

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 February 26, 2009.

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

-----X
Martin Evans, et al.,
Plaintiffs-Appellants,

-against-

M-725X
Index No. 602898/05

Andrea Perl, et al.,
Defendants-Respondents.

-----X

Appeals having been taken from the orders of the Supreme Court, New York County, entered on or about August 14, 2008 and September 9, 2008 (mot. seq. no. 025), respectively,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" February 10, 2009, and due deliberation having been had thereon,

It is ordered that the appeals are withdrawn in accordance with the aforesaid stipulation.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 February 26, 2009.

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

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

Maria Irene Rivera,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78
of the CPLR,

-against-

M-808
Index No. 400046/08

Shaun Donovan, etc., et al.,
Respondents-Respondents.

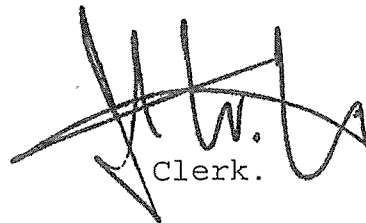
-----X

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

Now, upon reading and filing the stipulation of the parties hereto, filed February 17, 2009, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 February 26, 2009.

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

-----X
Vivian M. McGhee,
Plaintiff-Respondent,

-against-

M-827
Index No. 116314/04

HRH Construction LLC, et al.,
Defendants-Appellants,

-and-

Carlton Concrete Construction Corp.,
et al.,
Defendants.

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

Index No. 590676/06

-----X
[And a second third-party action]

Index No. 590617/07

-----X
An appeal having been taken from the order of the Supreme Court, New York County, entered on or about April 17 2008 (mot. seq. no. 005),

Now, upon reading and filing the stipulation of the parties hereto, filed February 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.

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 February 26, 2009.

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

-----X
Joan M. Kenney, et al.,
Plaintiffs-Respondents,

-against-

M-807
Index No. 811/02

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

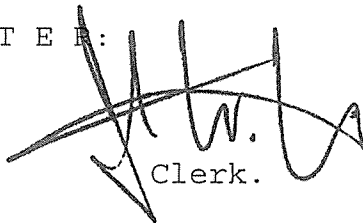
Excel Industries,
Defendant-Appellant.
-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about October 15, 2007,

Now, upon reading and filing the stipulation of the parties hereto, dated February 13, 2009, and due deliberation having been had thereon, it is

Ordered that the appeal, previously perfected for the February 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 February 26, 2009.

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

-----X
Stuart Bitterman, M.D.,
Plaintiff-Respondent,

-against-

Metropolitan Life Insurance Company,
Defendant-Appellant.
-----X

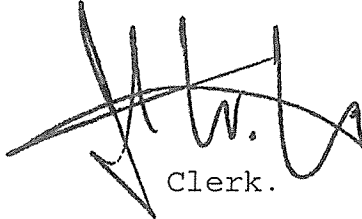
M-430
Index No. 118689/06

Defendant 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 November 20, 2007 (mot. seq. no. 007),

Now, upon reading and filing the papers with respect to the motion, and the correspondence filed by defendant's counsel on February 6, 2009,

It is ordered that the motion is deemed withdrawn, the underlying matter 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 February 26, 2009.

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

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

-against- M-602
Ind. No. 3341/08

Jose Burgos,
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 December 22, 2008, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

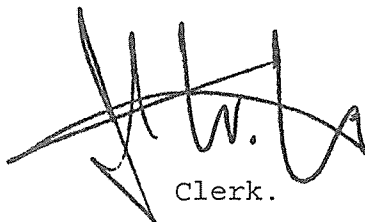
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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

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

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. (212)577-3688 is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 26, 2009.

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

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

-against-

M-603
Ind. No. 4989N/07
5630/08

Michael Cora,
Defendant-Appellant.
-----x

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about January 12, 2009, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

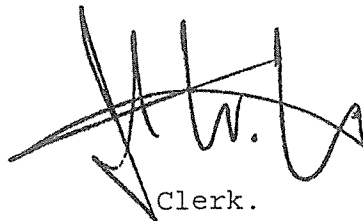
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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.

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 February 26, 2009.

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

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

-against-

M-606
Ind. No. 2009/08

Miguel Corchado,
Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about January 20, 2009, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

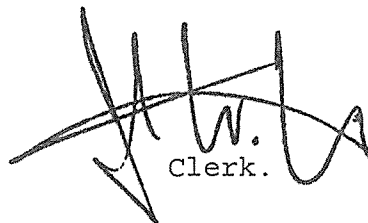
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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.

