

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 15, 2009.

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

-----X
In the Matter of

Joaquin C.,

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

Commissioner of Social Services of the
City of New York,
Petitioner-Appellant,

M-3811
Docket No. NA7099/07

Ana F.,
Respondent-Respondent.

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

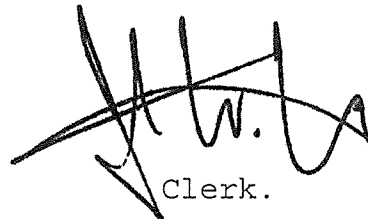
-----X

An appeal having been taken from the order of the Family Court, New York County, entered on or about October 28, 2008,

Now, upon reading and filing the stipulation of the parties hereto, dated August 11, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 15, 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-3884
Ind. No. 4115/07

Henry Gonzalez,

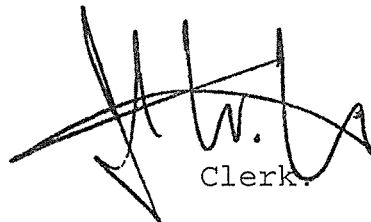
Defendant-Appellant.
-----X

An appeal having been taken from the judgment of the Supreme Court, Bronx County, rendered on or about December 20, 2007,

Now, upon reading and filing the stipulation of the parties hereto, dated August 21, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 15, 2009.

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

-----X
Sorbara Construction Corporation,

Plaintiff-Respondent,

-against-

M-1610
Index No. 600983/07

Thatch Ripley & Co., et al.,

Defendants-Appellants,

Gotham Construction Company, et al.,
Defendants.

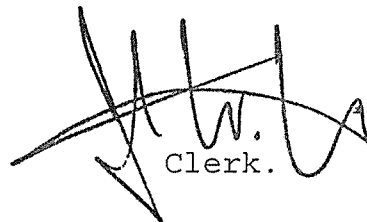
-----X

Defendants-appellants having moved for an order staying the trial in the above-entitled action pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about March 30, 2009 (mot. seq. no. 004),

Now, upon reading and filing the papers with respect to the motion, and the correspondence from defendants-appellants' attorneys Stempel Bennett Claman & Hochberg, P.C. (Edmond O'Brien, of counsel), and due deliberation having been had thereon,

It is ordered that the motion and appeal are deemed withdrawn, the underlying action having been settled.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 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

Alexander B.,

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

- - - - -
Commissioner of Social Services and
Abbott House,
Petitioners-Respondents,

M-2703
Docket No. B-5090/07

Myra R., also known as Myra B.,
Respondent-Appellant.

- - - - -
Michael S. Bromberg, Esq.,
Law Guardian for the Child.

-----x

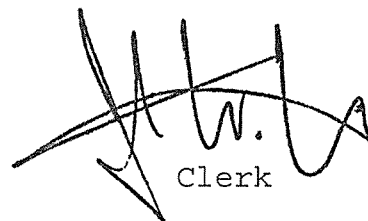
An appeal having been taken to this Court from the order of the Family Court, Bronx County, entered on or about March 12, 2009,

And Ruth Ann Litsky, Esq., having moved to be relieved as law guardian and to substitute other counsel as law guardian to respond to the 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 striking the designation of Ruth Ann Litsky, Esq. as law guardian and substituting, pursuant to Article 18b of the County Law and § 1120 of the Family Court Act, Michael S. Bromberg, Esq., 44 Hampton Street, Sag Harbor, New York 11963, Telephone No. 631-725-0641, as law guardian for purposes of responding to the appeal.

ENTER:


Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2009.

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

-----X
In the Matter of

Louie M.,

A Person Alleged to Be a Juvenile
Delinquent,

M-2656

Docket No. D-20591/08

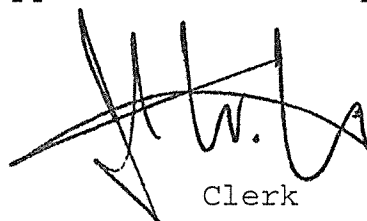
Respondent-Appellant.
-----X

Respondent-appellant having moved for leave to prosecute the appeal from an order of the Family Court, Bronx County, entered on or about May 4, 2009, as a poor person, for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Section 35 of the Judiciary Law and Section 1120 of the Family Court Act, Fred Schneider, Esq., 140 Broadway, New York, New York 10005, Telephone No. 212-858-7577, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the State of New York from funds available therefor;¹ within 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 order; and (4) directing appellant 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

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2009.

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

-----X
In the Matter of

Matthew R.,

A Person Alleged to Be a Juvenile
Delinquent,

M-2657
Docket No. D9261/08

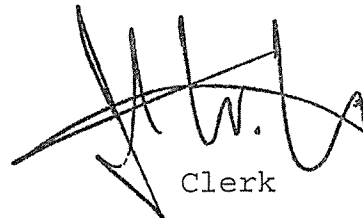
Respondent-Appellant.
-----X

Respondent-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 May 1, 2009, for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Section 35 of the Judiciary Law and Section 1120 of the Family Court Act, Steven N. Feinman, Esq., 19 Court Plaza, Suite 201, White Plains, NY 10601, Tel. No. (914)949-8214, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the State of New York from funds available therefor;¹ within 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 order; and (4) directing appellant 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

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

CORRECTED ORDER - October 5, 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 15, 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.

Reeva A.-C.,
Petitioner-Respondent,

-against-

Angelique C.,
Respondent-Respondent,

Richard C.,
Respondent-Appellant.

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

M-2469
Docket Nos. V72/06
V72/06/08A
V72/06/08B
V156-7/04
V195-7/06
V199/06
V520/06
V520/06/07A
V521/06
V521/06/07A

Respondent-appellant father having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County, Integrated Domestic Violence Part, entered on or about May 1, 2009, and for assignment of counsel, a free copy of the transcript, and related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Anne Reiniger, Esq., 801 Second Avenue, 7th Floor, New York, NY 10017, Telephone No. (212)972-5430, as

CORRECTED ORDER - October 5, 2009

(M-2469)

-2-

September 15, 2009

counsel for purposes of prosecuting the appeal; (2) directing the Clerk(s) of Supreme Court and Family Court, Bronx County, 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 Clerks of the Supreme Court and Family Court shall transfer the record(s) upon receipt of this order and; (4) directing appellant 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 Clerks of the Supreme Court and Family Court.

ENTER:


Clerk:

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 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

Dontay B.,

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

M-2534
Docket No. NN39/07

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

Donald B.,
Respondent,

Octavia F.,
Respondent-Appellant.

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

-----X

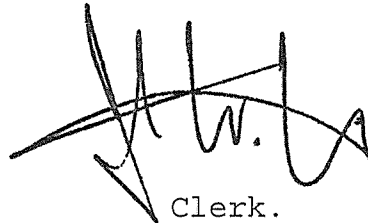
Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Family Court, New York County, entered on or about May 22, 2008, and for assignment of counsel, a free copy of the transcript, and related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Neal D. Futerfas, Esq., 50 Main Street, Suite 1000, White Plains, NY 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 order and; (4) directing appellant 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.

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 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

Shamel R.,

A Person Alleged to Be a Juvenile
Delinquent,

M-2774
Docket No. D06515-08/09A

Respondent-Appellant.

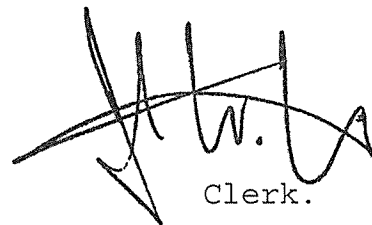
-----X

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

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

Ordered that the motion is dismissed, said relief having been granted to appellant by order of this Court entered on June 11, 2009 (M-2468A) [corrected order dated September 15, 2009], a copy of which is annexed hereto.

ENTER:



Clerk.

CORRECTED ORDER - September 15, 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 June 11, 2009.

Present - Hon. Peter Tom, Justice Presiding,
David Friedman
Eugene Nardelli
John T. Buckley
Sheila Abdus-Salaam, Justices.

-----X
In the Matter of

Shamel R.,

A Person Alleged to be a Juvenile
Delinquent,

M-2468A
Docket Nos. D6565-08/09A
E13593/08

Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, appeals from the orders of the Family Court, New York County, both 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, Randall Carmel, Esq., 53 Jackson Avenue, Syosset, New York 11791, Telephone No. 516-921-8800, as counsel for purposes of prosecuting the appeals; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the State of New York from funds available 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 records 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.

CORRECTED ORDER - September 15, 2009

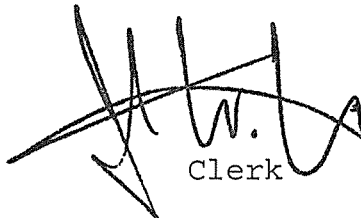
(M-2468A)

-2-

June 11, 2009

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. (See M-2468, decided simultaneously herewith.)

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 15, 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

Christy C., Jaleek T. and Shalick T.,

M-2795

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

Docket Nos. NN26073-75/07

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

Jeffrey C.,
Respondent,

Katrina T.,
Respondent-Appellant.

- - - - -
Melinda Oliver, Esq.,
Law Guardian for the Children.

-----X

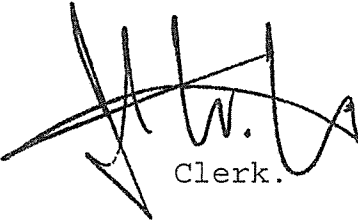
Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from the orders of the Family Court, Bronx County, entered on or about November 19, 2008 and May 19, 2009, respectively, and for assignment of counsel, a free copy of the transcript, and related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, George Reed, Esq., 222 Mamaroneck Avenue, White Plains, NY 10605, Telephone No. (212)645-6447, 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 order and; (4) directing appellant 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.

