

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 September 8, 2009.

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

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

-against-

M-3714
Ind. No. 1369/06

Shiniqua Tanks,
Defendant-Respondent.

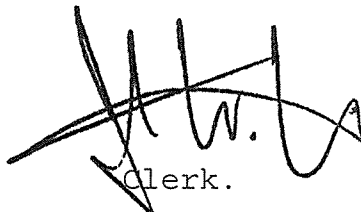
-----X

The People having appealed to this Court from an order of the Supreme Court, New York County, entered on or about December 14, 2006,

Now, upon reading and filing the stipulation of the parties hereto dated August 7, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 September 8, 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-

Jorge Morell,
Defendant-Appellant.

M-3715
Ind. No. 4698/06

-----X

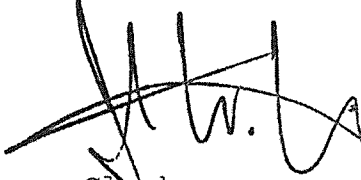
An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about May 17, 2007,

And appellant having moved to withdraw the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motion, including the stipulation between the parties dated August 3, 2009 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It is ordered that the appeal is withdrawn.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 September 8, 2009.

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

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

-against-

Anthony Harrison,
Defendant-Appellant.

M-3176
Ind. Nos. 8262/99
2762/00

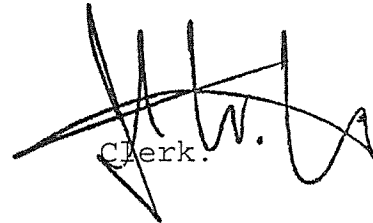
-----X

An appeal having been taken from the judgment of resentence of the Supreme Court, New York County, rendered on or about June 12, 2008,

Now, upon reading and filing the stipulation of the parties hereto, dated August 5, 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 September 8, 2009.

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

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

-against-

M-3787
Ind. No. 3957/07

Geryl Davis,
Defendant-Appellant.

-----X

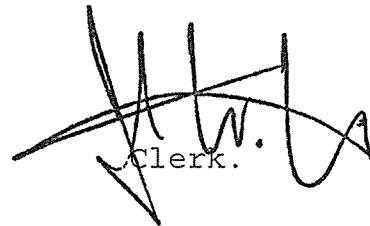
An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about April 8, 2008,

And appellant having moved to withdraw the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motion, including the stipulation between the parties dated August 6, 2009 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 September 8, 2009.

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

-----X
Lindsey Kupferman Nederlander,
Plaintiff-Respondent,

-against-

M-3699
Index No. 350510/07

Eric Nederlander,
Defendant-Appellant.

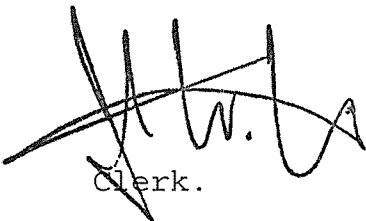
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about February 29, 2008,

Now, upon reading and filing the stipulation of the parties hereto, dated August 6, 2009, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the September 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 September 8, 2009.

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

-----X
Matthew Motyka and Sandra Motyka,
Plaintiffs-Respondents,

-against-

M-3745
Index No. 102589/06

Memorial Sloan-Kettering Cancer
Center, Sloan-Kettering Institute
for Cancer Research, Turner
Construction Company and Memorial
Hospital for Cancer and Allied
Diseases,
Defendants-Appellants.

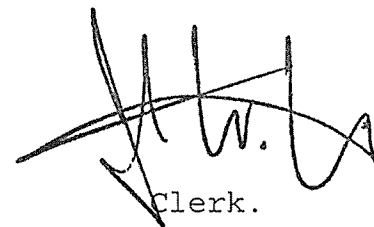
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about January 22, 2009,

Now, upon reading and filing the stipulation of the parties hereto, dated August 6, 2009, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the September 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 September 8, 2009.

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

-----X
Audrey P. Esposito,
Plaintiff-Appellant,

-against-

M-3806
Index No. 309520/08

Tashi Sherpa, et al.,
Defendants-Respondents.

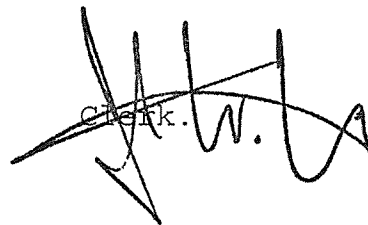
-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about May 6, 2009,

Now, upon reading and filing the stipulation of the parties hereto, dated August 7, 2009, and due deliberation having been had thereon, it is

Ordered that the appeal, previously perfected for the September 2009 Term, is withdrawn in accordance with the aforesaid stipulation, the underlying action having been settled.

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 September 8, 2009.

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

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

-against-

M-3513
Ind. No. 5439/02

Jamel Burgess, also known as
Jamel L. Burgess,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of **resentence** of the Supreme Court, New York County, rendered on or about June 30, 2009, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

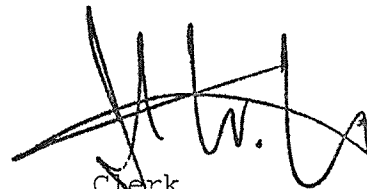
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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, 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 September 8, 2009.

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

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

-against-

M-3517
Ind. No. 3759/08

Vincent 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 June 18, 2009, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

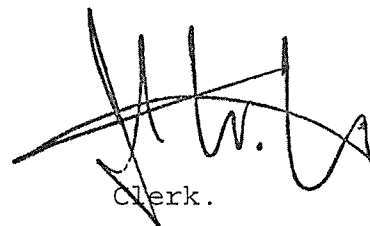
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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 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 September 8, 2009.

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

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

-against-

M-3518
Ind. No. 7004/02

Miguel Couvertier,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of **resentence** of the Supreme Court, New York County, rendered on or about June 19, 2009, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

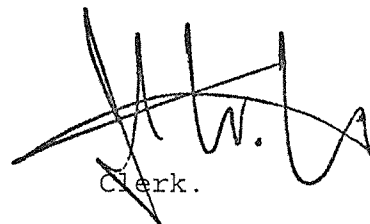
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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, 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 September 8, 2009.

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

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

-against-

M-3519
Ind. No. 90078/05

Angelo Diaz, also known as
Angelo Cruz,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about March 9, 2009, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

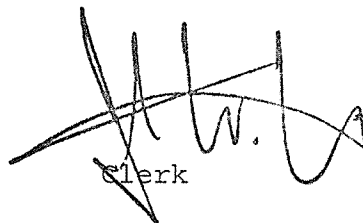
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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 any proceedings pursuant to CPL § 210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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

E N T E R:


Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2009.

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

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

-against-

M-3528
Ind. No. 7152/03

Idress Hamby,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of **resentence** of the Supreme Court, New York County, rendered on or about June 19, 2009, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

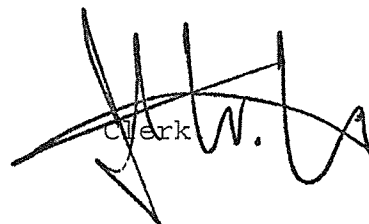
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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, 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 September 8, 2009.

