

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 18, 2010.

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-780
Ind. No. 1880/07

Rivin K. Favourite, also known as
Ravin Favourite,
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 November 4, 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 March 18, 2010.

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-781
Ind. No. 6263/08

Reginald Hodge, also known as Reggie
Hodge,
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 November 30, 2009, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

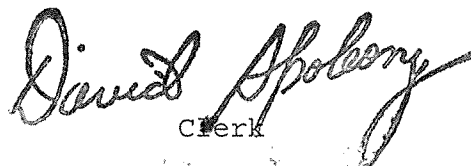
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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 March 18, 2010.

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-782
Ind. No. 1873/06

Malik Howard,
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 November 25, 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 March 18, 2010.

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-783
Ind. No. 306/09

Jermaine Jones,
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 17, 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:


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At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 18, 2010.

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-784
Ind. Nos. 5698/08
15/09

Isaac Maldonado,
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 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, 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 March 18, 2010.

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-786
Ind. No. 2029/09

Daniel McNair,
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 January 7, 2010, 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 March 18, 2010.

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-787
Ind. No. 3074/07

Taurice Moore,
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 November 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 March 18, 2010.

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-788
Ind. Nos. 484/08
1841/08

George Pena,
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 January 5, 2010, 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 March 18, 2010.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
David B. Saxe
James M. McGuire
Rolando T. Acosta
Sheila Abdus-Salaam, Justices.

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

Shoba K., M-443
Petitioner-Respondent, Docket No. 07378/09

-against-

Indra K.,
Respondent-Appellant.

-----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 October 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 denied, with leave to renew upon submission of a timely notice of appeal from the order of disposition.

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 March 18, 2010.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
David B. Saxe
Karla Moskowitz
Sheila Abdus-Salaam
Nelson S. Román, Justices.

-----X
In the Matter of

Joseph P. and Ariana H.,

M-191

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

Docket Nos. NA8889/08
NA13289/08

- - - - -
Commissioner of Social Services of
the City of New York, et al.,
Petitioners-Respondents,

Cindy H.,
Respondent-Appellant.

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

-----X

Respondent-appellant mother having moved for leave to prosecute, as a poor person, the appeal from the order of the Family Court, New York County, entered on or about August 21, 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, Seth M. Kaufman, Esq., 61 Broadway, Suite 2125, New York, NY 10006, Telephone No. (646) 249-4416, as

March 18, 2010

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 March 18, 2010.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
David Friedman
James M. McGuire
Sheila Abdus-Salaam, Justices.

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

Respondent,

-against-

M-957
Ind. No. 3899/01

Joseph Bronaugh,

Defendant-Appellant.
-----X

Defendant-appellant having moved for leave to file a pro se supplemental brief in connection with the appeal from a judgment of the Supreme Court, New York County, rendered on or about September 18, 2008, 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 March 18, 2010.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
David Friedman
James M. McGuire
Sheila Abdus-Salaam, Justices.

-----x
Juan Ruiz, et al.,
Plaintiffs-Respondents, M-1093

-against- Index No. 106394/08

Frog Co., LLC, et al.,
Defendants-Respondents.

McGovern & Company, LLC,
Third-Party Plaintiff-Respondent,

-against-

Midtown Contracting Corporation, Index No. 590172/09
Third-Party Defendant-Respondent,

-and-

Aldo's Iron Works, Incorporated,
Third-Party 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 January 29, 2010,

And third-party defendant-appellant having moved for a stay of all 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 appellant perfects the appeal on or before April 5, 2010 for the June 2010 Term. Respondents' brief(s) to be served and filed on or before May 5, 2010, and the reply brief, if any, to be served and filed on or before May 14, 2010 for said Term. Upon failure

to so perfect, an order vacating the stay may be entered ex parte, provided respondent(s) serve 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 March 18, 2010.

Present: Hon. Peter Tom, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Eugene Nardelli
Sheila Abdus-Salaam, Justices.