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

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 26, 2009.

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

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

-against- M-612
Ind. No. 1823/08

Venturo Cruz,
Defendant-Appellant.
-----x

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about January 21, 2009, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

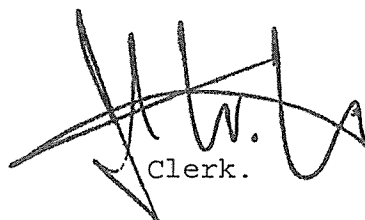
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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

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

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. (212)577-3688 is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 26, 2009.

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

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

-against- M-627
Ind. No. 7929/99

Levin Lindsey,
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 5, 2008, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

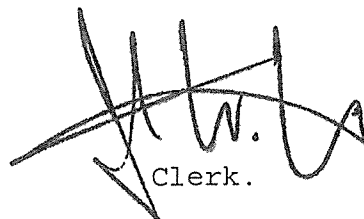
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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.

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 February 26, 2009.

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

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

-against- M-638
Ind. No. 4430/08

Javon Miller,
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 December 17, 2008, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

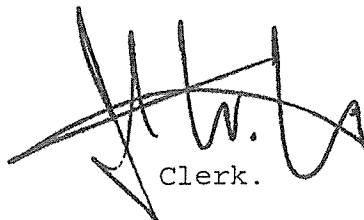
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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

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

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. (212)577-3688 is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 26, 2009.

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

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

-against-

M-641
Ind. No. 2823/08

Sergio Santana,
Defendant-Appellant.
-----x

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about January 28, 2009, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

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

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

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. (212)577-3688 is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 26, 2009.

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

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

-against- M-643
Ind. No. 4039/06

David Soto,
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 November 5, 2008, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

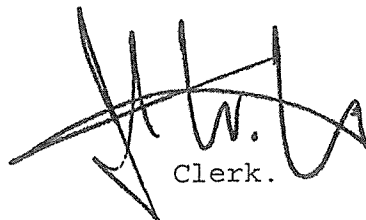
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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

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

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. (212)577-3688 is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 26, 2009.

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

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

-against-

M-645
Ind. No. 6248/07

Travon Williams,
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 November 6, 2008, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

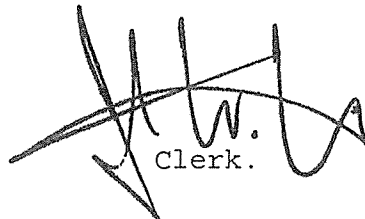
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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.

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 February 26, 2009.

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

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

-against-

M-649
Ind. No. 5188/00

Tyrone Howie,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of **resentence** of the Supreme Court, New York County, rendered on or about January 20, 2009, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

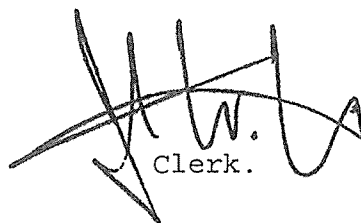
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 26, 2009.

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

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

-against-

M-670
Ind. No. 6073/08

Sergei Kuramtsov, also known as,
Sergei Khramtsov,
Defendant-Appellant.

-----x

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about January 21, 2009, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

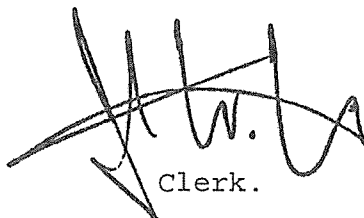
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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

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

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. (212)577-3688 is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 26, 2009.

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

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

-against-

M-409
Ind. No. 6016/05

Gerald Agnew,
Defendant-Appellant.

-----X

Defendant 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 January 12, 2009 (Ronald Zweibel, J.), for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief,

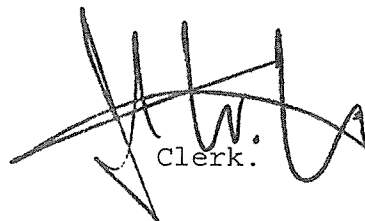
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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

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

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 February 26, 2009.

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

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

-against-

M-373
Ind. No. 6167/05

Alexander Hall,
Defendant-Appellant.