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

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

-against-

M-3529
Ind. No. 980/08

Deborah Jones,
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 3, 2008, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

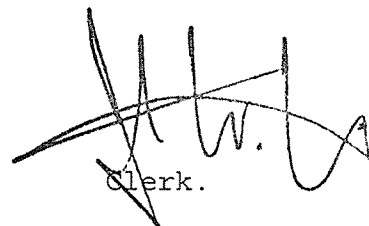
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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 September 8, 2009.

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

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

-against-

M-3530
Ind. No. 4400/03

Ronald Nesbitt,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of **resentence** of the Supreme Court, New York County, rendered on or about June 30, 2009, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

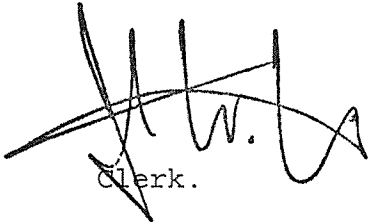
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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, 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 September 8, 2009.

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

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

-against-

M-3532
Ind. No. 3829/08

Levon Pratt, also known as
Pratt Levon,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about July 9, 2009, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

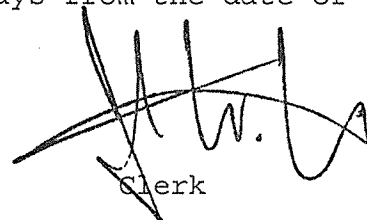
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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 any proceedings pursuant to CPL § 210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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

E N T E R :



Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2009.

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

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

-against-

M-3533
Ind. No. 909/09

James Quinn,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about July 1, 2009, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

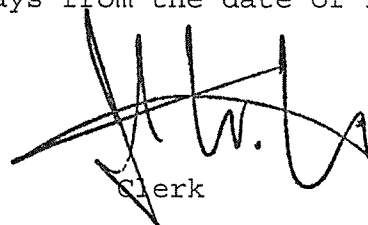
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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 any proceedings pursuant to CPL § 210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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

E N T E R:



Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2009.

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

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

-against-

M-3536
Ind. No. 4404/06

William Riley,
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 16, 2007, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

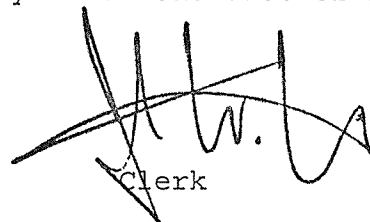
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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

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

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

E N T E R:


Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2009.

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

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

-against-

M-3537
Ind. Nos. 4448/03
5934/03

Andy Rodriguez,
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 May 22, 2009, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

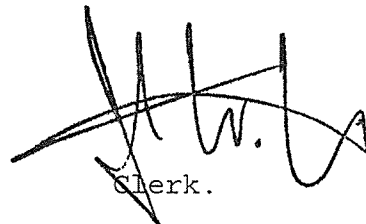
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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, 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 September 8, 2009.

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

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

-against-

M-3538
Case No. 55220C/07

Jose Rivera,
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 June 18, 2009, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

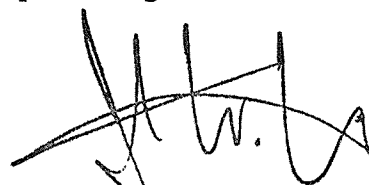
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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 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 September 8, 2009.

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

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

-against-

William Scott,
Defendant-Appellant.

M-3541
M-3542
Ind. Nos. 1715N/07
59/09
682/09

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeals from the judgments of the Supreme Court, New York County, rendered on or about May 28, 2008 (under Ind. No. 682/09) and June 5, 2009 (under Ind. Nos. 1715N/07 and 59/09), respectively, for leave to have the appeals heard upon the original record and a reproduced appellant's brief, and for related relief,

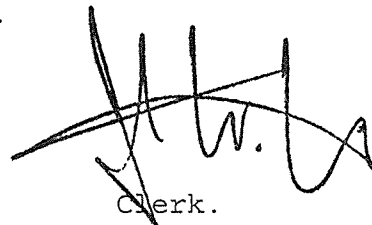
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of permitting the appeals 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 appeals. The time within which appellant shall perfect the appeals 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 September 8, 2009.

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

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

-against-

M-3544
Ind. No. 3492/07

Nicholas Sorrentino,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about July 17, 2009, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

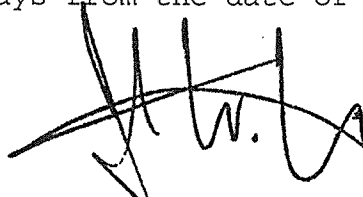
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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.

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 September 8, 2009.

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

-----X
Kyu Hong Han,
Petitioner-Landlord-Respondent,

-against-

M-2873
Index No. 570467/08

Lovado Adams,
Respondent-Tenant-Appellant.

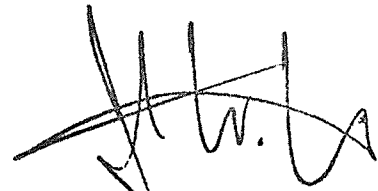
-----X

Respondent-tenant-appellant 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 April 14, 2009, 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.

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 September 8, 2009.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
David Friedman
John W. Sweeny, Jr.
John T. Buckley, Justices.

-----X
In the Matter of a Proceeding for
Custody and/or Visitation Under
Article 6 of the Family Court Act.

- - - - -
Charmaine L., M-2801
Petitioner-Appellant, Docket Nos. V2271/08
V2272/08
V22850/07
-against- V22851/07

Kenneth D.,
Respondent-Respondent.
-----X

Petitioner-appellant, having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about April 30, 2009, and for assignment of counsel, a free copy of the transcript, and for related relief,

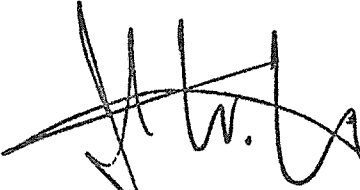
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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, Neal D. Futerfas, Esq., 50 Main Street, Suite 1000, White Plains, New York 10606, Telephone No. 914-682-2171, 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 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk; (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. The Clerk of the Family Court shall transfer the record upon receipt of this

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

order; and (4) appellant is directed to perfect this appeal within 60 days of receipt of the transcripts. Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family 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 September 8, 2009.

Present : Hon. Luis A. Gonzalez, Presiding Justice,
John W. Sweeny, Jr.
John T. Buckley
Dianne T. Renwick
Helen E. Freedman, Justices.

-----X
Millennium Import, LLC,
Plaintiff,

-against-

Reed Smith LLP, et al.,
Defendants/Third-Party Plaintiffs-
Appellants,

M-3435
Index Nos. 603350/07
59100/07

-against-

James H. Berry, Jr., et al.,
Third-Party Defendants-Respondents.