-----X
Abraham Sigman and Arthur Haruvi,

Plaintiffs-Appellants,

-against-

M-571
Index No. 112874/08

Jose Gonzalez and Michael F. Ferlisi,

Defendants-Respondents.
-----X

Defendants-respondents having moved for dismissal of the appeal taken from the order of the Supreme Court, New York County, entered on or about February 27, 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 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 March 18, 2010.

Present - Hon. Peter Tom, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Eugene Nardelli
Sheila Abdus-Salaam, Justices.

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

-against-

M-446
Ind. No. 5796/00

Victor Calderon,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County, entered on or about January 20, 2010, 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 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 before Judge Collins, if any. 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 March 18, 2010.

Present - Hon. Peter Tom, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Eugene Nardelli
Sheila Abdus-Salaam, Justices.

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

-against-

M-600
Ind. No. 4217/03

Troy Williams,
Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of **resentence** of the Supreme Court, New York County, rendered on or about January 29, 2010, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief,

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of **resentence**. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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

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 March 18, 2010.

Present - Hon. Peter Tom, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Eugene Nardelli
Sheila Abdus-Salaam, Justices.

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

-against-

M-601
Ind. No. 6520/00

Roy Parker,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, entered on or about January 28, 2010, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief,

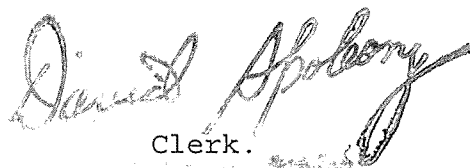
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard upon the original record 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 before Judge Zweibel, if any. 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 March 18, 2010.

Present - Hon. Peter Tom, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Eugene Nardelli
Sheila Abdus-Salaam, Justices.

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

-against-

M-559
Ind. No. 5116/99

Levern Baldwin,
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 December 11, 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 notice of appeal as timely filed 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.

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 March 18, 2010.

Present: Hon. Peter Tom, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Eugene Nardelli
Sheila Abdus-Salaam, Justices.

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

-against-

M-560
Ind. No. 4743/08

Michael Levin,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about December 1, 2009, for leave to prosecute the appeal as a poor person, on the original record and upon a reproduced appellant's brief, and for related relief,

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

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

The motion, to the extent that it seeks poor person relief, is denied, with leave to renew upon defendant's submission of a notarized affidavit, in compliance with CPLR 1101(a), setting forth the terms of defendant's retainer agreement with trial counsel, as well as 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 March 18, 2010.

Present: Hon. Peter Tom, Justice Presiding,
Karla Moskowitz
Dianne T. Renwick
Leland G. DeGrasse
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of

Cain Keel L.
and Rui L.,

M-368
Docket Nos. B19336/06
B17064/07

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

New York Foundling Hospital
Petitioners-Respondents,

Derzerina L.,
Respondent-Appellant.

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

-----X
Respondent-appellant mother having moved for leave to prosecute, as a poor person, the appeal from the order of the Family Court, Bronx County, entered on or about October 19, 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, 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 March 18, 2010.

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

-----X
Ari Kramer, as Executor of the
Estate of Virginia Casey Bush, etc.,
Plaintiff-Appellant,

-against-

M-5243
Index No. 101978/05

Ioannis Danalis,
Defendant-Respondent.

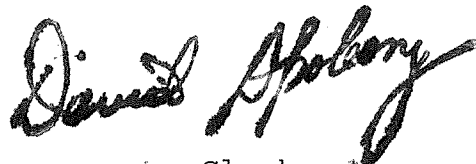
-----X

Plaintiff-appellant having moved for clarification and/or reargument of, the decision and order of this Court entered on October 20, 2009 (Appeal No. 122),

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 March 18, 2010.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David Friedman
Eugene Nardelli
Karla Moskowitz, Justices.