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 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-3631
Ind. No. 3/06

Lillo Brancato, also known as
Lillo Brancato, Jr.,
Defendant-Appellant.

-----X

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

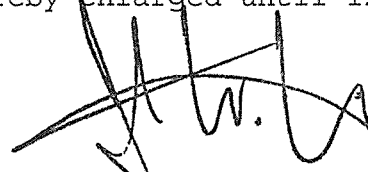
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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.

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

ENTER:



Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 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-3647
Ind. No. 5170/08

Nathan Coleman,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about July 10, 2009, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

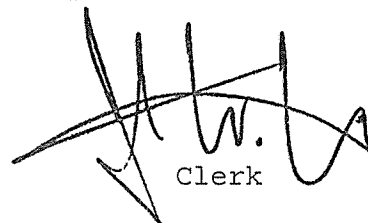
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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, 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 15, 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-3648
Ind. No. 2540/08

William Dean,
Defendant-Appellant.

-----X

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

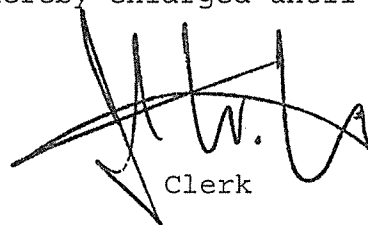
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 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-3651
Ind. No. 3884/08

Kahree Frye,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 7, 2009, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

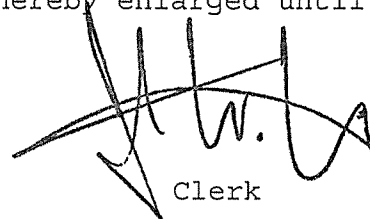
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:



Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 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-3652
Ind. No. 1672/08

Jasmine Grooms,
Defendant-Appellant.

-----X

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

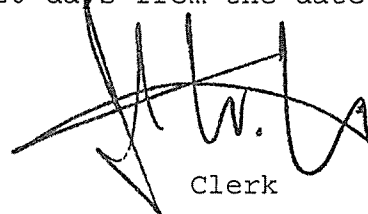
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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, 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 15, 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-3653
Ind. No. 5400/08

Manuel Mack,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment 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,

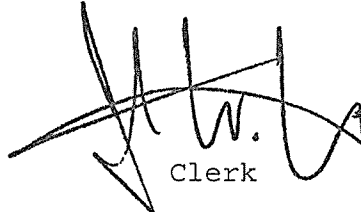
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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

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

ENTER:


Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 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-3655
Ind. No. 4629/02

Juan Nunez,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about October 30, 2008, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

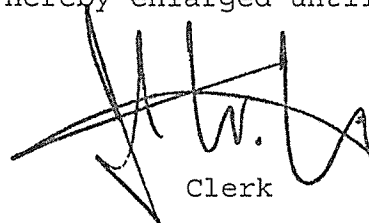
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:



Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2009.

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

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

-against-

M-3662
Ind. No. 4209/08

Johnny Pruitt,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about June 16, 2009, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

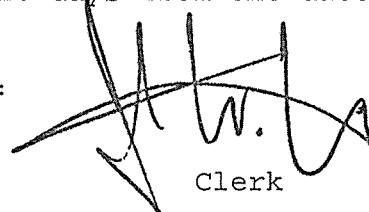
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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.

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 15, 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-3664
Ind. No. 1483/08

Javaughn Springer,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about December 18, 2008, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

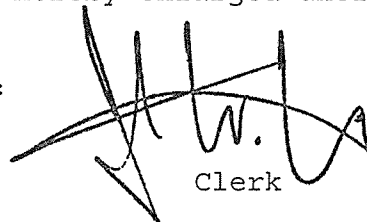
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2009.

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

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

-against-

M-3665
Ind. No. 5686/07

Brandon Stoudymire,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about May 5, 2009, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

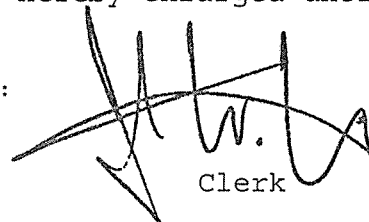
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:



Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 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-3683
Ind. No. 5560/07

Rafael Pion,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about July 13, 2009, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

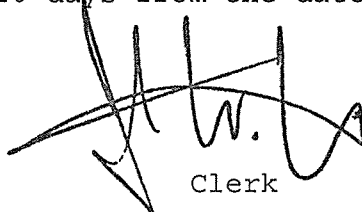
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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, 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 15, 2009.

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

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

-against-

M-3687
Ind. No. 5795/08

George Diaz,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about July 21, 2009, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

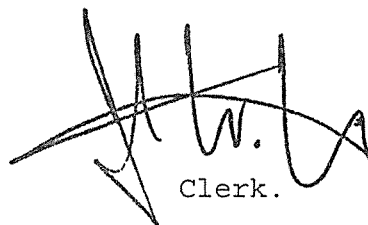
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of deeming the correspondence as 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.

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 15, 2009.

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

-----X
Patrick J. Hoeffner,

Plaintiff-Appellant,

-against-

M-2559
Index No. 602694/05

Orrick, Herrington & Sutcliffe
LLP, et al.,

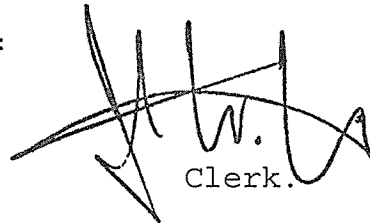
Defendants-Respondents.
-----X

Plaintiff-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on April 30, 2009 (Appeal No. 454),

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 15, 2009.

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

-----X
Emel McDowell,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78
of the CPLR,

-against

M-2678
Index No. 402714/08

New York City Department of Corrections,
Respondents-Respondents.

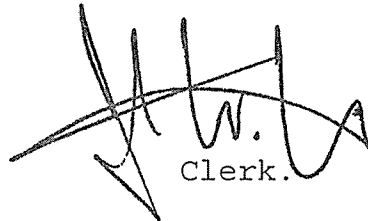
-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, entered on or about January 9, 2009 (mot. seq. no. 001), and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

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

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 15, 2009.

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

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

- - - - -
Eva A. P., M-2624
Petitioner-Respondent, Docket No. O-27120/07

-against-

Victor M. P.,
Respondent-Appellant.

-----X

Respondent-appellant father having renewed the motion for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about September 29, 2008, and for assignment of counsel, a free copy of the transcript, and for related relief,

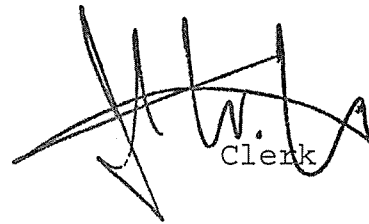
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Carol Lipton, Esq., 800 Greenwood Avenue, Brooklyn, New York 11218, Telephone No. 718-436-5359, 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

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

Family Court to this Court. The Clerk of the Family Court shall transfer the record upon receipt of this 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:



W. 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 15, 2009.

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

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

-against-

Miguel Maldonado, also known as
Jose Maldonado,
Defendant-Appellant.

M-3685
Ind. Nos. 3382/08
2652/08

-----X

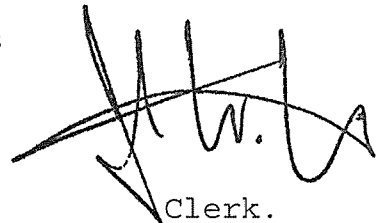
An order of this Court having been entered on January 13, 2009 (M-5771), inter alia, granting defendant's motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about September 25, 2008, under Indictment No. 3382/08, and assigning counsel therefor,

And defendant-appellant having moved for an order amending the notice of appeal and the aforementioned order to include Indictment No. 2652/08,

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

It is ordered that said motion is granted to the extent of amending defendant's notice of appeal and the aforementioned order to include Indictment Nos. 3382/08 and 2652/08, and extending the poor person relief previously granted to cover same.

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 15, 2009.

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

-----x
Denise Karas-Abraham,
Plaintiff-Respondent,

-against-

M-3560
Index No. 306616/03

Gideon Abraham,
Defendant-Appellant.
-----x

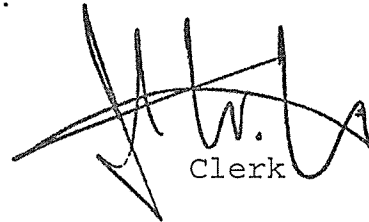
An appeal having been taken from the judgment of divorce of the Supreme Court, New York County, entered on or about April 17, 2008,

And plaintiff-respondent having moved for dismissal of the appeal or an order striking the record on appeal filed by defendant-appellant, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties dated September 3, 2009, and due deliberation having been had thereon,

It is ordered that the motion 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 15, 2009.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
Eugene Nardelli
John T. Buckley
Helen E. Freedman, Justices.

-----X
In re Sidney Eisenberg,
Petitioner-Appellant,

-against-

M-2792
Index No. 111391/06

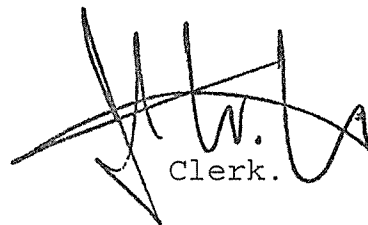
New York State Division of Housing
and Community Renewal, et al.,
Respondents-Respondents.
-----X

Petitioner-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on May 14, 2009 (Appeal No. 4687),

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties hereto, dated July 16, 2009, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2009.