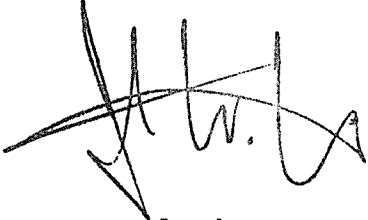
-----X

Third-party 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 June 23, 2009 (Appeal No. 900),

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 September 8, 2009.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter, Justices.

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

-against-

M-3351
Ind. No. 2513/99

Raymond Hobdy,
Defendant-Appellant.

-----X

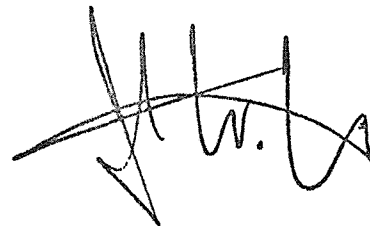
An appeal having been taken from the judgment of the Supreme Court, Bronx County, rendered on or about March 27, 2001,

And assigned counsel having moved to discontinue the appeal as moot,

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 as moot.

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 September 8, 2009.

PRESENT - Hon. Angela M. Mazzairelli, Justice Presiding,
Karla Moskowitz
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter, Justices.

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

Andreas Gruson,
Petitioner-Respondent,

For a Judgment Pursuant to Article 78
of the CPLR

-against-

M-3691
Index No. 106396/08

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

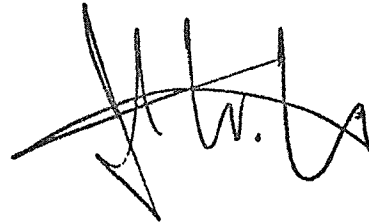
-----X

Petitioner-respondent having moved to dismiss the appeal taken from the order of the Supreme Court, New York County, entered on or about October 9, 2008,

Now, upon reading and filing the papers with respect to the motion, and filing the stipulation of the parties hereto, dated August 6, 2009, and due deliberation having been had thereon,

It is ordered that the motion and the appeal are deemed withdrawn.

ENTER:



Clerk.

Corrected Order - September 25, 2009

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 September 8, 2009.

Present: Hon. Angela M. Mazzairelli, Justice Presiding,
Karla Moskowitz
Rolando T. Acosta
David Friedman
Rosalyn H. Richter, Justices.

-----X
In the Matter of

Allen Jerome W.,
Tryic Robert W.,

Dependent Children Under 18 Years of
Age Pursuant to §384-b of the Social
Services Law of the State of New York.

M-3702

Docket No. B14266/06
B14267/06

The Salvation Army Social Services of
Greater New York,
Petitioner-Respondent,

Lelia M.,
Respondent-Appellant.

Michael Sherz, Esq., Lawyers for
Children,
Attorney for the Children.
-----X

Appeals having been taken from the orders of the Family Court, New York County, entered on or about October 17, 2007,

Now, upon reading and filing the stipulation of the parties hereto, filed August 7, 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 September 8, 2009.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
Proceeding for Limited Letters of
Administration in the Estate of

Sami Mobarak A. Baarma,
Deceased.

M-3170
File No. 2311/07

Barbara Baker,
Proponent-Appellant,

-against-

Sameer Mobarak A. Baarma,
Objectant-Respondent.

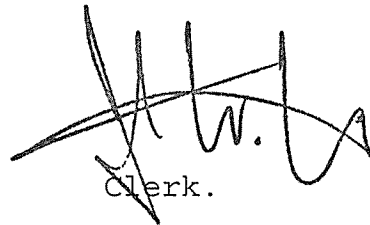
-----X

Proponent-appellant having moved for an enlargement of time in which to perfect the appeal taken from the order of the Surrogate's Court, New York County, entered on or about July 21, 2008,

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

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

E N T E R:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2009.

PRESENT - Hon. Angela M. Mazzairelli, Justice Presiding,
Karla Moskowitz
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
Lynn Furia,
Plaintiff-Appellant,

-against-

M-3356
Index No. 115099/06

David Ostad, M.D., et al.,
Defendants-Respondents.

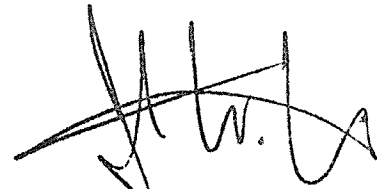
-----X

Defendants-respondents having moved to dismiss the appeal taken from the order of the Supreme Court, New York County, entered on or about October 8, 2008 (mot. seq. no. 004),

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

Ordered that the motion is granted 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 September 8, 2009.

PRESENT: Hon. Angela M. Mazzairelli, Justice Presiding,
Karla Moskowitz
Rolando T. Acosta
Helen E. Freedman
Roselyn H. Richter, Justices.

-----X
Tisa, Inc.,
Plaintiff-Appellant,

-against-

M-3197
Index No. 115100/06

CP Ships (UK) Limited, et al.,
Defendants,

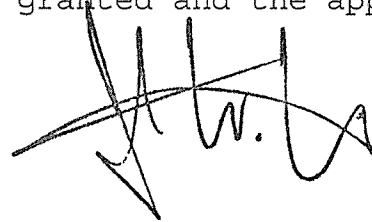
Shahtaj Textile Limited,
Defendant-Respondent.
-----X

Defendant-respondent Shahtaj Textile Limited having moved for dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about February 5, 2009 (mot. seq. no. 007),

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

It is ordered that the motion is granted and the appeal is dismissed.

ENTER:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2009.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
Dental Management and Development,
Inc.,

Plaintiff-Respondent,

M-3288

Index No. 17135/05

-against-

Bronx-Lebanon Hospital Center,

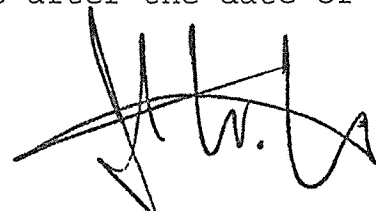
Defendant-Appellant.
-----X

Plaintiff-respondent having moved for an order dismissing defendant-appellant's appeal taken from the order of the Supreme Court, Bronx County, entered on or about October 16, 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 to dismiss the appeal is granted unless the appeal is perfected for the December 2009 Term. Upon failure to so perfect, an order dismissing the appeal may be entered ex parte, provided respondent serves a copy of this order upon the appellant within 10 days after the date of entry hereof.

ENTER:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2009.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
Margarita Posada,

Plaintiff-Appellant,

M-3298

Index No. 106387/04

-against-

Oscar Pelaez, M.D., et al.,

Defendants-Respondents.
-----X

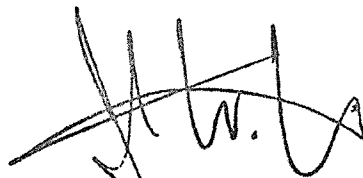
Appeals having been taken from the order of the Supreme Court, New York County, entered on or about December 10, 2007 (mot. seq. no. 017), and from the judgment of said Court entered on or about June 6, 2008, respectively,

And defendants-respondents having moved for dismissal of the aforesaid appeals,

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

It is ordered that the motion is denied, with leave to renew brought on by order to show cause in accordance with CPLR 1021 service to be effected upon person(s) interested in decedent's estate.