-----X
Jennifer Broodie,

Plaintiff-Appellant,

-against-

M-5500
Index No. 28674/03

Gibco Enterprises, Ltd., et al.,

Defendants-Respondents.
-----X

Plaintiff-appellant having moved for reargument of the decision and order of this Court entered on November 5, 2009 (Appeal No. 1345),

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 March 18, 2010.

Present - Hon. Richard T. Andrias, Justice Presiding,
Eugene Nardelli
James M. Catterson
Leland G. DeGrasse
Sallie Manzanet-Daniels, Justices.

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

-against-

M-505
Ind. No. 78N/07

Richard Alicea,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about July 7, 2009, for leave to prosecute the appeal as a poor person, on the original record and upon a reproduced appellant's brief, and for related relief,

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

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

The motion, to the extent that it seeks poor person relief, is denied, with leave to renew upon defendant's submission of a notarized affidavit, pursuant to CPLR 1101, setting forth facts sufficient to establish that defendant has no funds or assets with which to prosecute the appeal.

ENTER:


- Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 18, 2010.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
John W. Sweeny, Jr.
Nelson S. Román, Justices.

-----X
Mark Scher, Ann Scher, Emmet C.
Wechsler, Sekka Scher and Avra
Scher,
Plaintiffs,

Avra Scher,
Plaintiff-Appellant,

-against-

Turin Housing Development Fund
Company, Inc., Insignia Residential
Group, LLC, Douglas Elliman, LLC,
Lawrence Vitelli, Dorothy Kern
and K. Leah Munoz, Individually
and as Officers of Douglas Elliman,
LLC, Irma Hendricks, Individually
and as Vice President and Member of
the Board of Directors of Turin HDFC
Thomas Calagna, Luz Esquilin, Harvey
Minsky, Joan Berkowitz,
Defendants-Respondents,

M-5659
Index No. 110620/06

Colman O'Reilly, William Swersey,
Galia Baigina and "John Doe and
Jane Doe 1-3",
Defendants,

And additional parties which the Co-op
Counterclaims against pursuant to
CPLR §3019 and/or the Interpleader
Defendants to the Co-op's Defensive
Interpleader Cause of Action pursuant
to CPLR §1006

Merce Williams, Laurie Taylor Williams,
Benjamin Bedell, Karin Miller, Loretta
Polacco, Vincent Hickey, Darryl Hendricks,
Jr., Darryl Hendricks, Sr., Norma
Hendricks, Victor Brea, Andrew
Ehrenworth,
Counter/Cross Claim Defendants.

-----X

March 18, 2010

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about December 7, 2009,

And plaintiff-appellant Avra Scher having moved in the nature of a preliminary appellate injunction barring the transfer of rights with respect to a certain cooperative apartment, 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:

A handwritten signature in black ink, reading "David Apolony". The signature is written in a cursive style with a large, sweeping flourish at the end.

Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 18, 2010.

Present - Hon. Richard T. Andrias, Presiding Justice,
Eugene Nardelli
James M. Catterson
Leland G. DeGrasse
Sallie Manzanet-Daniels, Justices.

-----x
In the Matter of the Application of
John Sjolholm,
Petitioner-Appellant,

For a Judgment pursuant to Article 78
of the CPLR,

M-516
Index No. 104966/08

-against-

Raymond Kelly, etc., et al.,
Respondents-Respondents.

-----x
Petitioner-appellant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, New York County, entered on or about December 24, 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 September 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 March 18, 2010.

PRESENT: Hon. David B. Saxe, Justice Presiding,
James M. Catterson
Karla Moskowitz
Helen E. Freedman
Nelson S. Román, Justices.

-----X
DuVaugh Jones, an infant by his
Mother and Natural Guardian
Shinillis Cline and Shinillis Cline,
Individually,
Plaintiffs-Respondents,

-against-

M-932
Index No. 13377/02

636 Holding Corp., Joseph Bodak
and Lew Bodak,
Defendants-Appellants.

-----X

Defendants-appellants having moved for a stay of trial pending hearing and determination of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about October 7, 2009,

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

It is ordered that the motion is denied.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 18, 2010.