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

-----X
Carmen Fusco,

Plaintiff-Appellant,

-against-

M-3585
Index No. 111211/05

Eatwell Enterprises LP, doing
business as Aureole Restaurant,

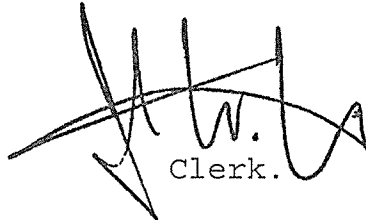
Defendant-Respondent.
-----X

Defendant-respondent having moved for dismissal of the appeal taken from the judgment of the Supreme Court, New York County, entered on or about September 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 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 15, 2009.

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

-----X
Crystal Biton and Danielle Biton,

Plaintiffs-Appellants,

M-3096

-against-

M-3467

M-3639

Index No. 601732/02

State Farm Insurance Company, New York
City Transit Authority, et al.,

Defendants-Respondents.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about June 3, 2009,

And defendant-respondent New York City Transit Authority having moved for an order dismissing the aforesaid appeal (M-3096),

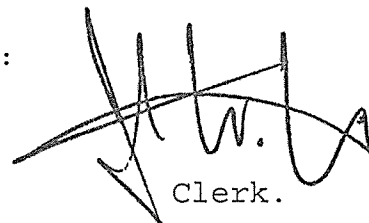
And defendant-respondent Nine North Moore Street Condominium having cross-moved for the same relief (M-3467),

And plaintiffs-appellants having cross-moved for an order "granting" their appeal (M-3639),

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

Ordered that the motion (M-3096) and cross motion (M-3467) are denied, without prejudice to the parties' rights to address the same issue(s) in response to the appeal, and the cross motion (M-3639) 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 15, 2009.

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

-----X
Stephen Piselli and Corrine Piselli,
Plaintiffs-Respondents,

-against-

Consolidated Edison Company of New
York, Inc.,
Defendant-Appellant,

M-3813
Index No. 108771/07

-and-

Pfizer Inc. and Morgan Construction
Enterprises, Inc.,
Defendants-Respondents.

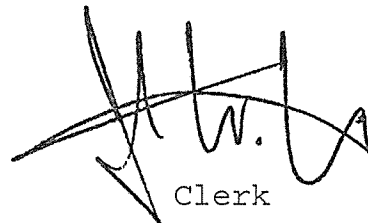
-----X
An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about April 3, 2009 (mot. seq. no. 003), and said appeal having been perfected,

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

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

It is ordered that the motion is denied.

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 15, 2009.

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

-----x
Federico Fontanez,
Plaintiff-Respondent,

-against-

David Borenstein, M.D.,
Defendant-Appellant,

M-3850
Index No. 17905/06

-and-

Marc Samuel Lazarus, Office of
Dr. Rosenfeld and Hudson Valley Medical
Consultants,
Defendants.

-----x

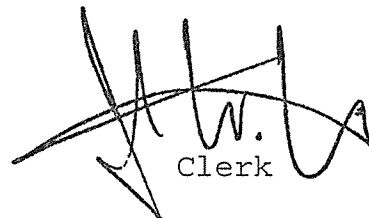
An appeal having been taken to this Court from the order of the Supreme Court, Bronx County, entered on or about October 14, 2008, and said appeal having been perfected,

And defendant-appellant having moved, pursuant to CPLR 5519(c), for a stay of proceedings, including trial, pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is denied.

ENTER:


Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in in the County of New York on September 15, 2009.

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

-----X
Beth Abraham Health Services,

Plaintiff-Respondent,

-against-

M-3495
Index No. 102367/09

Mildred Eccleston-Johnson,

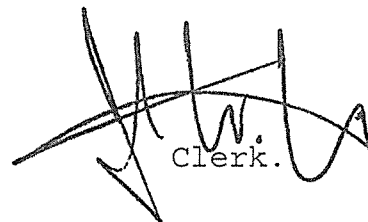
Defendant-Appellant.
-----X

Defendant-appellant having moved for a stay of further proceedings herein pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about June 3, 2009,

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

It is ordered that the motion is denied. So much of the order of a Justice of this Court dated July 28, 2009 which stayed the preliminary conference in Supreme Court is herewith vacated.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 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 the Application of

Paul S. Sanchez,
Petitioner,

M-3526
Index No. 108756/09

For a Judgment Pursuant to Article 78
of the CPLR,

-against-

New York State Liquor Authority,
Respondent.

-----X

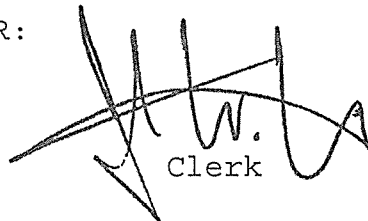
An Article 78 proceeding to review a determination of respondent, having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about July 13, 2009,

And petitioner having moved to stay license cancellation, pending hearing and determination of the aforesaid proceeding,

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

It is ordered that the motion is denied, and the interim relief granted by an order of a Justice of this Court dated July 29, 2009 is vacated.

ENTER:


Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2009.

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

-----X
Supreme Heights, Inc. and Waxman
Investments, Inc.,
Plaintiffs-Appellants,

-against-

M-3682
Index No. 602150/09

Eli Karp, et al.,
Defendants-Respondents.

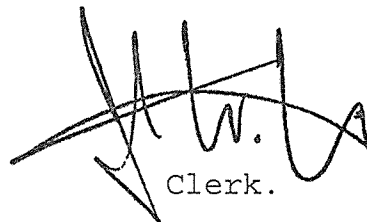
-----X

The above-named plaintiff-appellants, in connection with the appeal taken from the order of the Supreme Court, New York County, entered on or about August 5, 2009, having moved for an order in the nature of a preliminary appellate injunction pursuant to CPLR 5518, inter alia, restraining and enjoining defendants Eli Karp, Eli Karp LLC and Lombardy Properties LLC from exercising any control over the remaining defendant LLCs, entering into certain contracts with those entities and restraining the transfer of any sale proceeds, and other relief pending hearing and determination of the appeal taken therefrom,

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 15, 2009.

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

-----x
Penava Mechanical Corp.,
Plaintiff,

-against-

Afgo Mechanical Services, Inc., et al.,
Defendants.

- - - - -
Absolute Electrical Contracting, Inc.,
Counterclaim Plaintiff-Appellant,

M-3791
Index No. 601431/07

-against,

Uniqlo USA Inc., et al.,
Additional Counterclaim
Defendants-Respondents.

- - - - -
[And another action]

-----x

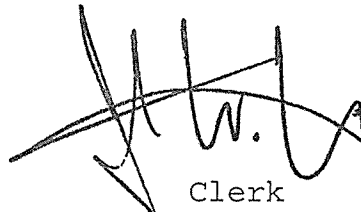
An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about February 9, 2009 (mot. seq. no. 001), and said appeal having been perfected,

And counterclaim defendant-respondent Uniqlo USA Inc. having moved for leave to file a supplemental record on 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 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 15, 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 a Proceeding Under
Articles 6 and 8 of the Family Court
Act.

- - - - -
Caroline I. S.,
Petitioner,

-against-

M-3374
Docket Nos. 016273/09
V243-06/09

Jose A. L.,
Respondent-Respondent.

- - - - -
Erin Burkavage, Esq.,
The Children's Law Center,
Law Guardian/Appellant.

-----X

The Law Guardian having moved for leave to appeal to this Court from the order of the Supreme Court, Bronx County, Integrated Domestic Violence Part, entered on or about July 16, 2009,

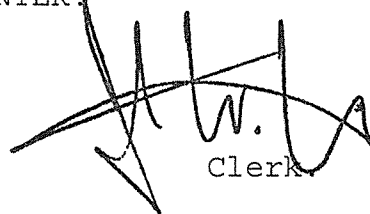
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is granted. The Clerk of Supreme Court, Bronx County, is directed 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. Law Guardian/appellant is permitted to dispense with any fee for transferring the record from the Supreme Court to this Court, and directed to

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

perfect this appeal within 60 days of receipt of the transcripts. Law Guardian is directed to immediately subpoena the record from the Supreme Court and to serve a copy of this order upon the Clerk of the Supreme Court. (See M-3374A, decided simultaneously herewith.)

ENTER:

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

Clerk

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

BEFORE: Hon. Karla Moskowitz,
Justice of the Appellate Division

-----X
In the Matter of a Proceeding Under
Articles 6 and 8 of the Family Court
Act.

Caroline I. S.,
Petitioner,

STAY DENIED

-against-

M-3374A
Docket Nos. 016273/09
V243-06/09

Jose A. L.,
Respondent-Respondent.


Erin Burkavage, Esq.,
The Children's Law Center,
Law Guardian/Appellant.

-----X
Law Guardian/appellant having moved for a stay of the order
of Supreme Court, Bronx County, Integrated Domestic Violence
Part, entered on or about July 16, 2009, pending hearing and
determination of the appeal taken therefrom,

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. (See M-3374,
decided simultaneously herewith.)

Dated: New York, New York



Hon. Karla Moskowitz
Associate Justice

Entered: September 15, 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 15, 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

Sasha B.,

A Dependent Child Under 18 Years
of Age Alleged to be Abused and/or
Neglected Under Article 10 of the
Family Court Act.

M-3377
Docket No. NN4231/09

Administration for Children's
Services,
Petitioner-Respondent,

Erica B.,
Respondent-Appellant.

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

-----X

Respondent-appellant mother having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about June 22, 2009, and for assignment of counsel, a free copy of the transcript, and related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Anne Reiniger, Esq., 801 Second

Avenue, 7th Floor, New York, NY 10017, Telephone No. (212) 972-5430, 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 order and; (4) directing appellant 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

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 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

Carol Anne Marie L., also known as
Carol L., also known as Caral L.
and Matthew Raymond L., also known
as Matthew L.,

M-3450
M-3501

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

Docket Nos. B716/07
B717/07

- - - - -
Saint Dominic's Home, et al.,
Petitioners-Respondents,

Melissa L.,
Respondent-Appellant,

Geraldo P.,
Respondent-Appellant.