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 September 8, 2009.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Rolando T. Acosta
Helen E. Freedman
Roselyn H. Richter, Justices.

-----X
Sun Gold Corp.,
Plaintiff-Respondent,

-against-

M-3511
Index No. 401609/08

Moon Stillman, etc., et al.,
Defendants,

Mark B. Stillman,
Defendant-Appellant.
-----X

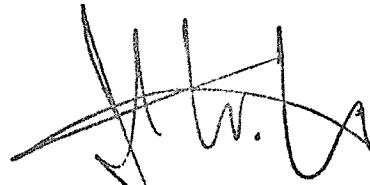
An appeal having been taken from the order of the Supreme Court, New York County, entered on or about April 29, 2009 (mot. seq. no. 004),

And plaintiff-respondent having moved for dismissal of the aforesaid appeal upon the claim that defendant's notice of appeal was not timely filed,

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

It is ordered that plaintiff's motion is denied, with leave to renew upon submission of proof of entry of the aforesaid order dated March 24, 2009.

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 September 8, 2009.

Present: Hon. Angela M. Mazzairelli, Justice Presiding,
Karla Moskowitz
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
In the Matter of the Application of
Continental Truck Industries, Inc.,
Petitioner-Appellant,

M-3527

For an Order Pursuant to Article 75
of the CPLR Staying Arbitration of a
Certain Controversy,

Index No. 402625/08

-against-

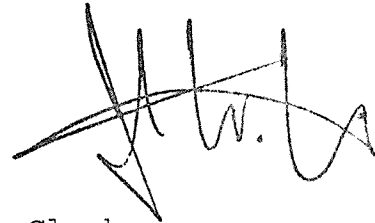
Joseph R. Brownstein,
Respondent-Respondent.

-----X
Respondent-respondent having moved for an order dismissing petitioner-appellant's appeal taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about April 15, 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 to dismiss the appeal is granted unless the appeal is perfected for the December 2009 Term. Upon failure to so perfect, an order dismissing the appeal may be entered ex parte, provided respondent serves a copy of this order upon the appellant within 10 days after the date of entry hereof.

ENTER:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2009.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter, Justices.

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

-against-

M-3249
Ind. No. 3669/02

Steven Sanchez,
Defendant-Appellant.
-----x

Defendant 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 April 2, 2009, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

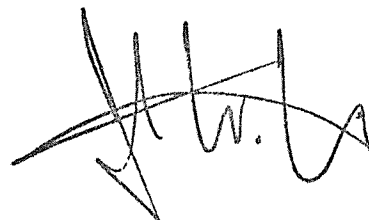
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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 September 8, 2009.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter, Justices.

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

-against-

M-3416
Ind. No. 6741/95

Osiris Cabrera,
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 (Charles Solomon, J.) entered on or about June 9, 2009, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

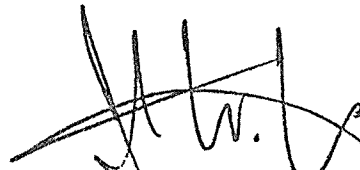
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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

The Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL § 460.70) two transcripts of the stenographic minutes of the SORA hearing and any other proceedings before Justice Solomon 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.

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 September 8, 2009.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter, Justices.

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

-against-

M-3500
Ind. No. 4596/02

Troy Jackson,
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 (Arlene Goldberg, J.) entered on or about June 16, 2009, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

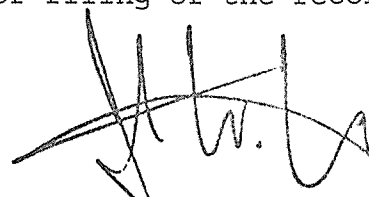
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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

The Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL § 460.70) two transcripts of the stenographic minutes of the SORA hearing and any other proceedings before Justice Goldberg 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.

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 September 8, 2009.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter, Justices.

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

-against-

M-3521
Ind. No. 470/06

Mesias Pina, also known as Angel
Cruz,
Defendant-Appellant.

-----X

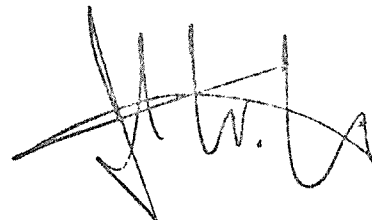
An appeal having been taken from the judgment of the Supreme Court, Bronx County, rendered on or about June 4, 2008,

And assigned counsel for defendant-appellant having moved for an order directing the Clerks of the Criminal Court and of Supreme Court, Bronx County, to have transcribed the minutes to all pretrial proceedings with respect to Indictment No. 470/06,

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 the Clerks of the Criminal Court and of the Supreme Court, New York County, to have transcribed those minutes enumerated above, within 30 days from the date of service upon the Clerks of a copy of this order, which counsel is directed to serve upon the Clerks and the individual court reporter(s) within 10 days from the date of entry hereof. Defendant's time in which to perfect the aforesaid appeal is enlarged until 120 days after receipt of the aforesaid minutes.

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 September 8, 2009.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
In the Matter of

Tyami Alotta M., also known as
Tyami M., also known as Ty-Ami M.,
also known as Tammy M., also known
as "Baby Girl" M.,

M-3175
Docket No. B27707/06

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

- - - - -
Little Flower Children and Family
Services of New York, et al.,
Petitioners-Respondents,

Marisa M., also known as Marissa M.,
Respondent-Appellant.

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

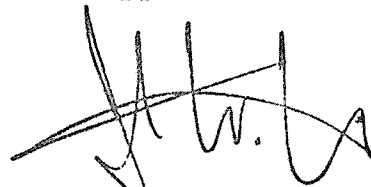
-----X

Respondent-appellant mother having moved for an enlargement of time in which to perfect the appeal from the order of the Family Court, Bronx County, entered on or about February 15, 2008,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the December 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 September 8, 2009.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X

Conchita Ortiz,

Plaintiff-Appellant,

-against-

M-3453

Index No. 14574/04

995 LLC,

Defendant-Respondent

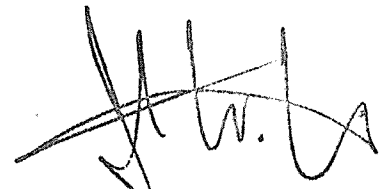
-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about October 16, 2008,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the December 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 September 8, 2009.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
Tower Insurance Company of New York,
Plaintiff-Appellant,

-against-

M-3754
Index No. 113447/06

Christopher Court Housing Company,
Carmen Melendez and Forte Network
Inc.,
Defendants-Respondents.