-----X

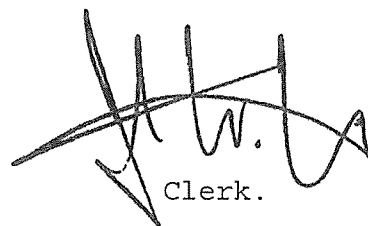
An order of this Court having been entered on March 4, 2008 (M-604), granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about November 8, 2007, and assigning Steven Banks, Esq., as counsel for purposes of prosecuting defendant's appeal,

And defendant having moved for an order relieving Steven Banks, Esq., as counsel for defendant, continuing the poor person relief previously granted by the order of this Court entered on March 4, 2008 (M-604), and substituting retained counsel, Richard E. Mischel, Esq., of Mischel & Horn, P.C., as counsel to prosecute defendant's 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 relieve Steven Banks, Esq., as counsel to prosecute defendant's appeal is granted, and the poor person relief previously granted by the order of this Court, entered on March 4, 2008 (M-604), is continued. So much of the motion which seeks to substitute Richard E. Mischel, Esq., of Mischel & Horn, P.C., as counsel on the appeal is denied as unnecessary. 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 February 26, 2009.

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

-----X
In the Matter of

Vincent P. and Claudette P.,

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

Administration for Children's Services, Docket Nos. M-377 B-09291/02
Petitioner-Respondent, B-09292/02

Dorothy A. P.,
Respondent-Appellant.

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

-----X

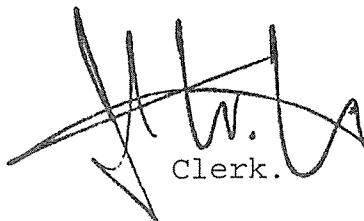
Respondent-appellant mother having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about December 15, 2008, and for assignment of counsel, a free copy of the transcript, and related relief,

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, Randall Carmel, Esq., 53 Jackson Avenue, Syosset, New York 11791, Telephone No. 516-921-8800, 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. (See the orders of this Court entered February 17, 2009 [M-690] and [M-4172A] copies of which are annexed hereto.)

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 February 17, 2009.

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

-----X
In the Matter of

Vincent P. And Claudette P.,

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-690
Docket Nos. V08217-8/08
V08220-1/08

Dorothy P.,
Respondent-Appellant.

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

-----X
Respondent-appellant mother 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 January 9, 2009, and for assignment of counsel, a free copy of the transcript, and for related relief,

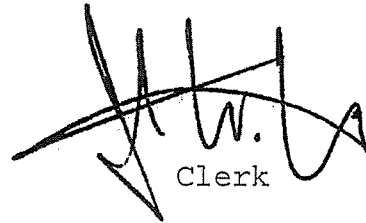
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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, Randall Carmel, Esq., 53 Jackson Avenue, Syosset, New York 11791, Telephone No. 516-921-8800, 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 City of New York from

February 17, 2009

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. (See M-4172A, decided simultaneously herewith.)

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 February 17, 2009.

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

-----X
In the Matter of

Vincent P. And Claudette P.,

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-4172A

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

Dorothy P.,
Respondent-Appellant.

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

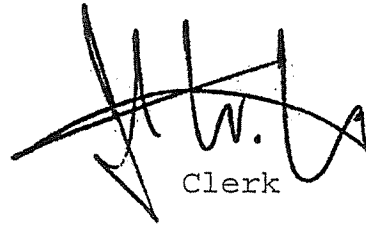
-----X
Respondent-appellant mother having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about June 10, 2008, and for assignment of counsel, a free copy of the transcript, and for related relief,

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, Randall Carmel, Esq., 53 Jackson Avenue, Syosset, New York 11791, Telephone No. 516-921-8800, 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 City 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. The order of this Court entered on November 20, 2008 (M-4172) is hereby recalled and vacated. (See M-690, decided simultaneously herewith.)

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 February 26, 2009.

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

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

Eva A. P., M-364
Petitioner, Docket No. O-27120/07
-against-

Victor M. P.,
Respondent.
-----X

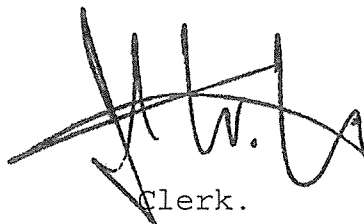
A purported appeal having been taken from the order of the Family Court, Bronx County, entered on or about September 29, 2008,

And respondent Victor M. P. having moved for leave to prosecute the purported appeal as a poor person,

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 respondent's submission of a copy of the notice of appeal, a copy of the aforesaid order, and a detailed notarized affidavit, pursuant to CPLR 1101(a) setting forth facts sufficient to establish that appellant has no funds or assets with which to prosecute the appeal.

