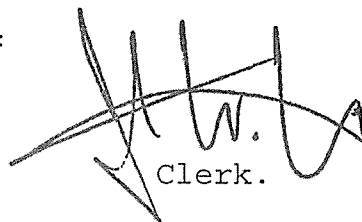
An appeal having been taken from the order of the Supreme Court, New York County, entered on or about April 28, 2008 (mot. seq. no. 002), and from the judgment of said Court entered on or about June 12, 2008,

And defendants-respondents having moved to dismiss 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 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 April 2, 2009.

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

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

Wai Man Mah, also known as Raymond Mah,
et al.,
Petitioners,

M-934
Index No. 116051/06

For a Judgment, etc.,

-against-

Helen Levy, Esq., etc., et al.,
Respondents.

-----X

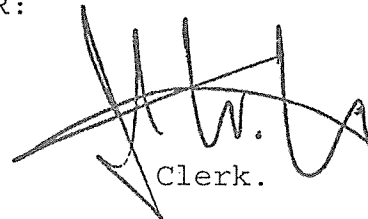
An Article 78 proceeding, to review a determination of respondents, having been transferred to this Court pursuant to CPLR 7804(g), by order of a Justice of the Supreme Court, New York County, entered on or about February 22, 2007,

And respondents having moved for dismissal of the aforesaid proceeding,

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 proceeding 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 April 2, 2009.

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

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

-against-

M-1009
Ind. No. 6844/03

William Dillhunt,
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 December 9, 2008, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

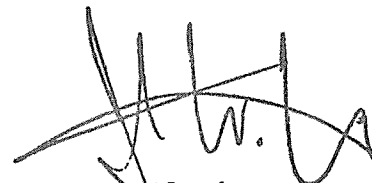
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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 **resentence**. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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

Enter:


Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2009.

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

-----X

Seth A. Mensah,

Plaintiff-Appellant,

M-1019

Index No. 107302/08

-against-

Polytechnic University, et al.,

Defendants-Respondents.

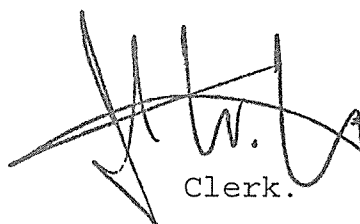
-----X

Plaintiff-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, entered on or about December 4, 2008 (mot. seq. no. 003), 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 denied.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2009.

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

-----X
In the Matter of the Application of
James Giery,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78
of the CPLR,

-against-

M-1196
Index No.113737/07

Raymond Kelly, as Police Commissioner
of the City of New York, and as
Chairman of the Board of Trustees
of the Police Pension Fund, Article II,
The Board of Trustees of the Police
Pension Fund, Article II, New York City
Police Department and the City of New
York,
Respondents-Respondents.

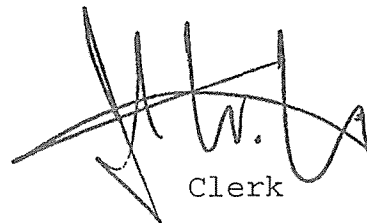
-----X

Petitioner-appellant having moved for an enlargement of time in which to perfect the appeal from a judgment of the Supreme Court, New York County, entered on or about April 28, 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 September 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 April 2, 2009.

Present - Hon. Richard T. Andrias, Justice Presiding,
Eugene Nardelli
James M. McGuire
Karla Moskowitz
Dianne T. Renwick, Justices.

-----X
Isabel Danvers,
Plaintiff-Respondent-Appellant,

-against-

M-6177
Index No. 21446/99

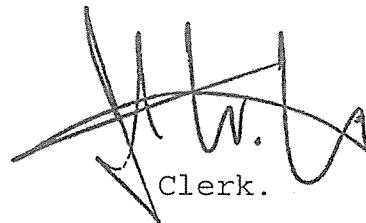
New York City Transit Authority, et al.,
Defendants-Appellants-Respondents.
-----X

Plaintiff-respondent-appellant having moved for reargument of the decision and order of this Court entered on December 9, 2008 (Appeal No. 4222),

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

It is ordered that the motion is denied.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2009.

PRESENT - Hon: Richard T. Andrias, Justice Presiding,
Eugene Nardelli
James M. McGuire
Karla Moskowitz
Dianne T. Renwick, Justices.