- - - - -
Michael S. Bromberg, Esq.,
Law Guardian for the Children.
-----X

Separate appeals having been taken by the respective parents from the orders of the Family Court, Bronx County, both entered on or about June 1, 2009,

And respondent-appellant mother Melissa L. having moved for poor person relief, the assignment of counsel, a free copy of the transcript, and for related relief (M-3450),

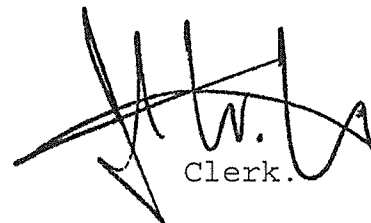
And Jessica Brown, Esq., having moved to be relieved as law guardian and to substitute other counsel as law guardian to respond to the aforesaid appeals (M-3501),

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

Ordered that the motion (M-3450) is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Steven N. Feinman, Esq., 19 Court Plaza, Suite 201, White Plains, NY 10601, Telephone No. (914)949-8214, as counsel for purposes of prosecuting the appeal of Melissa L.; (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 order and;** (4) directing appellant 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, and it is further

Ordered that motion (M-3501) is granted to the extent of striking the designation of Jessica Brown, Esq., as law guardian and substituting, pursuant to Article 18B of the County Law and §1120 of the Family Court Act, Michael S. Bromberg, Esq., 44 Hampton Street, Sag Harbor, New York 11963, Telephone No. (631) 725-0641, as law guardian for purposes of responding to the appeals.

ENTER:



Clerk.

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 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 the Application of

Gregory Wyche (02-A-5643)
Petitioner-Respondent,

M-3311
M-3412
Index No. 251956/08

For a Judgment, etc.,

-against-

New York State Division of Parole,
Respondent-Appellant.

-----X

An appeal having been taken by respondent New York State Division of Parole from the order of the Supreme Court, Bronx County, entered on or about May 27, 2009,

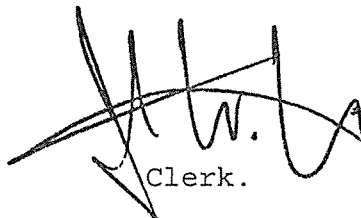
And petitioner having moved, pursuant to CPLR 5519(a)(1), for vacatur of the stay of the aforesaid order afforded State appellant (M-3301),

And Robert S. Dean, Esq., having moved on petitioner's behalf for leave to respond to the aforesaid appeal upon the original record and upon a reproduced respondent's brief, for the assignment of counsel, and for related relief (M-3412),

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

Ordered that the motion to vacate the stay (M-3311) is denied. The motion for poor person relief (M-3412) is granted to the extent of (1) assigning, Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for appellant and 10 copies thereof are filed with this Court.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the first Judicial Department in the County of New York on September 15, 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-3547
Ind. No. 3762/08

Curry Winkfield,
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 15, 2009, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief,

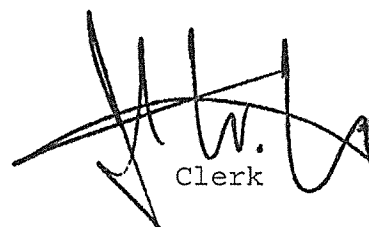
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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

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

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

ENTER:


Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 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-3402
Ind. No. 2145/07

Anderson Carter,
Defendant-Appellant.

-----X

An order of this Court having been entered on February 5, 2009 (M-241) granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about November 25, 2008, and assigning Steven Banks, Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Steven Banks, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Steven N. Feinman, Esq., 19 Court Plaza, Suite 201, White Plains, New York 10601, Telephone No. (914) 949-8214, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal 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 15, 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-3446
Ind. No. 6594/06

Donald Cooke,
Defendant-Appellant.

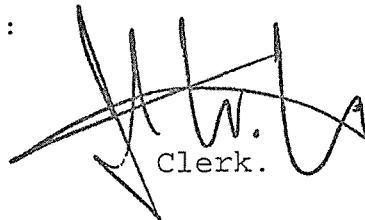
-----X

An order of this Court having been entered on August 23, 2007 (M-3819) granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about June 22, 2007, and assigning Steven Banks, Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Steven Banks, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Steven Feinman, Esq., 19 Court Plaza, Suite 201, White Plains, NY 10601, Telephone No. (914)949-8214, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal 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 15, 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-3543
Ind. No. 395/08

Shamar Ross, also known as Brown
Garrick,

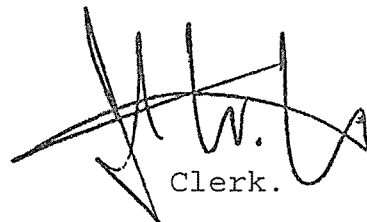
Defendant-Appellant.
-----X

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 April 8, 2009, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, in compliance with CPLR 1101(a), setting forth the terms of defendant's retainer agreement with trial counsel, Patrick A.H. Watts, Esq., the amount and sources of funds for trial counsel's fee and an explanation as to why similar funds are not available to prosecute this appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 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-3595
Ind. No. 3299/08

Saleem Khan,
Defendant-Appellant.

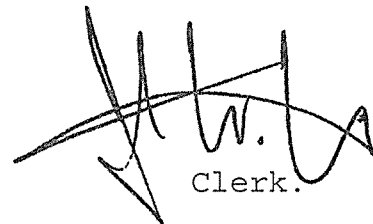
-----X

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 upon the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, in compliance with CPLR 1101(a), setting forth the terms of defendant's retainer agreement with trial counsel, Neil B. Checkman, Esq., the sources of funds for trial counsel's fee of \$40,000, the disposition thereof and an explanation as to why similar funds are not available to prosecute this appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 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-3706
Ind. No. 6633/04

Miguel Andrade,
Defendant-Appellant.

-----X

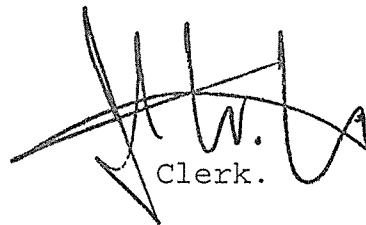
An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about September 19, 2005, and said appeal having been perfected,

And defendant-appellant having moved for an order enlarging the record on appeal to include certain documents annexed to the moving papers, Exhibits B, C and D or, in the alternative, striking the People's respondent's brief,

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

It is ordered that the motion is granted to the extent of enlarging the record on appeal to include the aforementioned documents and the appeal is adjourned to the January 2010 Term and the motion is otherwise denied. Defendant is directed to immediately file 10 copies of said documents with the Clerk's Office of this Court.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2009.

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

-----X
Agnes Lee Ghin,
Plaintiff-Appellant,

-against-

M-3566
Index No. 112713/03

The City of New York, Con Edison
Company of New York, Inc. and
Bancker Construction, Inc.,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from an amended judgment of the Supreme Court, New York County, entered on or about October 3, 2008,

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

It is ordered that the motion is 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.

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 15, 2009.

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

-----x
Cindy Yuen,
Plaintiff-Respondent,

-against-

M-3703
Index No. 108379/06

Kwan Kam Cheng and Tong Tsang Lau,
Defendants-Appellants,

Henry Lee Fong,
Defendant.

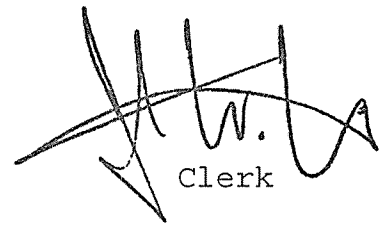
-----x

Defendants-appellants having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about May 16, 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, 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 15, 2009.

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

-----X
Israel Deutsch and Shoshanna
Deutsch,
Plaintiffs-Appellants,

-against-

M-3794
Index No. 116105/03

City of New York, MTA New York
City Transit and Metropolitan
Transportation Authority,
Defendants-Respondents.

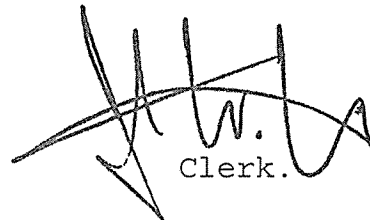
-----X

Plaintiffs-appellants having moved for an enlargement of time in which to perfect their appeal from the order of the Supreme Court, New York County, entered on or about July 10, 2008 (mot. seq. no. 005),

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.

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 15, 2009.

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

-----x
Risa Fisher, Jill Woller, Rosemary
O'Brien and West 15th Street Block
Association,

Petitioners-Appellants,

-against-

M-3812
Index No. 110081/08

The New York City Board of Standards
and Appeals and College of Saint
Francis Xavier/Clothing Workers
Center Incorporated,

Respondents-Respondents.

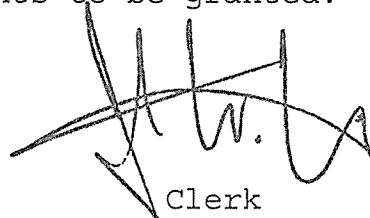
-----x

Petitioners-appellants having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about November 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, 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 15, 2009.

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

-----x
American Express Travel Related
Services Company, Inc.,

Plaintiff-Respondent,

-against-

M-3879
Index No. 400453/07

Aviv Gaal,

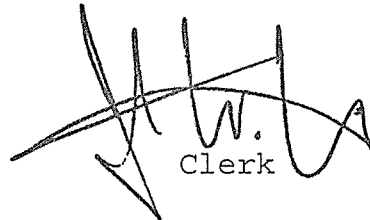
Defendant-Appellant:
-----x

Defendant-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about April 30, 2008,

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

It is ordered that the motion is granted 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.