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 February 26, 2009.

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

-----X
Joseph A. LoRiggio,
Plaintiff-Appellant,

-against-

M-583
Index No. 602632/05

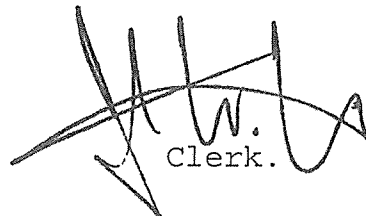
Steven Saba, et al.,
Defendants-Respondents.
-----X

Plaintiff-appellant Joseph A. LoRiggio, also known as Joseph A. Lorriggio having moved for an enlargement of time in which to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about March 21, 2008 (mot. seq. no. 002),

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

Ordered that the motion is granted to the extent of enlarging appellant's time in which to perfect the appeal to the September 2009 Term.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 26, 2009.

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

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

-against-

Gaurav Bakshi,
Defendant-Appellant.

M-5809
Ind. Nos. 7174/00
1460/08

-----X
Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about September 11, 2008, for leave to prosecute the appeal as a poor person, on the original record and upon a reproduced appellant's brief, and for related relief,

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

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

The motion, to the extent that it seeks poor person relief, is denied, with leave to renew upon defendant's submission of a notarized affidavit, pursuant to CPLR 1101(a), including the amount and sources of his income and listing his property with its value.

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 February 26, 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-347
Ind. No. 2303/02

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

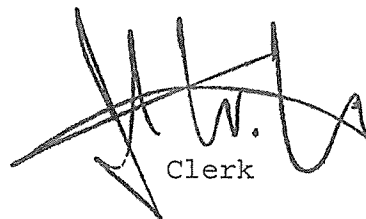
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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

The court reporter shall promptly make and file with the criminal court (CPL § 460.70) two transcripts of the stenographic minutes of **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.

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 February 26, 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-

Juan Batista,

Defendant-Appellant.
-----X

M-495
Ind. Nos. 3650/08
4230/07

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 29, 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, in compliance with CPLR 1101(a), setting forth the terms of defendant's retainer agreement with trial counsel, David Segal, Esq., the amount and sources of funds for trial counsel's fee and an explanation as to why similar funds are not available to prosecute this appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

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 February 26, 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-301
Ind. No. 5643N/06

Ray Wang,
Defendant-Appellant.

-----X

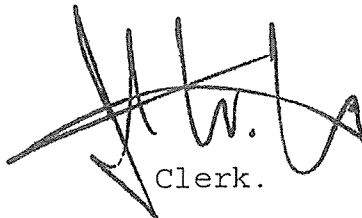
Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about October 27, 2008, for leave to prosecute the appeal as a poor person, upon the original record and upon a reproduced appellant's brief, and for assignment of counsel,

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

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

The motion, insofar as it seeks poor person relief, is denied, with leave to renew upon defendant's submission of a notarized affidavit, pursuant to CPLR 1101(a), including the amount and sources of funds to post the \$7,500 bail in the Supreme Court, the disposition thereof, and an explanation as to why similar funds are not available to prosecute this appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

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 February 26, 2009.

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

-----X
Michele Beudert-Richard, individually,
and as Executor of the Estate of
Adam Richard,
Plaintiffs-Appellants,

-against-

M-276
Index No. 105870/08

Pamela Richard,
Defendant-Respondent.

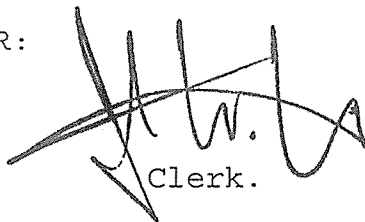
-----X

Plaintiffs having moved for an order staying the release of certain escrowed funds pending hearing and determination of the appeal taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about December 2, 2008, or alternative relief,

Now, upon reading and filing the papers with respect to the motion, and the stipulation filed with this Court, on January 30, 2009, and due deliberation having been had thereon,

It is ordered that the motion is deemed 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 February 26, 2009.