-----X
Iris Savory, as Administratrix of
the Estate of Carmen Garcia, etc.,
Plaintiff-Respondent,

-against-

2120 Realty Co. LLC,
Defendant-Appellant,

Bauer Oil Burner Services, et al.,
Defendants.

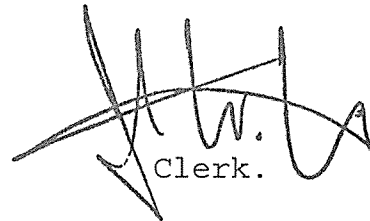
[And a Third-Party Action]

M-1483
Index Nos. 7154/04
83961/04

-----X
A decision and order of this Court having been entered in the above-captioned action on March 3, 2009 (Appeal No. 4235),

Now upon the Court's own motion the aforesaid decision and order of this Court entered on March 3, 2009 (Appeal No. 4235) is herewith recalled and vacated, and the matter is restored to the appeal calendar.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2009.

Present - Hon. Richard T. Andrias, Justice Presiding,
Eugene Nardelli
James M. McGuire
Rolando T. Acosta, Justices.

-----x

Sarit Shmueli,
Plaintiff-Respondent,

-against-

M-6120
M-6130
Index No. 104824/03

NRT New York, Inc., doing business as
The Corcoran Group,
Defendant-Appellant.

-----x

An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, entered on or about January 5, 2007,

And an order of this Court having been entered on February 21, 2008 (M-2/M-143/M-483), inter alia, referring certain issues to the office of the Special Referees of Supreme Court for a report,

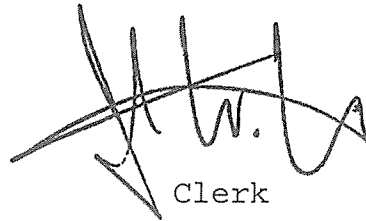
And defendant-appellant having moved (1) for an order, pursuant to CPLR 4403, confirming so much of the Report and Recommendation of the Special Referee filed August 27, 2008, finding the "Exchange Agreement" a fabricated document; (2) disaffirming so much thereof which recommended the striking from the record of certain material; (3) and pursuant to 22 NYCRR 130.1-1, awarding defendant-appellant sanctions and attorneys fees as against plaintiff and (4) restoring the appeal to the Court's calendar for the next available Term [M-6120],

And plaintiff-respondent having cross-moved (1) for an order, pursuant to CPLR 4403, confirming so much of the Report and Recommendation filed August 27, 2008, that certain exhibits should be stricken from the record on appeal, (2) disaffirming so much thereof which found the "Exchange Agreement" to be a fabricated document, and (3) pursuant to 22 NYCRR 130.1-1, awarding plaintiff-respondent sanctions and attorneys fees as against plaintiff [M-6130],

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

It is ordered that the motion and cross motion are consolidated for disposition, and it is ordered that the Report and Recommendation of the Special Referee is confirmed, and defendant-appellant is directed to re-perfect the appeal on a record in compliance with the aforesaid Report and Recommendation for the September 2009 Term. The Clerk is directed to accept the corrected record and brief for filing without further fee. So much of the motion and cross motion which seek the imposition of sanctions and attorneys fees is denied.

ENTER:



Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2009.

PRESENT - Hon. David B. Saxe, Justice Presiding,
John T. Buckley
James M. McGuire
Leland G. DeGrasse
Helen E. Freedman, Justices.

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

-against-

M-735
Ind. No. 1309/06

Julian Gil,
Defendant-Appellant.

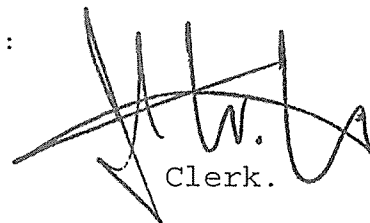
-----X

The People having moved to dismiss the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about December 4, 2006,

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

Ordered that the motion is granted 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 April 2, 2009.

PRESENT - Hon. David B. Saxe, Justice Presiding,
John T. Buckley
James M. McGuire
Leland G. DeGrasse
Helen E. Freedman, Justices.

-----X
Liston Brown,
Plaintiff-Appellant,

-against-

M-815
Index No. 14653/06

Sheraton Executive Car & Limo Inc.,
et al.,
Defendants-Respondents.