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 15, 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 the Application of
Juan Arroyo and Virginia Arroyo,
Petitioners,

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

M-3775
Index No. 110750/08

-against-

Shaun Donovan, as Commissioner of the
New York City Department of Housing
Preservation and Development, et al.,
Respondents.

-----X

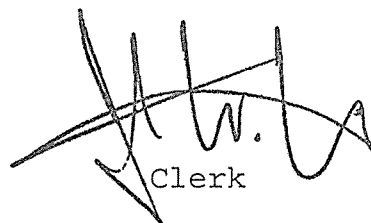
An Article 78 proceeding to review a determination of respondents having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about November 6, 2008,

And petitioners having moved for an enlargement of time in which to perfect the proceeding,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the proceeding 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 15, 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,
Herbert Flaig and Marilyn Flaig,

Plaintiffs-Respondents-Appellants,

M-3236
Index No. 601034/04

-against-

All City Insurance Company,

Defendant-Appellant-Respondent,

Allstate Insurance Company,

Defendant-Appellant-Respondent.
-----X

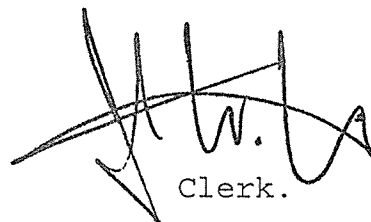
Separate appeals and a cross appeal having been taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about February 13, 2009,

And defendant-appellant-respondent, All City Insurance Company, having moved for an enlargement of time in which to perfect their direct 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 directing the respective parties to perfect the appeals and cross appeal for 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 15, 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

Elizabeth Amy S.,

A Dependent Child Under 18 Years
of Age Alleged to be Abused and/or
Neglected Under Article 10 of the
Family Court Act.

M-3438
Docket No. 11470/07

Administration for Children's
Services,
Petitioner-Appellant,

Alexis M.,
Respondent,

Donna Faye M.,
Respondent-Respondent,

Elizabeth Amy S.,
Movant-Appellant.

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

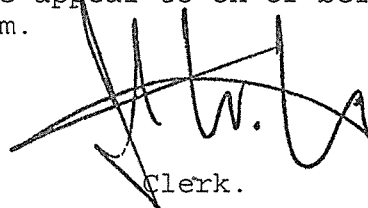
-----X

The Law Guardian having moved on subject child's behalf for an enlargement of time in which to perfect child's appeal taken from the order of the Family Court, New York County, entered on or about September 26, 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 on or before October 5, 2009 for 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 15, 2009.

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

-----X
Accounting of the Public
Administrator of the County of
New York as Administrator c.t.a.
of the Estate of

Abraham Rad, also known as
Abraham Farin Rad,

M-3463
File No. 1737/1992

Deceased,

Nahid Rad,

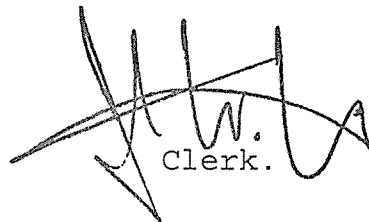
Objector-Appellant.
-----X

Objector-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Surrogate's Court, New York County, entered on or about October 30, 2008,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal 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 15, 2009.

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

-----X
Shaniqua Tompkins,

Plaintiff-Appellant,

-against-

M-3659
Index No. 104745/08

Curtis Jackson,

Defendant-Respondent.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about February 4, 2009 (mot. seq. no. 004) and appeals having been taken from the order of said Court entered on or about February 4, 2009, and as amended (mot. seq. no. 005),

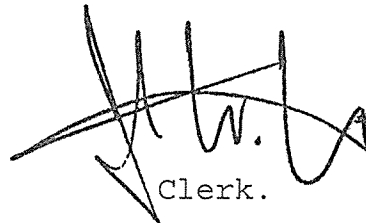
And an order of this Court having been entered on May 26, 2009 (M-2048), dismissing the aforesaid appeals unless said appeals are perfected for the November 2009 Term,

And plaintiff-appellant having moved for an enlargement of time in which to perfect 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 granted to the extent of enlarging the time in which to perfect the appeals to the January 2010 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 15, 2009.

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

-----X
Jennifer Arrieta and Oscar Arrieta,
Infants by their Mother and Natural
Guardian, Violetta Arrieta, and
Violetta Arrieta, Individually;
Christina Morciglio, an Infant by
her Mother and Natural Guardian,
Beatrice Marin, and Beatrice Marin,
Individually,

M-3677
Index No. 8774/01

Plaintiffs-Appellants-Respondents,

-against-

Shams Waterproofing, Inc.,

Defendant-Respondent-Appellant,

Jerome Cluster I, LLC, et al.,

Defendants.
-----X

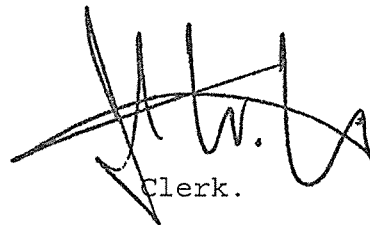
An appeal and cross appeal having been taken from the judgment of the Supreme Court, Bronx County, entered on or about September 29, 2008,

And plaintiffs-appellants-respondents having moved for an enlargement of time in which to perfect their direct 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 and cross appeal 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 15, 2009.

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

-----X
Larry Eisenberg, L.E. Trading, LLC and
L.E. Contractors, LLC, doing business
as Gem Identification Laboratories,

Plaintiffs-Appellants,

-against-

M-3871
Index No. 601351/08

Geral Cecil Starkman, Lucas Van
Zenten GMBH & Co., Inc.,

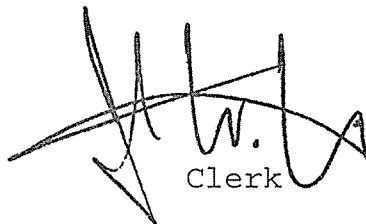
Defendants-Respondents.
-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about December 2, 2008, and for leave to file a preargument statement pursuant to Rule 600.17 of the Rules of this Court,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the March 2010 Term, and plaintiffs-appellants are permitted to serve and file a preargument statement within 10 days of 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 15, 2009.

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

-----X
166 Enterprises Corp.,
Plaintiff-Respondent-Appellant,

-against-

M-3562
Index No. 120841/02

I G Second Generation Partners, L.P.,
Defendant-Appellant-Respondent.

-----X
I G Second Generation Partners, L.P.,
Plaintiff-Appellant-Respondent,

-against-

Index No. 103121/04

166 Enterprises Corp.,
Defendant-Respondent-Appellant.

-----X

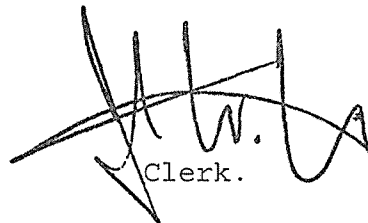
An appeal and cross appeal having been taken by the respective parties from the judgment and order and judgment (one paper) of the Supreme Court, New York County, entered on or about December 10, 2008,

And defendant/plaintiff I G Second Generation Partners, L.P. having moved for an enlargement of time of the respective parties in which to perfect the 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 granted to the extent of enlarging the time in which to perfect the appeal and cross appeal to the April 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 15, 2009.

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

-----x
Marie Lentini and Norman Lentini,
Plaintiffs-Respondents,

-against-

M-3486
Index No. 18020/06

New York City Transit Authority and
Emilio Lugo,
Defendants-Appellants.

-----x

An appeal having been taken to this Court from the judgment of the Supreme Court, Bronx County, entered on or about February 18, 2009,

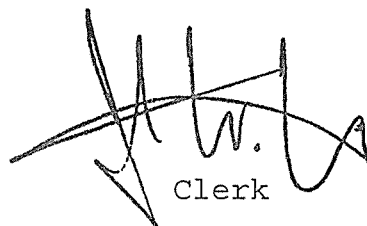
And order of this Court having been entered on May 26, 2009 (M-1836), inter alia, granting dismissal of the aforesaid appeal unless it be perfected for the October 2009 Term,

And defendants-appellants having moved for an enlargement of time in which to perfect the 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 15, 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-3749
Ind. No. 3811/95

Hector Martinez,

Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, New York County, rendered on or about December 5, 1995,

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 appellant's brief annexed to the moving papers as timely filed for the December 2009 Term, for which Term the appeal is deemed perfected.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2009.

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

-----X
Sarit Shmueli,

Plaintiff-Respondent,

-against-

M-3679
Index No. 104824/03

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

Defendant-Appellant.
-----X

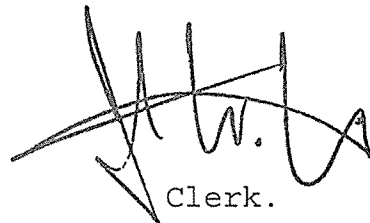
An appeal having been taken to this Court by the above-named defendant from the judgment of the Supreme Court, New York County, entered on or about January 5, 2007,

And Moris Duffy Alonso & Faley, former trial counsel for plaintiff-respondent, having moved for leave to file an amicus curiae respondent's brief in connection with the aforesaid 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 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 15, 2009.

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

-----X
Abdulla Ahmed,
Plaintiff-Appellant,

-against-

M-3719
Index No. 110049/08

C.D. Kobsons, Inc.,
Defendant-Respondent.