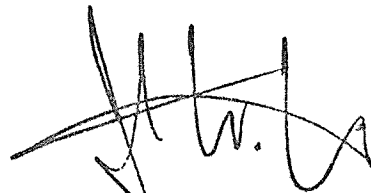
-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about October 24, 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 December 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 September 8, 2009.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X

Dana Grogan, et al.,
Plaintiffs-Appellants,

-against-

M-3570
Index No. 112008/03

Gamber Corporation, doing business as
Milford Plaza Hotel, et al.,
Defendants-Respondents.

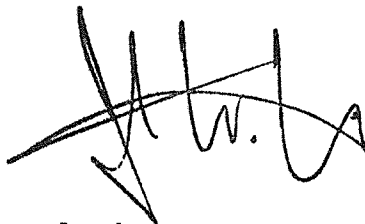
-----X

Plaintiffs-appellants having moved for an enlargement of time in which to perfect their consolidated appeals from the judgment of the Supreme Court, New York County, entered on or about September 19, 2008 and from the order of said Court entered on or about February 24, 2009 (mot. seq. no. 008),

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 consolidated appeals to the December 2009 Term, with no further enlargements to be granted.

ENTER:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2009.

Present: Hon. Angela M. Mazzairelli, Justice Presiding,
Karla Moskowitz
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
In the Matter of the Application
of Lisa Bishop and Martin Bregman,
Preliminary Executors of the
Estate of Jack E. Maurer,

M-3382 & M-3697

Petitioners-Respondents,
To Recover Certain Property of the
Deceased Claimed to be Withheld,

Surrogate's Court
File No. 0575-2005

Rona Maurer,

Objector-Appellant.
-----X

An appeal having been taken from the order of the Surrogate's Court, New York County, entered on or about December 1, 2008

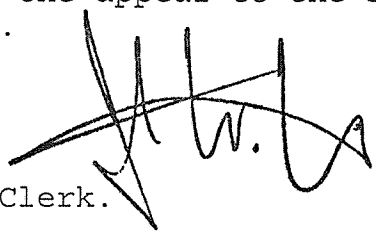
And objector-appellant having moved for an enlargement of time in which to perfect the aforesaid appeal (M-3382),

And petitioners-respondents having cross-moved for the vacatur of the stay afforded objector-appellant pending hearing and determination of a motion for reargument/renewal presently sub judice in Supreme Court (M-3697),

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 is granted to the extent of enlarging the time in which to perfect the appeal to the January 2010 Term. The cross 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 September 8, 2009.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Rolando T. Acosta
Helen E. Freedman
Roselyn H. Richter, Justices.

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

Respondent,

-against-

M-3283
Case No. 9396C/06

Prince Adomako,

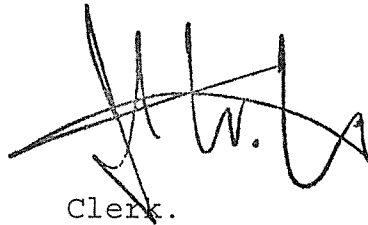
Defendant-Appellant.
-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, Bronx County, rendered on or about July 11, 2007, and for leave to prosecute the appeal as a poor person on the original record and upon a reproduced appellant's brief, and for assignment of counsel,

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

It is ordered that the motion is denied. (CPL 460.30 [Subd. 1])

ENTER:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 8, 2009.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
Jose Ricardo Aguaiza, et al.,
Plaintiffs-Appellants-Respondents,

-against-

M-3546
Index No. 105197/08

Vantage Management Services, LLC,
et al.,
Defendants-Respondents-Appellants,

Neil Rubler and Robert Jon Odell,
Defendants-Respondents.

-----X

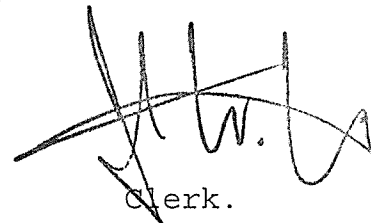
An appeal and cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about May 26, 2009,

And defendants-respondents-appellants having moved, pursuant to CPLR 5519(c), for a stay of all proceedings pending hearing and determination of the aforesaid appeal and cross 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 September 8, 2009.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----x
Margo Crespin,

Plaintiff-Respondent,

-against-

M-3275
Index No. 121404/03

Reebok Sports Club/NY,

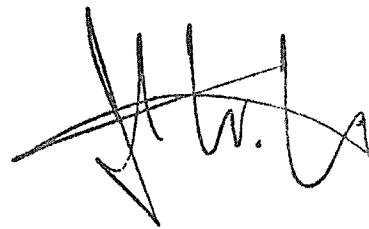
Defendant-Appellant.
-----x

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 June 19, 2008,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the December 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 September 8, 2009.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----x

Daniel Chynsky,
Plaintiff-Respondent,

-against-

M-3752
Action No. 1
Index No. 111540/06

The City of New York,
Defendant-Appellant-Respondent,

Parsons Transportation Group of
New York, doing business as Parsons,
Steinman, Boynton, Gronquist &
Birdsall, Inc.,
Defendant-Respondent-Appellant,

Ghandhi Engineering, Inc., et al.,
Defendants.

- - - - -
Carsten Fleck, Megan Michalak, Natalie
Tyler, Rebecca Conroy and Nathaniel
Meysenburg,
Plaintiffs-Respondents,

-against-

M-3753
Action No. 2
Index No. 403251/04

The City of New York,
Defendant-Appellant-Respondent,

Parsons Transportation Group of
New York, doing business as Parsons,
Steinman, Boynton, Gronquist &
Birdsall, Inc.,
Defendant-Respondent-Appellant,

Ghandhi Engineering, Inc., et al.,
Defendants.

-----x

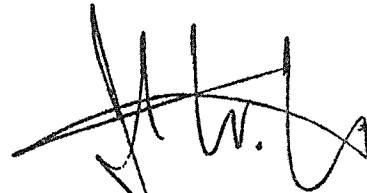
Separate appeals having been taken to this Court by the City of New York from orders of the Supreme Court, New York County, both entered on or about October 22, 2008 (mot. seq. nos. 003, 006),

And defendant-appellant the City of New York having moved, by separate motions, for an enlargement of time in which to perfect the aforesaid appeals,

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

It is ordered that the motions are granted to the extent of enlarging the time in which to perfect the appeals to the December 2009 Term. The Clerk is directed to calendar the appeals for hearing together in said Term.

ENTER:

A handwritten signature in black ink, appearing to be "J.W.L.", written over a horizontal line.

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 September 8, 2009.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
Glorya F. Cabrera,
Plaintiff-Appellant/Respondent,

-against-

M-3525
Index No. 15792/05

Ramon F. Rodriguez,
Defendant,

Cerda Corp.,
Defendant-Respondent/Appellant.

-----X

An appeal having been taken by plaintiff from the order of the Supreme Court, Bronx County, entered on or about December 9, 2008,

And an appeal having been taken by defendant from the order of said Court, entered on or about March 23, 2009,

And plaintiff having moved for an order consolidating the aforesaid appeals and enlarging the time to perfect same,

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 the Clerk to calendar the appeals for hearing together. The time in which to perfect the respective appeals is enlarged to the January 2010 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 September 8, 2009.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Helen E. Freedman
Roselyn H. Richter, Justices.