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

-----X
Kayla James, an infant by her
mother and natural guardian,
Atara James and Atara James,
individually,
Plaintiffs-Respondents,

-against-

M-554
Index No. 16954/02

Loran Realty V Corp. and Joseph Mangi,
Defendants,

Frank Palazzolo and Carmine Donadio,
Defendants-Appellants.

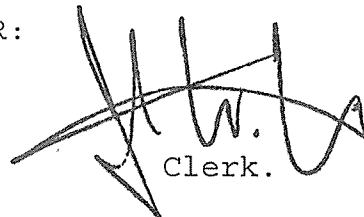
-----X
An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about September 17, 2008,

And defendants-appellants having moved for a stay of trial pending hearing and determination of the perfected 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 February 26, 2009.

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

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

-against-

M-587 & M-510
Index No. 106569/08

Janice R.,
Respondent-Appellant.

- - - - -
The New York Civil Liberties Union
Foundation and American Civil Liberties
Union Foundation Lesbian, Gay, Bisexual
and Transgender Project,
Amicus Curiae,

The National Association of Social
Workers, et al.,
Amicus Curiae.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about October 9, 2008, and said appeal having been perfected,

And The New York Civil Liberties Union Foundation and American Civil Liberties Union Foundation Lesbian, Gay, Bisexual and Transgender Project having moved for leave to file a brief amicus curiae in connection with the aforesaid appeal (M-587),

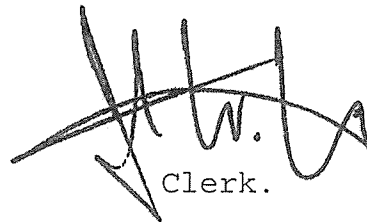
And The National Association of Social Workers, et al., having moved for the same relief (M-510),

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

It is ordered that the motion (M-510) is granted to the extent of deeming the 10 amicus curiae briefs submitted by The National Association of Social Workers, et al., with the moving papers herein as filed, and

It is further ordered that the motion (M-587) is granted and the amicus curiae brief submitted by The New York Civil Liberties Union Foundation and American Civil Liberties Union Foundation, etc., with the moving papers herein is deemed filed. Movant is directed to forthwith file an additional nine (9) copies of said brief with the Clerk of the 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 February 26, 2009.

PRESENT - Hon: Angela M. Mazzairelli, Justice Presiding,
Richard T. Andrias
David B. Saxe
David Friedman
Rolando T. Acosta, Justices.

-----X
In re Go West Entertainment Inc.,
Petitioner,

-against-

M-4955
Index No. 103482/08


New York State Liquor Authority,
Respondent.
-----X

Petitioner 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 September 18, 2008 (Appeal No. 4084),

Now, upon reading and filing the papers with respect to the motion, including the communication dated January 27, 2009 from movant's counsel, and due deliberation having been had thereon, it is

Ordered that the motion is deemed withdrawn.

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 26, 2009.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. McGuire
Leland G. DeGrasse, Justices.

-----X
Rolando Rios, et al.,

Plaintiffs-Respondents,

-against-

M-357

Index No. 100528/05

731 Commercial LLC and Structuretone,

Defendants-Appellants.
-----X


An appeal having been taken from the order of the Supreme Court, New York County, entered on or about May 13, 2008 (mot. seq. nos. 003, 004),

And defendants-appellants having moved to withdraw their 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 appeal is withdrawn.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 26, 2009.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. McGuire
Leland G. DeGrasse, Justices.

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

Respondent,

-against-

M-398
Ind. No. 188/07

Keith Cartwright,

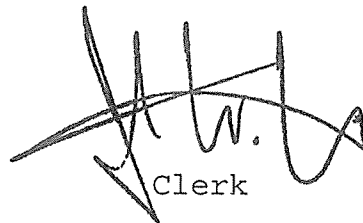
Defendant-Appellant.
-----X

Defendant-appellant having moved for leave to file a pro se supplemental brief in connection with the appeal from a judgment of the Supreme Court, New York County, rendered on or about November 1, 2007, 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 February 26, 2009.

Present : Hon. Angela M. Mazzarelli, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. McGuire
Leland G. DeGrasse, Justices.

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

Cristobal Abreu,
Petitioner-Respondent,

For a Judgment Pursuant to Article
78 of the CPLR,

M-375
Index No. 105500/07

-against-

John J. Doherty, as Commissioner of
the Department of Sanitation of the
City of New York and the City of
New York,
Respondents-Appellants.