-----X

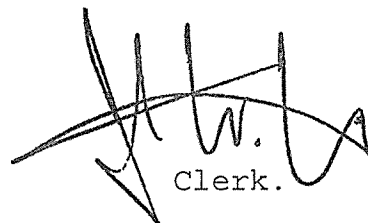
An appeal having been taken from the order of the Supreme Court, New York County, entered on or about May 5, 2009 (mot. seq. no. 001),

And plaintiff-appellant having moved for a stay of all Civil Court proceedings, pending hearing and determination of the perfected appeal,

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

It is ordered that the motion is granted to the extent of staying all Civil Court proceedings under the title, *C.D. Kobsons, Inc. v Abdulla Ahmed*, L&T Index No. 72132/09, on condition plaintiff continues to pay use and occupancy at the rate directed by the order of a Justice of this Court, dated August 10, 2009 and on the additional condition that plaintiff posts an undertaking in the amount of \$2,500 within 21 days of the date of this order. Upon failure to meet these conditions, an order vacating the stay may be entered ex parte, provided that respondent serves a copy of this order upon appellant within 10 days after the date of entry hereof.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2009.

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

-----x
John McCann,

Plaintiff-Respondent,

-against-

M-3948
Index No. 109078/06

Weatherly 39th Street, LLC,

Defendant-Appellant.
-----x

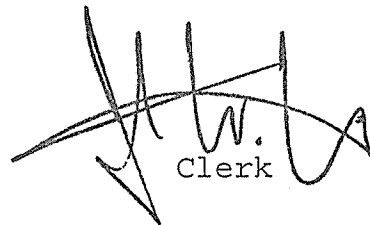
An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about March 31, 2009, and said appeal having been perfected,

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

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

It is ordered that the motion is 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 15, 2009.

Present - Hon. Richard T. Andrias, Justice Presiding,
John W. Sweeny, Jr.
James M. McGuire
Rolando T. Acosta
Rosalyn H. Richter, Justices.

-----X
In the Matter of a Paternity Proceeding,

Commissioner of Social Services, on
behalf of Jeannette G.,
Assignor-Respondent,

M-2640
Docket No. P12815/08

-against-

Angel R.,
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about March 3, 2009, and for assignment of counsel, a free copy of the transcript, and for related relief,

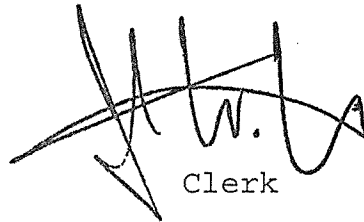
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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, Steven N. Feinman, Esq., 19 Court Plaza, White Plains, New York 10601, Telephone No. 914-949-8214, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed 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])

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

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 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 15, 2009.

Present - Hon. Richard T. Andrias, Justice Presiding,
John W. Sweeny, Jr.
James M. McGuire
Rolando T. Acosta
Rosalyn H. Richter, Justices.

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

Cooper K.W. R.,
Petitioner-Respondent,

-against-

Linda R.,
Respondent-Appellant.

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

M-2642
Docket Nos. V-23782-04/06C
V-23782-04/06D
V-23782-04/07F
V-25099-04/07C

Respondent-appellant mother having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about May 6, 2009, and for assignment of counsel, a free copy of the transcript, and for related relief,

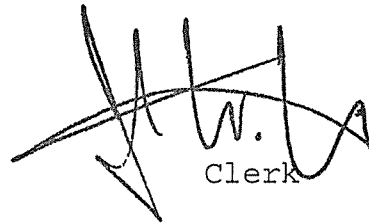
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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, John Marafino, Esq., 9 West Prospect Avenue, Suite 409, Mount Vernon, New York 10550, Telephone No. 914-663-1500, 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

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

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 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. (See M-2649, decided simultaneously herewith.)

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 15, 2009.

Present - Hon. Richard T. Andrias, Justice Presiding,
John W. Sweeny, Jr.
James M. McGuire
Rolando T. Acosta
Rosalyn H. Richter, Justices.

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

Cooper K.W. R.,
Petitioner-Respondent,

-against-

Linda R.,
Respondent-Appellant.

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

M-2649
Docket Nos. V-23782-04/06C
V-23782-04/06D
V-23782-04/07F
V-25099-04/07C

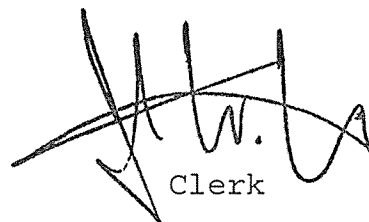
-----X
An appeal having been taken to this Court from the order of the Family Court, Bronx County, entered on or about May 6, 2009,

And law guardian for the child, Lisa M. Licata, Esq., having moved for an order to be relieved as law guardian and to substitute other counsel to respond to the 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 relieving movant and substituting, pursuant to Article 18b of the County Law and § 1120 of the Family Court Act, Steven N. Feinman, Esq., 19 Court Plaza, Suite 201, White Plains, New York 10601, Telephone No. 914-949-8214, as law guardian for purposes of responding to the appeal. (See M-2642, decided simultaneously herewith.)

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 15, 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.

- - - - -
Tonia J., also known as Tania J.,
Petitioner-Appellant,

M-2921
Docket Nos. V297/06
V12012-3/05
V12351-2/07

-against-

Levon S.,
Respondent-Respondent.

-----X

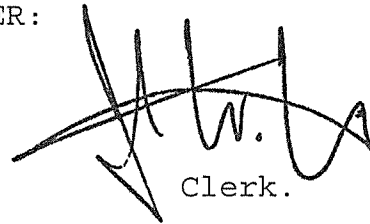
Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Family Court, New York County, entered on or about May 27, 2009, and for assignment of counsel, a free copy of the transcript, and related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Steven N. Feinman, Esq., 19 Court Plaza, Suite 201, White Plains, NY 10601, Tel. No. (914)949-8214, , as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal,

the cost thereof to be charged against the 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 order and; (4) directing appellant 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.

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 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

Joseph Benjamin P.,

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

M-2922
Docket No. NN13259/08

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

Allen P.,
Respondent-Appellant.

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

-----X

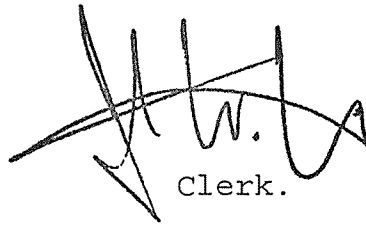
Respondent-appellant father having moved for leave to prosecute, as a poor person, the appeal from the order of the Family Court, New York County, entered on or about May 1, 2009, and for assignment of counsel, a free copy of the transcript, and related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, George Reed, Esq., 222 Mamaroneck Avenue, White Plains, NY 10605, Telephone No. (212) 645-6447, 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 order and; (4) directing appellant 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.

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 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/Visitation Pursuant to
Article 6 of the Family Court Act.

- - - - -
Charmaine L.,
Petitioner-Appellant,

-against-
Kenneth D.,
Respondent-Respondent.

M-2976
Docket Nos. V2271/08
V2272/08
V22850/07
V22851/07

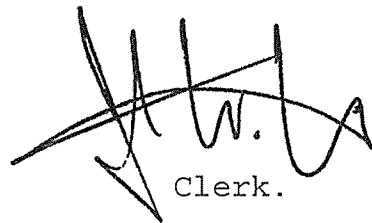
-----X

Respondent-respondent father having moved for leave to respond, as a poor person, to the appeal taken from the order of the Family Court, Bronx County, entered on or about April 30, 2009, for the assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and § 1120 of the Family Court Act, Steven N. Feinman, Esq., 19 Court Plaza, Suite 201, White Plains, NY 10601, Tel. No. 914-949-8214, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for appellant and 10 copies thereof are filed with this Court.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 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

Damon R., Jr. and
Naomi J.,

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

Administration for Children's Services,
et al.,
Petitioners-Respondents,

M-3001
Docket No. N-2585-6/08

Damon R.,
Respondent-Appellant.

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

-----X
An appeal having been taken to this Court from the order of the Family Court, New York County, entered on or about May 27, 2009,

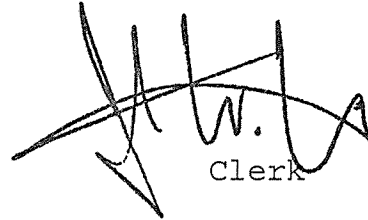
And respondent-appellant having moved for leave to prosecute the appeal as a poor person, for assignment of the Center for Family Representation, Inc. as counsel on the appeal, a free copy of the transcript, and for related relief,

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, Susan Jacobs, Esq., Center for Family Representation, Inc., 116 John Street, 19th Floor, New York, New York 10038, Telephone No. 212-691-0950, 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 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

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 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

Brandon C.,

A Person Alleged to Be a Juvenile
Delinquent,

M-3004
Docket No. D3940/09

Respondent-Appellant.
-----X

Respondent-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 May 28, 2009, for assignment of counsel, a free copy of the transcript, and for related relief,

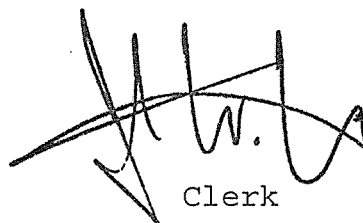
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is granted and pursuant to Section 35 of the Judiciary Law, Article 18B of the County Law and Section 1120 of the Family Court Act, Frederic Schneider, Esq., Gilman & Schneider, 40 Wall Street, 28th Floor, New York, NY 10005, Telephone No. (646) 512-5730, is assigned as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the State of New York from funds available therefor;¹ within 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 transferring the record

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

from the Family Court to this Court. The Clerk of the Family Court shall transfer the record upon receipt of this order; and (4) enlarging the time to perfect the 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:

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

Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 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 Family Offense
Proceeding Under Article 8 of the
Family Court Act.

- - - - -
Yudelka A. M.,
Petitioner-Appellant,

M-3005
Docket No. 017276/08

-against-

Jose A. R.,
Respondent-Respondent.