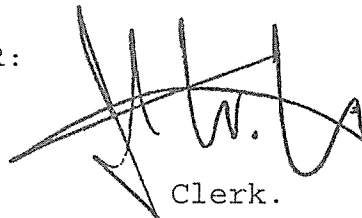
-----X

Defendants-respondents having moved to dismiss the appeal taken from the order of the Supreme Court, Bronx County, entered on or about March 27, 2008,

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

Ordered that the motion is granted and the appeal is dismissed.

E N T E R:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2009

PRESENT - Hon. David B. Saxe, Justice Presiding,
John T. Buckley
James M. McGuire
Leland G. DeGrasse
Helen E. Freedman, Justices.

-----X
In the Matter of the Commitment of the Guardianship and Custody of

Quamine Amira Ferrari O. and
Shamesa Asmine Rose O.,

Pursuant to the Provisions of Article 6 of the Family Court Act and §384-b of the Social Services Law of the State of New York.

McMahon Services for Children, a program of Good Shepherd Services, et al.,
Petitioners-Respondents,

Taneisha B., also known as
Taneisha Marie Victorine B.,
Respondent-Appellant.

M-870
Docket Nos. B11792/05
B11793/05

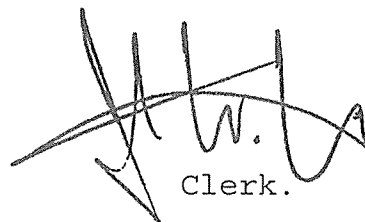
Steven Banks, Esq.,
Law Guardian for the Children.

-----X
Petitioners-respondents having moved for dismissal of the appeals taken from the orders of the Family Court, New York County, entered on or about entered on or about July 26, 2006, respectively,

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

It is ordered that the motion is granted and the appeals are dismissed.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2009.

Present: Hon. David B. Saxe, Justice Presiding,
John T. Buckley
James M. McGuire
Leland G. DeGrasse
Helen E. Freedman, Justices.

-----X
CVL Real Estate Holding Co., LLC,

Plaintiff-Respondent,

-against-

M-778

Index No. 602868/07

Eli Weinstein,

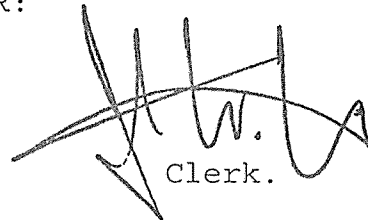
Defendant-Appellant.
-----X

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 April 4, 2008 (mot. seq. no. 001),

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the September 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 April 2, 2009.

PRESENT: Hon. David B. Saxe, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta
Helen E. Freedman, Justices.

-----X
Jill Schultz,
Plaintiff-Respondent,

-against-

M-1383
Index No. 350053/08

Martin Stoner,
Defendant-Appellant.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about March 3, 2009 and a purported appeal having been taken from the order of a Justice of said Court entered on or about March 16, 2009,

And, defendant-appellant having moved for stay of proceedings pending hearing and determination of the aforesaid appeal and for certain relief pursuant to CPLR 5704(a),

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.

STATE OF NEW YORK
APPELLATE DIVISION : FIRST DEPARTMENT

BEFORE: Hon. David B. Saxe
Justice of the Appellate Division

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

M-392
Bronx Co.
Indictment No.
3430/89

-against-

CERTIFICATE
DENYING LEAVE

Delmas Coltrain,

Defendant.
-----X

I, David B. Saxe, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law section 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County, entered on or about December 4, 2008, is hereby denied.

Dated: New York, New York


Justice of the Appellate Division

ENTERED

APR 02 2009

STATE OF NEW YORK
APPELLATE DIVISION : FIRST DEPARTMENT

BEFORE: Hon. David B. Saxe
Justice of the Appellate Division

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

M-663
New York Co.
Indictment No.
5840/99

-against-

CERTIFICATE
DENYING LEAVE

Ricardo Sanchez,

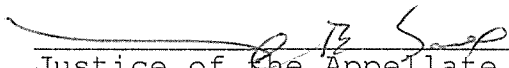
Defendant.

-----X

I, David B. Saxe, a Justice of the Appellate Division, First
Judicial Department, do hereby certify that, upon application
timely made by the above-named defendant for a certificate
pursuant to Criminal Procedure Law section 460.15, and upon the
record and proceedings herein, there is no question of law or
fact presented which ought to be reviewed by the Appellate
Division, First Judicial Department, and permission to appeal
from the order of the Supreme Court, New York County, entered on
or about November 25, 2008, is hereby denied.