-----X

An order of the Supreme Court, New York County, having been entered on or about December 24, 2007 (mot. seq. no. 001), granting petitioner's motion to challenge his termination by the Department of Sanitation as a probationary employee to the extent of remanding the matter to said Department's Evaluation Review Board for review of the record,

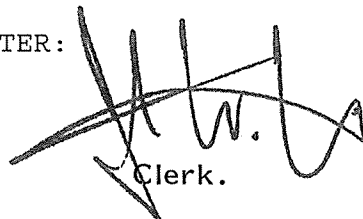
And an order of said Court having been entered on or about April 23, 2008 (mot. seq. no. 002), granting respondents leave to appeal to this Court from the aforesaid order of the Supreme Court,

And respondents-appellants 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 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 on or before March 23, 2009 for 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 February 26, 2009.

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

-----X
L & M Bus Corp., et al.,
Petitioners-Respondents-Respondents,

For a Judgment, etc.,

-against-

M-418
Index No. 104001/08

The New York City Department of
Education, et al.,
Respondents-Appellants-Respondents,

Local 1181 of the Amalgamated Transit
Union,
Intervenors-Respondents-Appellants.

-----X

An appeal and cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about December 17, 2008,

And municipal respondents-appellants-respondents having moved for an order of preference directing the perfection of this appeal and cross appeal and a briefing schedule for hearing in the May 2009 Term and for related relief,

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

Ordered that the motion is granted to the extent of directing a preference in the hearing of this appeal and cross appeal in accordance with the briefing schedule for the June 2009 Term with no adjournments to be granted. The attention of the parties is directed to Rule 600.11(d) with respect to a joint record and costs thereof.

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 February 26, 2009.

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

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

Norma B.,
Petitioner,

M-46
Docket No. O-00009/07

-against-

Sven H.,
Respondent-Respondent,

Simon B.,
Subject Child-Appellant.

Karen Freedman, Esq., Lawyers for
Children,
Law Guardian for the Child.

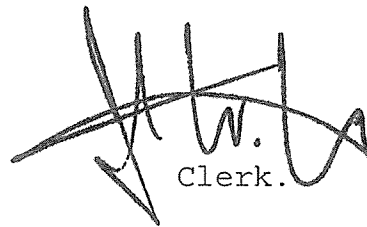
-----X
The Law Guardian, having moved on behalf of subject child Simon B., for leave to prosecute, as a poor person, the appeal from the orders of the Supreme Court, Bronx County, Integrated Domestic Violence Part, entered on or about March 31, 2008 and September 8, 2008, for assignment of counsel, a 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, Larry P. Schiffer, Esq., of Dewey & LeBoeuf LLP, 1301 Avenue of the Americas, New York, NY 10019, Telephone No. 212-259-8000, as pro bono counsel, for purposes of prosecuting the

appeal; (2) directing the Clerk of said Supreme Court to have transcribed within 60 days of service of a copy of this order upon the Clerk, the minutes of the proceedings held in the Supreme Court, Bronx County, Integrated Domestic Violence Part, 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 said 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 Bronx County, Integrated Domestic Violence Court and to serve a copy of this order upon the Clerk of the 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 February 26, 2009.

Present: Hon. David B. Saxe, Justice Presiding,
James M. Catterson
James M. McGuire
Karla Moskowitz
Rolando T. Acosta, Justices.

-----X
Joanne Pello,

Plaintiff-Appellant,

-against-

425 E. 50 Owners Corp., et al.,

Defendants-Respondents.
-----X

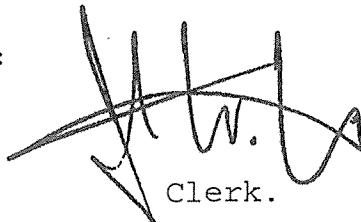
M-460
Index Nos. 107442/07
112304/07
101430/06

Plaintiff-appellant having moved for consolidation of the appeals taken from the order and judgment of the Supreme Court, New York County, entered on or about June 2, 2008, Index No. 107442/07, and the order of said Court entered on or about October 29, 2008 (mot. seq. no. 002), Index Nos. 112304/07 and 101430/06, and for an enlargement of time in which to perfect said consolidated appeals,

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

It is ordered that the motion is granted to the extent of permitting appellant to prosecute the consolidated appeals upon 10 copies of one record and of one set of appellant's points covering the appeals. The time in which to perfect said consolidated appeals is enlarged to on or before March 23, 2009 for 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 February 26, 2009.