-----X
In the Matter of the Estate of

William Gottlieb File No. 4037/99
Deceased,

Irving Bender and Neil Bender,
Petitioners-Respondents,

Cheryl I. Dier,
Objector-Appellant,

Michael Corbett, M-3604
Objector-Appellant.

-----X
In the Matter of Probate Proceeding,

Will of

Mollie Bender File No. 2497/07
Deceased,

Irving Bender and Neil Bender,
Petitioners-Respondents,

Michael Corbett,
Objector-Appellant.

-----X

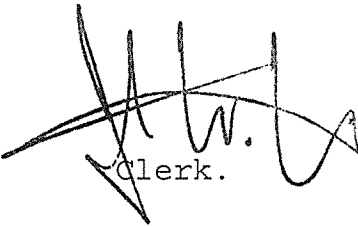
An appeal having been taken by objector-appellant Cheryl Dier from the decree of the Surrogate's Court, New York County, (File No. 4037/99) entered on or about March 13, 2008, and said appeal having been perfected for the October 2009 Term,

And said objector-appellant Cheryl Dier having moved for an extension of time in which to file a reply brief,

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

Ordered that the motion is granted to the extent of directing objector-appellant to file a reply brief on or before September 28, 2009 for said October 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 September 8, 2009.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----x
Peter Siegel,
Plaintiff,

-against-

M-3658

RRG Fort Greene, Inc., Atlantic Center
Fort Green, Inc., both of the foregoing
individually Atlantic Center Fort
Greene Associates, L.P., and
JLS Industries, Inc., both of the
foregoing Individually and doing
business as JLS Industries, Inc.,
Defendants-Respondents.

Index No. 102854/06

JLS Industries, Inc.,
Third-Party Plaintiff-Respondent,

Index No. 590495/06

-against-

H & L Electric, Inc.,
Third-Party Defendant-Appellant.

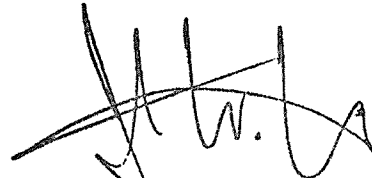
-----x

Third-party defendant-appellant H & L Electric, Inc. having moved for a stay of trial pending hearing and determination of the appeal from the order of the Supreme Court, New York County, entered on or about March 23, 2009 (mot. seq. no. 001),

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

It is ordered that the motion is denied.

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 September 8, 2009.

Present - Hon. Angela M. Mazzaelli, Justice Presiding,
Karla Moskowitz
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----x
In the Matter of the Application of
Shirley E. Daniels,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78
of the CPLR,

M-3194
M-3781
Index No. 401018/08

-against-

New York City Housing Authority,
Respondent-Respondent.

-----x

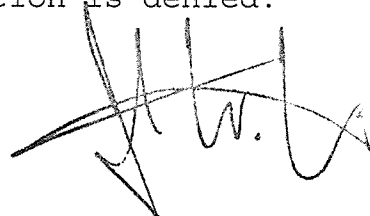
Petitioner-appellant having moved for a stay of eviction pending hearing and determination of the appeal from the order of the Supreme Court, New York County, entered on or about August 19, 2008 [mot. seq. no. 001] (M-3194),

And respondent-respondent New York City Housing Authority having cross-moved for dismissal of the appeal for failure to timely perfect (M-3781),

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 for a stay of eviction is granted on condition petitioner-appellant continues to pay use and occupancy on the subject premises as due. Upon failure to remain current in use and occupancy, respondent may move on notice to vacate the stay. The cross 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 September 8, 2009.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
Washington Heights Optical, Inc.,
Plaintiff-Appellant,

-against-

M-3690
Index No. 602184/09

The Port Authority of New York
and New Jersey,
Defendant-Respondent.

-----X

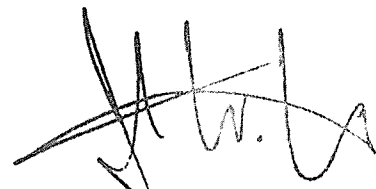
An appeal having been taken from the order of the Supreme Court, New York County, entered on or about July 27, 2009 (mot. seq. no. 001),

And plaintiff having moved in the nature of a preliminary appellate injunction pursuant to CPLR 5518 enjoining defendant from taking any action to terminate plaintiff's lease, 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 granted to the extent of continuing the relief afforded appellant by an order of a Justice of this Court, dated August 24, 2009, and on condition that plaintiff perfects the appeal for the January 2010 Term. Upon failure to so perfect, an order vacating the preliminary appellate injunction may be entered ex parte, provided that respondent serves a copy of this order upon appellant within 10 days after the date of entry hereof. Upon plaintiff's failure to remain current in use and occupancy, defendant may move on notice to vacate the injunction.

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 September 8, 2009.

Present: Hon. Richard T. Andrias, Justice Presiding,
James M. Catterson
Dianne T. Renwick
Leland G. DeGrasse
Sheila Abdus-Salaam, Justices.

-----X
In the Matter of

David J.,

M-3095

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

Docket No. B13502/04

- - - - -
Abbott House,
Petitioner-Respondent,

Jennifer J.,
Respondent-Appellant.

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

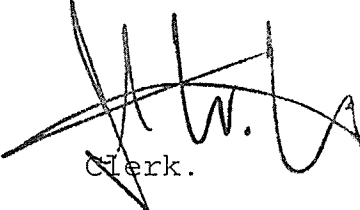
-----X

Petitioner-respondent having moved for dismissal of the appeal taken from the order of the Family Court, Bronx County, entered on or about August 29, 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.

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 September 8, 2009.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,
James M. Catterson
Dianne T. Renwick
Leland G. DeGrasse
Sheila Abdus-Salaam, Justices.

-----X
Trumps Marks LLC,
Plaintiff-Appellant,

-against-

M-3191
M-3203
Index No. 601372/08

Crescent Heights Diamond, LLC,
Sonny Kahn, an individual, Russell W.
Galbut, an individual, Bruce A. Menin,
an individual each said individual being
a member of Crescent Heights Diamond,
LLC, etc., et al.,
Defendants-Respondents.

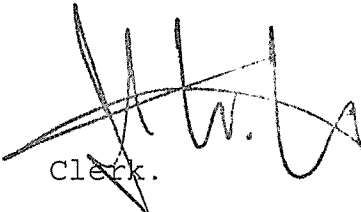
-----X

Defendant-respondent Crescent Heights Diamond, LLC (M-3191) and defendants-respondents Sonny Kahn, Russell W. Galbut and Bruce A. Menin (M-3203) having moved to dismiss the appeal taken from the order of the Supreme Court, New York County, entered on or about May 6, 2009 (mot. seq. no. 008),

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

Ordered that the motions are granted 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 September 8, 2009.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,
James M. Catterson
Dianne T. Renwick
Leland G. DeGrasse
Sheila Abdus-Salaam, Justices.