Dated: New York, New York

ENTERED


Justice of the Appellate Division

APR 02 2009

STATE OF NEW YORK
APPELLATE DIVISION : FIRST DEPARTMENT

BEFORE: Hon. David B. Saxe
Justice of the Appellate Division

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

M-920
New York Co.
Indictment No.
255/06

-against-

CERTIFICATE
DENYING LEAVE

Marvin Soberanis,

Defendant.

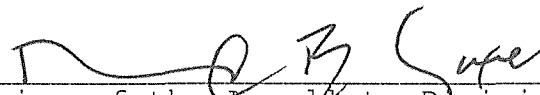
-----X

I, David B. Saxe, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law section 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about February 11, 2009, is hereby denied.

Dated: New York, New York

ENTERED

APR 02 2009


Justice of the Appellate Division

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

BEFORE: Hon. DAVID FRIEDMAN
Justice of the Appellate Division

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

M-5806
Ind. No. 6362/84

-against-

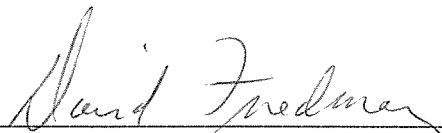
CERTIFICATE
DENYING LEAVE

Howard Prescod,
Defendant.

-----X

I, DAVID FRIEDMAN, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, section 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the Order of the Supreme Court, New York County, entered on or about October 31, 2008, is hereby denied.

Dated: New York, New York
March 27, 2009



DAVID FRIEDMAN
Justice of the Appellate Division

ENTERED

APR 02 2009

STATE OF NEW YORK
APPELLATE DIVISION: FIRST DEPARTMENT

BEFORE: Hon. John T. Buckley
Justice of the Appellate Division

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

M-553
Ind. No. 7180/96

-against-

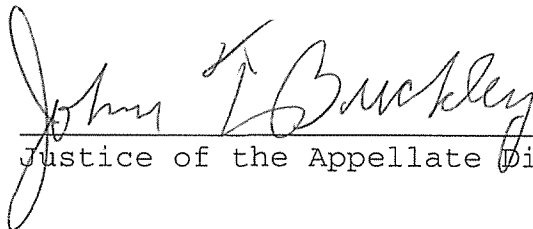
CERTIFICATE
DENYING LEAVE

Antonio Mallet,
Defendant.

-----X

I, John T. Buckley, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Section 460.15 of the Criminal Procedure Law, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County, rendered January 7, 2009, is hereby denied.

Dated: New York, New York
March 27, 2009


Justice of the Appellate Division

ENTERED

APR 02 2009

STATE OF NEW YORK
APPELLATE DIVISION: FIRST DEPARTMENT

BEFORE: Hon. John T. Buckley
Justice of the Appellate Division

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

M-599
Ind. No. 6115/99

-against-

CERTIFICATE
DENYING LEAVE

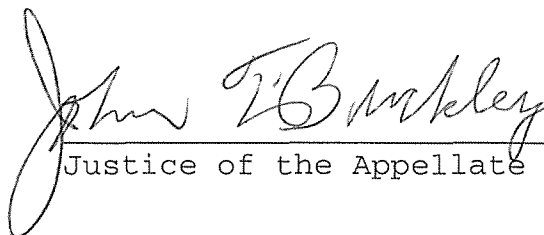
Dominick Florio,
Defendant.

-----X

I, John T. Buckley, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Section 460.15 of the Criminal Procedure Law, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, rendered December 23, 2008, is hereby denied.

Dated: New York, New York
March 27, 2009

ENTERED


Justice of the Appellate Division

APR 02 2009

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

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

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

M-847
Ind. No. 2138/99

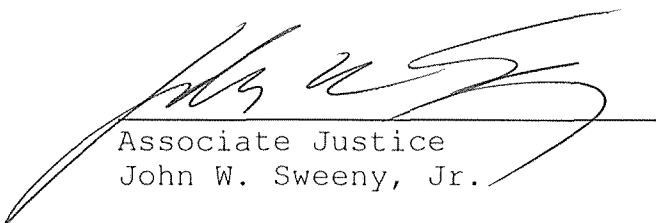
-against-

CERTIFICATE
DENYING LEAVE

Gordon Vasquez,
Defendant.

-----X

I, John W. Sweeny, Jr., a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County (Richard D. Carruthers, J.), entered on or about January 9, 2009, is hereby denied.


Associate Justice
John W. Sweeny, Jr.