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

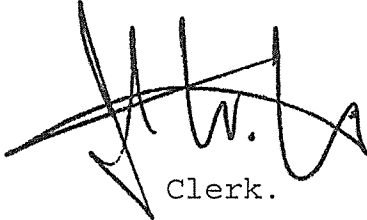
-----X
Petitioner-appellant mother having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about May 7, 2009, and for assignment of counsel, a free copy of the transcript, and related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Joseph V. Moliterno, Esq., 670 White Plains Road, Suite 207, Scarsdale, New York 10583, Telephone No. (914) 722-6922, 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 order and; (4) directing appellant 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.

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

CORRECTED ORDER - SEPTEMBER 24, 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 15, 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

Marc Jaleel G.,

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

M-3010
Docket No. B11624/07

- - - - -
Catholic Guardian Society
and Home Bureau, et al.,
Petitioners-Respondents,

Marc E. G.,
Respondent-Appellant.

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

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Family Court, New York County, entered on or about April 28, 2009, and for assignment of counsel, a free copy of the transcript, and related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, George Reed, Esq., 222 Mamaroneck Avenue, White Plains, NY 10605, Telephone No. (914)946-5000, 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 order and;** (4) directing appellant 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.** (See M-3012, decided simultaneously herewith.)

ENTER:



Clerk.

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

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

BEFORE: Hon. Diane T. Renwick
Justice of the Appellate Division

-----X
In the Matter of

Marc Jaleel G.,

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

M-3012
Docket No. B11624/07

Catholic Guardian Society
and Home Bureau, et al.,
Petitioners-Respondents,

Marc E. G.,
Respondent-Appellant.

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

-----X

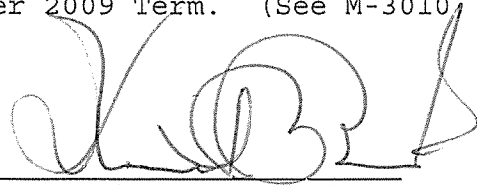
An appeal having been taken from the order of the Family Court,
New York County, entered on or about April 28, 2009,

And respondent-appellant having moved for a stay of all adoption
proceedings, 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 on condition that
the appeal is perfected for the December 2009 Term. (See M-3010
decided simultaneously herewith.)

Dated: New York, New York



Hon. Diane T. Renwick
Associate Justice

Entered: September 15, 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 15, 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.

- - - - -
Damon Vincent B-D.,
Petitioner-Respondent,

M-3149
Docket No. V12621/08

-against-

Dianna Antoinette P.,
Respondent-Appellant.

- - - - -
Meredith Moriarity, Esq.,
The Children's Law Center,
Law Guardian for the Child.

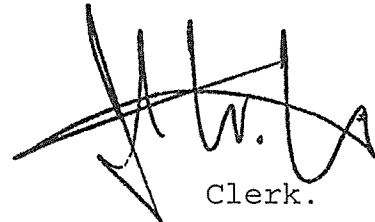
-----X
Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Family Court, Bronx County, entered on or about May 11, 2009, and for assignment of counsel, a free copy of the transcript, and related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, John Marafino, Esq., 9 West Prospect Avenue, Suite 409, Mount Vernon, New York 10550, Telephone No. (914) 663-1500, 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 order and; (4) directing appellant 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.

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2009.

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

-----X
In re James A. Power, et al.,

Petitioners-Appellants,

-against-

M-2424
Index No. 105760/06

New York State Division of Housing
and Community Renewal,

Respondent-Respondent.

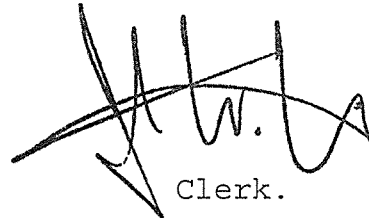
-----X

Petitioners-appellants 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 April 21, 2009 (Appeal No. 356),

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 15, 2009.

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

-----X
In the Matter of a Support Proceeding

Commissioner of Social Services,
on behalf of Vickie R.,
Petitioner-Respondent,

M-1667
Docket No. F-7588/09

-against-

Tyrone B.,
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to appeal to this Court from an order of the Family Court, New York County, entered on or about March 25, 2009, and for leave to prosecute the appeal as a poor person, for assignment of counsel, a free copy of the transcript, and for related relief,


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

Ordered that the motion is granted and pursuant to Article 18b of the County Law and §1120 of the Family Court Act, (1) Neal D. Futerfas, Esq., 50 Main Street, Suite 1000, White Plains, New York 10606, Telephone No. 914-682-2171, is assigned as counsel for purposes of prosecuting the appeal; (2) the Clerk of said Family Court is directed 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])

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

of service of a copy of this order upon the Clerk; (3) appellant is permitted 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 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

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

BEFORE: Hon. Richard T. Andrias,
Associate Justice

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

-against-

Stanley Jackson,
Defendant.

M-2735
Ind. No. 6883/95

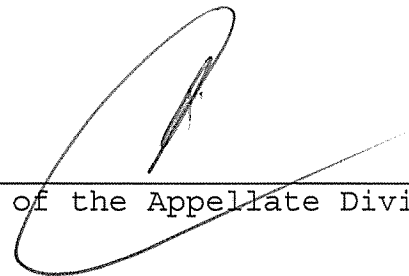
ORDER DENYING LEAVE
TO REARGUE DENIAL OF
CERTIFICATE PURSUANT TO
CPL 460.15

-----X

I, Richard T. Andrias, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application made by the above-named defendant for reargument of my order (M-51), entered March 12, 2009, which denied his motion for a certificate pursuant to Criminal Procedure Law section 460.15, and no question of law or fact having been misapprehended or overlooked, permission to reargue the denial of leave to appeal from the order of the Supreme Court, Bronx County, (Martin Marcus, J.) entered on or about August 6, 2008 is hereby denied.

Dated: August 24, 2009
New York, New York

ENTERED: September 15, 2009



Justice of the Appellate Division

STATE OF NEW YORK
APPELLATE DIVISION : FIRST DEPARTMENT

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

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

M-2369
Bronx Co.
Indictment No.
3430/89

-against-

Delmas Coltrain,

CERTIFICATE
DENYING
REARGUMENT

Defendant.
-----X

I, David B. Saxe, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application by the above-named defendant for reargument of this Court's order entered April 2, 2009 denying a certificate pursuant to Criminal Procedure Law section 460.15, and upon the record and proceedings herein, reargument of the order denying permission to appeal from the order of the Supreme Court, Bronx County, entered on or about December 4, 2008, is hereby denied.

Dated: New York, New York

Entered: September 15, 2009



Justice of the Appellate Division

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,

Respondent,

M-3347
Ind. No. 6702/1999

-against-

CERTIFICATE
GRANTING LEAVE

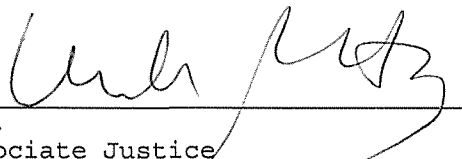
George Oliveras,

Defendant-Appellant. -----X

I, Karla Moskowitz, a Justice of the Appellate Division, First Judicial Department, do hereby certify that in the proceedings herein questions of law or fact are involved which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is hereby granted to the above-named defendant to appeal to the Appellate Division, First Judicial Department, from the order of the Supreme Court, Bronx County, entered on or about June 4, 2009.¹

Dated: September 9, 2009
New York, New York

Entered: September 15, 2009



Hon.
Associate Justice

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

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

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

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

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

M - 2191
Ind. No. 563/04

-against-

Gurpreet Oberoi,

ORDER DENYING REARGUMENT
OF DENIAL OF CERTIFICATE
PURSUANT TO
CPL 460.15

Defendant.

-----X

I, Rolando T. Acosta, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for renewal and/or reargument of the order entered May 5, 2009 (M-1238) denying defendant's application for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and no question of law or fact having been misapprehended or overlooked leave to renew/reargue the denial of leave to appeal from the order of the Supreme Court, New York County, entered on or about December 23, 2008, is hereby denied.



Hon. Rolando T. Acosta
Associate Justice

Dated: September 4, 2009
New York, New York

Entered: September 15, 2009

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

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

-----X

The People of the State of New York,
Respondent,

M-3799
Ind. No. 6458/07

-against-

CERTIFICATE
GRANTING LEAVE


Kinanchy De Aga,
Defendant-Appellant.

-----X

I, Rolando T. Acosta, a Justice of the Appellate Division, First Judicial Department, do hereby certify that in the proceedings herein questions of law or fact are involved which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is hereby granted to the above-named defendant to appeal to the Appellate Division, First Judicial Department, from the order of the Supreme Court, New York County, dated July 21, 2009.¹

Dated: September 1, 2009
New York, New York

Entered: September 15, 2009



Hon. Rolando T. ACosta
Associate Justice

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

¹Defendant's existing direct appeal shall be consolidated with the appeal from the aforesaid order; and any poor person relief granted with respect to the appeal from the judgment shall be extended to cover the appeals so consolidated.

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

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

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

M 3242
Ind. No. 1635/88

-against-

CERTIFICATE
DENYING LEAVE

Reggie McAllister,

Defendant.

-----X

I, Helen E. Freedman, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about June 1, 2009 is hereby denied.



Hon. Helen E. Freedman
Associate Justice

Dated: August 31, 2009
New York, New York

ENTERED: September 15, 2009

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

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

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

M 3340
Ind. No. 547/01

-against-

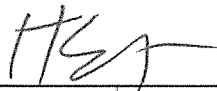
CERTIFICATE
DENYING LEAVE

Jason Lopez,

Defendant.

-----X

I, Helen E. Freedman, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County, entered on or about June 12, 2009 is hereby denied.