-----X
Joan Chaturvedi,
Plaintiff-Respondent,

-against-

M-3248
Index No. 350689/04

Niraj Chaturvedi,
Defendant-Appellant.

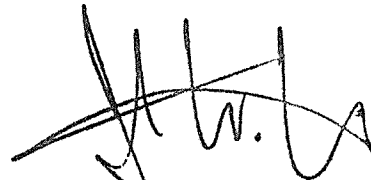
-----X

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 June 11, 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.

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 September 8, 2009.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,
James M. Catterson
Dianne T. Renwick
Leland G. DeGrasse
Sheila Abdus-Salaam, Justices.

-----X
In the Matter of the Application
for the Guardianship and Custody of

Christian Anthony Y. T.,
Kim Louise Marie Y. T. and
Kimberly Ann Y. T.,

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

The Children's Aid Society,
Petitioner,

M-3261
Docket Nos. B2451/04
B2461/04
B2471/04

Donna Marie T.,
Respondent.

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

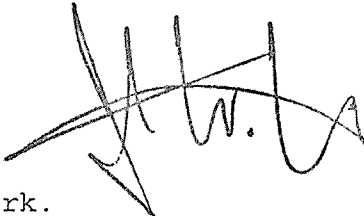
-----X

Petitioner agency, in connection with the purported appeals taken by respondent mother from the unsigned orders of the Family Court, Bronx County, dated June 2009, having moved this Court for an order dismissing the aforesaid purported 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 and the purported appeals are dismissed as having been taken from non-appealable papers, without prejudice to appeals from the signed orders of the Family Court, Bronx County.

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 September 8, 2009.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,
James M. Catterson
Dianne T. Renwick
Leland G. DeGrasse
Sheila Abdus-Salaam, Justices.

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

-against-

M-3452
Ind. No. 1151/08

Alvaro Rojas, also known as
Rojas Alvaro,
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 June 11, 2009, 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,

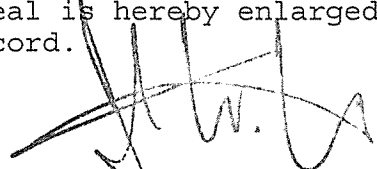
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of deeming the moving papers a timely filed notice of appeal, and 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 September 8, 2009.

Present - Hon. Richard T. Andrias, Justice Presiding,
James M. Catterson
Dianne T. Renwick
Leland G. DeGrasse
Sheila Abdus-Salaam, Justices.

-----x
In the Matter of a Proceeding for
Custody and/or Visitation Under
Article 6 of the Family Court Act.

Reeva A.-C.,
Petitioner,

-against-

Angelique C. and Richard C.,
Respondents.

M-2935
Docket Nos. V197-06/09B
V198-06/09B
IDV No. 72/06

- - - - -
Deborah Gould, Esq., The Children's
Law Center,
Law Guardian for the
Children.

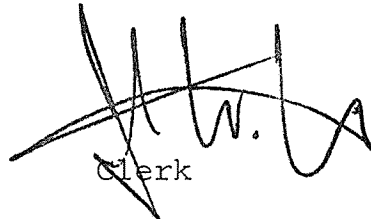
-----x

Deborah Gould, Esq., law guardian for the children, having moved this Court pursuant to CPLR 5704(a), for a review and vacatur of the ex parte orders of the Supreme Court, Bronx County, Integrated Domestic Violence Part, dated May 27, 2009, said relief having been denied by a Justice of said Court on May 29, 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 dismissed as academic. The order of a Justice of this Court dated June 3, 2009, is deemed to have expired pursuant to its terms.

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 September 8, 2009.

PRESENT - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Eugene Nardelli
Rolando T. Acosta
Rosalyn H. Richter, Justices.

-----X
Charles LoBianco,
Plaintiff-Respondent,

-against-

M-2964
Index No. 114773/05

Christopher Lake, et al.,
Defendants-Appellants,

Altec Capital Services, LLC,
Defendant.

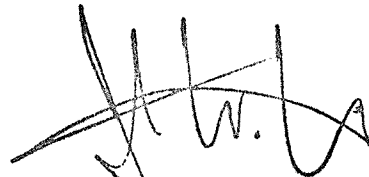
-----X

Plaintiff-respondent having moved for reargument of the decision and order of this Court entered on May 26, 2009 (Appeal No. 643),

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 September 8, 2009.

Present - Hon. James M. McGuire, Justice Presiding,
Rolando T. Acosta
Leland G. DeGrasse
Rosalyn H. Richter
Sheila Abdus-Salaam, Justices.

-----X
Alida Rodriguez,
Plaintiff-Appellant,

-against-

M-2985
Index No. 15703/99

Ford Motor Company,
Defendant-Respondent,

Betty F. Gerendasy, etc., et al.,
Defendants.

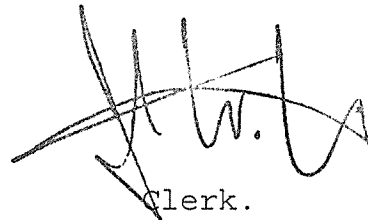
-----X

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 May 21, 2009 (Appeal No. 622),

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.

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

BEFORE: Hon. James M. McGuire,
Justice of the Appellate Division

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

M- 1660
Ind. No. 1770/85

-against-

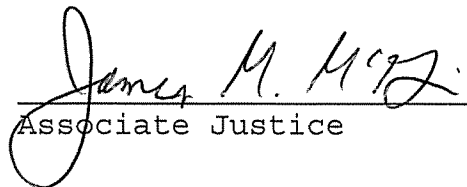
CERTIFICATE
DENYING LEAVE

FRANK GREENWOOD

Defendant.

-----X

I, James M. McGuire, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County, entered on or about March 3, 2009 is hereby denied.



Associate Justice

Dated: August 19, 2009
New York, New York

ENTERED: SEP 08 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-3068
Ind. No.1321/92

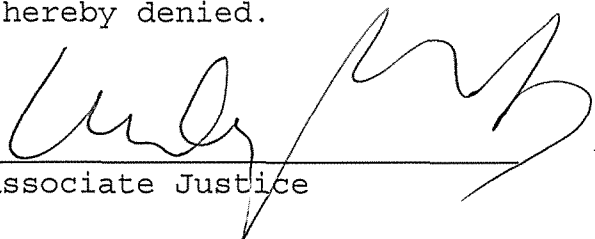
-against-

CERTIFICATE
DENYING LEAVE

Budha Tor

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, section 460.15, and 450.15 and upon the record and proceedings herein, there is no question of law or fact presented that ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County, entered on or about May 28, 2009 is hereby denied.