Dated: March 25, 2009
New York, New York

ENTERED: **APR 02 2009**

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

BEFORE: Hon. KARLA MOSKOWITZ
Justice of the Appellate Division

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

M-1093
Ind. No. 2009/2002

-against-

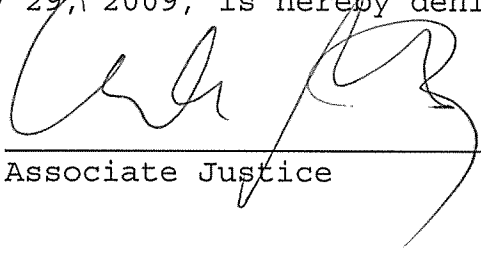
CERTIFICATE
DENYING LEAVE

Frank Figueroa

Defendant.

-----X

I, Karla Moskowitz, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County, entered on or about January 29, 2009, is hereby denied.



Associate Justice

Dated: **MAR 27 2009**
New York, New York

ENTERED: **APR 02 2009**

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

BEFORE: Hon. Helen E. Freedman
Justice of the Appellate Division

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

M- 938
Ind. No. 14970/90

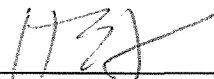
-against-

CERTIFICATE
DENYING LEAVE

William Vega,
Defendant.

-----X

I, Helen E. Freedman, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about January 9, 2009 is hereby denied.



Associate Justice

Dated: March 26, 2009
New York, New York

ENTERED: APR 02 2009

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

BEFORE: Hon. Helen E. Freedman
Justice of the Appellate Division

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

M-660
Ind. No. 7741/02

-against-

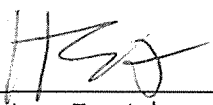
CERTIFICATE
DENYING LEAVE

Michael Shaw,

Defendant.

-----X

I, Helen E. Freedman, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about December 1, 2008, is hereby denied.



Associate Justice

Dated: March 23, 2009
New York, New York

ENTERED: APR 02 2009

PM ORDERS

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 2, 2009.

Present - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
John T. Buckley
Leland G. DeGrasse, Justices.

-----x
Richard B. Cohen,

Plaintiff-Respondent,

-against-

M-1274
Index No. 103900/07

Akabas & Cohen, Seth Akabas and
Michael Sproule,

Defendants-Appellants.
-----x

Appeals having been taken to this Court from orders of the Supreme Court, New York County, entered on or about December 8, 2008 and February 10, 2009 (mot. seq. no. 010), respectively,

And defendants-appellants having moved, pursuant to CPLR 5519(c), for a stay of trial pending hearing and determination of the aforesaid appeals, or for other relief,

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

It is ordered that the motion is denied.

ENTER:


Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 2, 2009.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
 Peter Tom
 John W. Sweeny, Jr.
 James M. Catterson
 Dianne T. Renwick, Justices.

-----x
In the Matter of a Proceeding for
Support under Article 4 of the Family
Court Act.

Christine W.,
Petitioner-Respondent,

-against-

M-1230
Docket No. F676/00

Adrian B.,
Respondent-Appellant.

-----x

Petitioner-respondent having moved for leave to respond, as a poor person, to the appeal from the order of the Family Court, New York County, entered on or about July 20, 2007, 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 § 1120 of the Family Court Act, Nancy Botwinik, Esq., 309 West 82nd Street, Apt. 4-A, New York, New York 10024, Telephone No. 212-787-1501, 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 the 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 April 2, 2009.

Present - Hon. Richard T. Andrias, Justice Presiding,
Eugene Nardelli
James M. McGuire
Rolando T. Acosta
Leland G. DeGrasse, Justices.

-----X
Redeemed Christian Church of God
Tabernacle of Restoration,
Plaintiff-Appellant,

-against-

M-1295
Index No. 20616/06

Franciscan Green, Sampson Green,
Sheila Blackman, John Doe, Jane Doe,
John Doe Inc.,
Defendants-Respondents.

-----X

An appeal having been taken to this Court from the order of the Supreme Court, Bronx County, entered on or about February 5, 2008,

And defendants-respondents having moved for an extension of time to file a respondent's brief,

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

It is ordered that the motion is granted to the extent of deeming defendants-respondents' brief timely served and filed for the May 2009 Term, to which Term the appeal is adjourned. Defendants-respondents are directed to file 10 copies of said brief forthwith. Appellant is directed to serve and file its reply brief on or before April 10, 2009.

ENTER:



Clerk