Hon. Helen E. Freedman
Associate Justice

Dated: August 31, 2009
New York, New York

ENTERED: September 15, 2009

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

BEFORE: Hon. Rosalyn H. Richter
Justice of the Appellate Division

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

M-3295
Ind. No. 2763/01

-against-


CERTIFICATE
DENYING LEAVE

Trevis Funches,

Defendant.

-----X

I, Rosalyn H. Richter, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon the application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about June 22, 2009, is hereby denied.



Hon. Rosalyn H. Richter

Dated: August 25, 2009
New York, New York

ENTERED: September 15, 2009

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

BEFORE: Hon. Sheila Abdus-Salaam
Justice of the Appellate Division

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

M-3634
Ind. No. 00089-2007

-against-

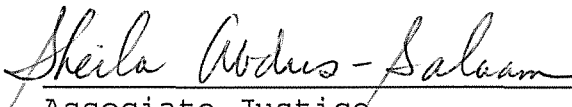
CERTIFICATE
DENYING LEAVE

Michael Crutcher

Defendant.

-----X

I, Sheila Abdus-Salaam, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about October 29, 2008 is hereby denied.


Associate Justice

Dated: September 8, 2009
New York, New York

ENTERED: September 15, 2009

PM ORDERS
ENTERED ON
SEPTEMBER 8, 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
Helen E. Freedman
Rosaly H. Richter, Justices.

-----X
Arbor Realty Funding LLC,

Plaintiff-Appellant,

-against-

East 51st Street Development Company,
LLC, et al.,

Defendants-Respondents.
-----X

M-3804
M-3951
M-3836
Index No. 602186/08

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about June 4, 2009,

And defendant-respondent T.M.J. Plumbing and Heating Corp. having moved to dismiss the aforesaid appeal or for alternative relief (M-3804),

And defendant-respondent Thyssenkrupp Safway, Inc., having cross-moved to dismiss the aforesaid appeal (M-3951),

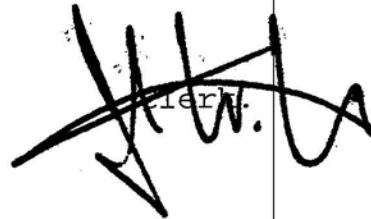
And plaintiff-appellant having cross-moved for leave to file a substituted record on appeal and appellant's brief (M-3836),

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

Ordered that the motion (M-3804) and cross motion (M-3951) to dismiss are denied. The cross motion to substitute the record (M-3836) is granted to extent of permitting plaintiff to file 10 copies of a substitute record on appeal and appellant's brief within 10 days of the date of entry hereof. Sua sponte, defendants' time to file respondents' briefs are extended to on or before October 6, 2009, and the time to file

plaintiff's reply brief is extended to on or before October 15, 2009. The stay granted appellant by the order of this Court entered on July 7, 2009 (M-2770) is continued. The Clerk is directed to calendar the appeal for hearing in the last week of the October 2009 Term.

ENTER:

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

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, Justices.

-----X
Randa Bishop,
Plaintiff-Respondent,

-against-

59 West 12th Street Condominium,
Defendant-Appellant,

Goodstein Management, Inc., et al.,
Defendants.
-----X

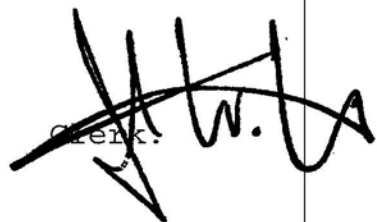
M-3165
Index No. 101683/04

Defendant-appellant having moved for an order staying the trial in the above-entitled action pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about September 26, 2008, or for alternative 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 staying all proceedings pending hearing and determination of the appeal.

ENTER:


Clerk.

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

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

-----X
Cargill Financial Services International,
Inc.,
Plaintiff-Appellant,

-against-

Bank Finance and Credit Limited,
also known as OJSC Bank Finance and
Credit,
Defendant-Respondent.
-----X

M-3694
Index No. 601890/09

Plaintiff-appellant having moved for an order continuing the temporary restraining order issued by a Justice of the Supreme Court, New York County, entered on or about June 18, 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 granted to the extent of issuing a preliminary appellate injunction pursuant to CPLR 5518 continuing the terms of the temporary restraining order issued by Supreme Court, New York County on June 18, 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. Mazzarelli, Justice Presiding,
Karla Moskowitz
Rolando T. Acosta
Helen E. Freedman
Rosaly H. Richter, Justices.

-----X
Gene Collins, et al.,
Plaintiffs-Respondents,

-against-

Switzer Construction Group, Inc.,
The Switzer Group, Inc.,
Defendants-Appellants,

-and-

Time, Inc. and 135 West 50th Owner, LLC,
Defendants-Respondents.

(And a third-party action.)
-----X

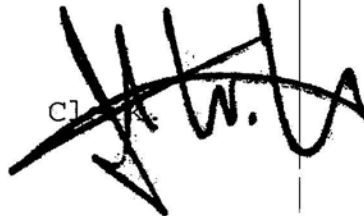
M-3834
Index No. 115054/05

Defendants-appellants having moved for an order staying the trial in the above-entitled action pending hearing and determination of the appeal taken from the order of the Supreme Court, 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 is denied.

ENTER:


CL

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
Discovision Associates,
Plaintiff,

-against-

Fuji Photo Film Co., Ltd., et al.,
Defendants.

M-3801
Index No. 601859/07

-----X
Fujifilm Corporation,
Third-Party Plaintiff-Appellant,

-against-

Third-Party
Index No. 591099/07

Prodisc Technology, Inc.,
Third-Party Defendant-Respondent,

Ritek Corporation and Daxon
Technologies, Inc.,
Third-Party Defendants-Respondents.

-----X

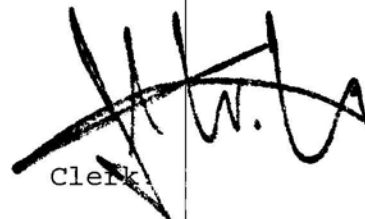
An appeal having been taken from the order of the Supreme Court, New York County, entered on or about August 19, 2008 (mot. seq. no. 005), and said appeal having been perfected,

And Allegaert Berger & Vogel LLP (Cornelius P. McCarthy of counsel) having moved to withdraw as counsel for third-party defendant-respondent Prodisc Technology, Inc., 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 on condition that counsel serves a copy of this order upon all parties within 10 days of the date of entry hereof. The appeal is adjourned to the November 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
Jasmin Howard,
Plaintiff-Respondent,

-against-

Jose R. Cornejo and Ahmed Raja Corp.,
Defendants-Appellants,

M-3814
Index No. 13739/06

-and-

Ronald A. Spratt,
Defendant.

-----x

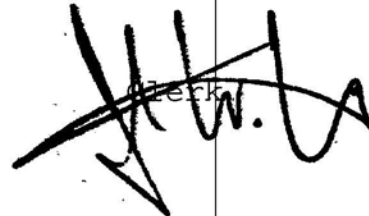
An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about March 27, 2009, and said appeal having been perfected,

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

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

It is ordered that the motion is granted.

ENTER:

A handwritten signature in black ink, appearing to be 'J.W.L.', is written over the printed name 'Jerk' in the lower right portion of the page.

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

BEFORE: Hon.
Justice of the Appellate Division

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

M-4488
Ind. No. 3129/03

-against-


CERTIFICATE
GRANTING LEAVE

John Mingo,
Defendant-Appellant.

-----X

I, James M. McGuire, a Justice of the Appellate Division, First Judicial Department, do hereby certify that in the proceedings herein questions of law or fact are involved which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is hereby granted to the above-named defendant to appeal to the Appellate Division, First Judicial Department, from the order of the Supreme Court, New York County, entered on or about August 4, 2008. (See M-4488A, decided simultaneously herewith.)

Dated: September 1, 2009
New York, New York



Hon. James M. McGuire
Associate Justice

Entered: September 8, 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. Luis A. Gonzalez, Presiding Justice,
James M. McGuire
Karla Moskowitz
Leland G. DeGrasse, Justices.

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

Respondent,

-against-

M-4488A
Ind. No. 3129/03

John Mingo,

Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, entered on or about August 4, 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.

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. (See M-4488, decided simultaneously herewith.)

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
James Wolfgeorge,
Plaintiff-Respondent,

-against-

William Ambrister, Jr. and
L&M Management,
Defendants-Appellants,

M-3844
Index No. 17708/07

-and-

Delta Funding Corporation,
Defendant.

-----x

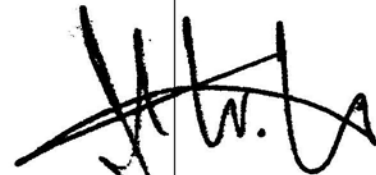
An appeal having been taken to this Court from the order of the Supreme Court, Bronx County, entered on or about January 6, 2009,

And defendants-appellants having moved to strike portions of the respondent's brief upon the ground that it refers to matters de hors the record,

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, the issue being addressed in appellant's reply brief.

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
Christine Yuen,
Plaintiff-Respondent,

-against-

Edwin Yuen K. Wong and Eileen Oi Chu,
Defendants-Appellants.
-----X

M-3767
Index No. 114841/06

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

And plaintiff-respondent having moved to strike pages 112.1, 112.2 and 112.3 of the record on appeal submitted by defendants-appellants and strike the corresponding paragraphs in defendant's-appellant's brief at pages 11-12,

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 appellant is directed to physically delete said pages from the record on appeal, to correct the table of contents thereof to reflect the deletion, and to delete the corresponding paragraphs from the brief heretofore filed, all within 10 days of the date of entry of this order.

ENTER:

Clerk. 