Associate Justice

Dated: , 2009
New York, New York

ENTERED: **SEP 08 2009**

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

BEFORE: Hon. Dianne T. Renwick
Associate Justice of the Appellate Division

-----X
Sage Realty Corporation,

Petitioner,

-against-

M-2906

M-2984

Index No. 105778/09

The Deposit Insurance Agency of
The Republic of Serbia,

Respondent-Appellant,

-against-

Superintendent of the Banks of
the State of New York,

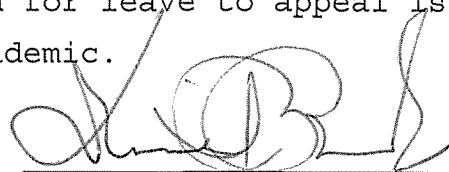
Respondent.

-----X

Respondent-Appellant, The Deposit Insurance Agency of
The Republic of Serbia, having moved by separate motions for,
inter alia, leave to appeal to this Court (M-2906) from the order
of the Supreme Court, New York County, entered on or about June
18, 2009, and for related relief (M-2984)

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 for leave to appeal is denied;
and motion M-2984 is denied as academic.



Dianne T. Renwick
Associate Justice

Dated:

New York, New York

Entered:

SEP 08 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
In the Matter of the Application of
Brenda Wallace,
Petitioner-Respondent,

For a Judgment Pursuant to Article 78
of the CPLR,

-against-

Ricardo Elias Morales, as Acting
Chairman of the New York City
Housing Authority,
Respondent-Appellant.

-----X

M-3404
Index No. 117190/08

DENYING
CERTIFICATE LEAVE

Respondent-appellant having moved pursuant to CPLR 5701(c)
for leave to appeal to this Court from the order of the Supreme
Court, New York County, entered on or about June 9, 2009 (mot.
seq. no. 001),

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

It is ordered that the motion is denied.



Helen E. Freedman
Associate Justice

Dated: New York, New York

ENTERED: SEP 08 2009

PM ORDERS

ENTERED

SEPTEMBER 1, 2009

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 September 1, 2009.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
The Bank of New York Mellon,
formerly known as The Bank of
New York,
Plaintiff-Respondent,

-against-

M-3397
Index No. 601157/08

Affordable Housing Group of NY,
Inc., and Gary Marcus,
Defendants-Appellants.

-----X
Affordable Housing Group of NY,
Inc., and Gary Marcus,
Third-Party Plaintiffs-
Appellants,

-against-

Third-Party
Index No. 590728/08

Robinson, Miller & Schiavone
Engineers, P.C., etc., et al.,
Third-Party Defendants-
Respondents.

-----X

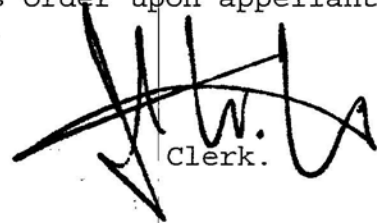
An appeal having been taken from the judgment of the Supreme Court, New York County, entered on or about September 19, 2008,

And defendants/third-party plaintiffs-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 the December 2009 Term, with no further enlargements to be granted. Upon failure to so perfect, an order dismissing the appeal may be entered ex parte provided that respondent serves a copy of this order upon appellants within 10 days after the date of entry hereof.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 1, 2009.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
Cheong Mei Inc.,
Petitioner,

For a Judgment Pursuant to Article 78
of the CPLR,

-against-

M-3462

Index No. 109860/06

Environmental Control Board of
the City of New York,
Respondent.

-----X

An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about August 1, 2007, to review a determination of respondent,

And petitioner having moved for an enlargement of time in which to perfect 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 to the extent of enlarging the time in which to perfect the aforesaid proceeding to the December 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 September 1, 2009.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
Olia Genza,
Plaintiff-Appellant,

-against-

Stephen B. Richardson, M.D. and
Stephen B. Richardson, P.C.,
Defendant-Respondent.

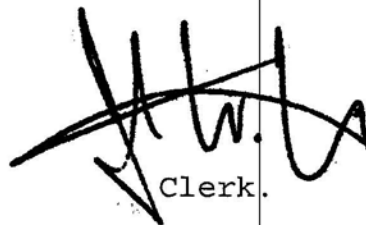
M-3710
Index No. 119757/03

-----X
Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from an order of the Supreme Court, New York County, entered on or about July 10, 2008 (mot. seq. no. 004),

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the December 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 September 1, 2009.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
Allison Hadar,
Plaintiff-Respondent,

-against-

Eric Hadar,
Defendant-Appellant.

M-3852
Index No. 350549/04

-----X
An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about August 14, 2009,

And defendant-appellant having moved for a stay of enforcement of so much of the aforesaid order with respect to the attendance of the parties' daughter at a certain school, pending hearing and determination of the aforesaid appeal, and for other relief,

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

It is ordered that the motion is denied.

ENTER:


Clerk

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 September 1, 2009.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Rolando T. Acosta
Helen E. Freedman
Rosalynd H. Richter, Justices.

-----X
Violetta Khotyanova,

Plaintiff-Appellant,

-against-

New York Community Hospital and
Merab Krikhely, M.D.,

Defendants-Respondents.
-----X

M-3711
Index No. 27130/02

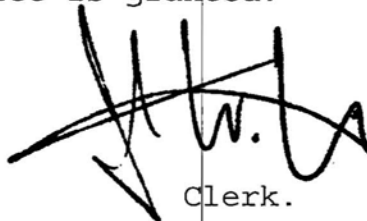
An appeal having been taken from the judgment of the Supreme Court, Bronx County, entered on or about July 3, 2008,

And plaintiff-appellant having moved for an enlargement of time in which to perfect the aforesaid appeal, and to waive the motion filing fee,

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 October 5, 2009 for the December 2009 Term, with no further enlargements to be granted. So much of the motion which seeks to waive the motion filing fee is granted.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 1, 2009.

PRESENT - Hon: Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter, Justices.

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

-against-

Jose Manuel, also known as
Franklin Infante,
Defendant-Appellant.

M-3352
Ind. No. 1630/99

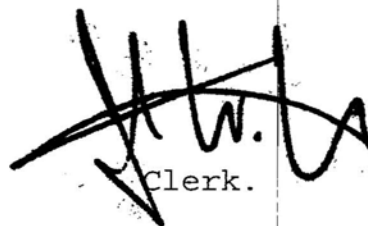
-----X
An order of this Court having been entered on March 4, 2008 (M-499) [Corrected order dated August 25, 2009], inter alia, deeming, as timely filed, defendant's notice of appeal from the order (incorrectly denominated a judgment) of the Supreme Court, New York County, entered on or about October 9, 2007 which declared that the sentence executed in the aforesaid Court on or about February 17, 2004 upon the November 19, 1999 conviction, was to be served consecutively to the sentence defendant was, and is, presently serving in the United States Correctional Facility located in Philipsburg, Pennsylvania,

And defendant having moved for an order of this Court amending the aforesaid notice of appeal and order of assignment of counsel (M-499) so as to include an appeal from the judgment rendered on November 19, 1999,

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

Ordered that the motion is denied. (CPL 460.30 subd. 1)

E N T E R:


Clerk.