PRESENT: Hon. David B. Saxe, Justice Presiding,
James M. Catterson
James M. McGuire
Karla Moskowitz
Rolando T. Acosta, Justices.

-----X
Curtis Hawkins,
Plaintiff-Respondent,

-against-

M-407
Index No. 28189/03

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

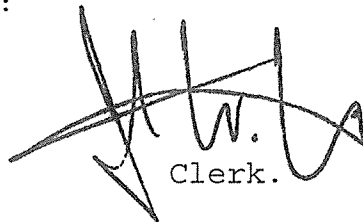
Defendants-appellants having moved for an enlargement of time in which to perfect the appeals from the orders of the Supreme Court, Bronx County, entered on or about February 1, 2008 and December 31, 2008, respectively,

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

Sua sponte, the appeals are consolidated and appellant is permitted to prosecute the appeals upon 10 copies of one record and one set of appellant's points covering the appeals.

It is further ordered that the motion is granted to the extent of enlarging the time in which to perfect the consolidated appeals to the September 2009 Term.

ENTER:


Clerk.

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

BEFORE: Hon. Peter Tom
Justice of the Appellate Division

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

M-54
Ind. No. 5534/07

-against-

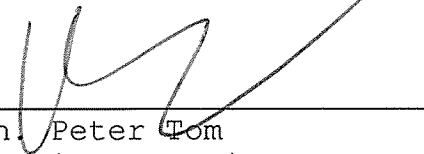
CERTIFICATE
DENYING LEAVE

Richard Kelly,

Defendant.

-----X

I, Peter Tom, 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 September 19, 2008 is hereby denied.



Hon. Peter Tom
Associate Justice

Dated: February 19, 2009
New York, New York

ENTERED FEB 26 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-277
Ind. No. 6622/04

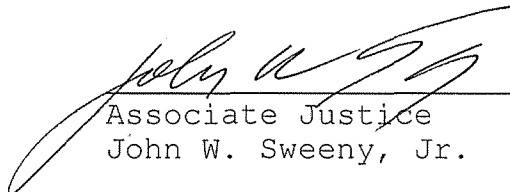
-against-

CERTIFICATE
DENYING LEAVE

Srisdi Kidkarndee,
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 (Roger S. Hayes, J.), entered on or about December 16, 2008, is hereby denied.


Associate Justice
John W. Sweeny, Jr.

Dated: February 20, 2009
New York, New York

ENTERED: **FEB 26 2009**

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

BEFORE: Hon. Rolando T. Acosta
Justice of the Appellate Division

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

M - 109
Ind. No. 2886/91

-against-

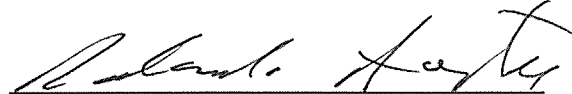
CERTIFICATE
DENYING LEAVE

David Montalvo

Defendant.

-----X

I, Rolando T. Acosta, 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 November 28, 2008 is hereby denied.



Hon. Rolando T. Acosta
Associate Justice

Dated: February 19, 2009
New York, New York

ENTERED:

FEB 26 2009

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

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

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

M-278
Ind. No. 687/80,
2003/80

-against-

CERTIFICATE
DENYING LEAVE

Eric Thomas, Defendant.
-----X

I, Hon. Leland G. DeGrasse, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about December 19, 2008, is hereby denied.

Dated: New York, New York
February 19, 2009

LD

ENTERED

FEB 26 2009

Hon. Leland G. DeGrasse
Justice of the Appellate Division

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-273
Ind. No. 4982/000

-against-


CERTIFICATE
DENYING LEAVE

Isaac Morales,

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 November 20, 2008 is hereby denied.



Hon. Helen E. Freedman
Associate Justice

Dated: February 20, 2009
New York, New York

ENTERED: FEB 26 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-180
Ind. No. 1644/1991

-against-

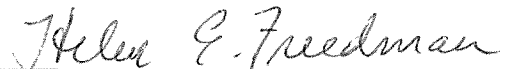
CERTIFICATE
DENYING LEAVE

Manuel Lugo,

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, Bronx County, entered on or about December 9, 2008 is hereby denied.



Hon. Helen E. Freedman
Associate Justice

Dated: February 17, 2009
New York, New York

ENTERED:

FEB 26 2009