Present: Hon. David Friedman, Justice Presiding,
Karla Moskowitz
Dianne T. Renwick
Helen E. Freedman
Nelson S. Román, Justices.

-----X
Sherri Nixon and Albert Nixon,

Plaintiffs-Appellants,

-against-

M-230

Index No. 20513/06

Felilpe Saavedra, et al.,

Defendants-Respondents.

-----X

Defendants-respondents having moved for dismissal of the appeal taken from the order of the Supreme Court, Bronx County, on or about March 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 as academic, said appeal having been dismissed by the prior order of this Court entered on February 18, 2010 (M-5822).

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 March 18, 2010.

Present: Hon. David Friedman, Justice Presiding,
Karla Moskowitz
Dianne T. Renwick
Helen E. Freedman
Nelson S. Román, Justices.

-----X
Shahir Shahidsaless and Faranak
Shakoori,
Plaintiffs-Appellants,

M-305
Index No. 115835/07

-against-

Shirin Ebadi, et al.,
Defendants-Respondents.
-----X

Defendants-respondents having moved for dismissal of the appeal taken from the order and judgment of the Supreme Court, New York County, entered on or about January 14, 2009 and on or about January 20, 2009, respectively,

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

It is ordered that the motion is granted and the 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 March 18, 2010.

Present: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Eugene Nardelli
Helen E. Freedman, Justices.

-----X
In the Matter of

Aliyah Julia N.,

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

M-298
Docket No. B12101/08

Harlem Dowling-Westside Center
for Children and Family Services,
et al.,
Petitioners-Respondents,

Cecilia Lee N.,,
Respondent-Appellant.

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

-----X

Respondent-appellant mother having moved for leave to prosecute, as a poor person, the appeal from the order of the Family Court, New York County, entered on or about November 13, 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, Julian A. Hertz, 200 East 84th Street, #6F, New York, NY 10028, Telephone No. (914) 834-5461, 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 March 18, 2010.

Present - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Eugene Nardelli
Helen E. Freedman, Justices.

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

Brett R.,
Petitioner-Appellant,

M-337
Docket No. V-23611/09

-against-

Marla E.-R.,
Respondent-Respondent.

-----X

Petitioner-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 November 18, 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, Suite 201, White Plains, New York 10601, Telephone No. 914-949-8214, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk; (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. The Clerk of the Family Court shall transfer the record upon receipt of this

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

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

ENTER:


Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 18, 2010.

Present: Hon. David Friedman, Justice Presiding,
Karla Moskowitz
Dianne T. Renwick
Helen E. Freedman
Nelson S. Román, Justices.

-----X
In the Matter of

Malik C.,

A Person Alleged to Be a Juvenile
Delinquent,

M-441
Docket No. D-16766/09

Respondent-Appellant.
-----X

Respondent-appellant having moved for leave to prosecute the appeal from an order of the Family Court, New York County, entered on or about January 6, 2010, 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, Neal D. Futerfas, Esq., 50 Main Street, Suite 1000, White Plains, New York 10606, Telephone No. 914-682-2171, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the 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 March 18, 2010.

Present - Hon. David Friedman, Justice Presiding,
Karla Moskowitz
Dianne T. Renwick
Helen E. Freedman
Nelson S. Román, Justices.

-----X
In the Matter of

Ja'mes G.,

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

Administration for Children's Services,
Petitioner-Respondent,

M-537
Docket No. NN-6148/09

James G.,
Respondent-Appellant.

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

-----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 December 14, 2009 and amended January 7, 2010, 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, Suite 201, White Plains, New York 10601, Telephone No. 914-949-8214, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed 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 March 18, 2010.

Present - Hon. David Friedman, Justice Presiding,
Karla Moskowitz
Dianne T. Renwick
Helen E. Freedman
Nelson S. Román, Justices.

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

-against-

M-450
Ind. No. 6516/07

Kevin Combs,
Defendant-Appellant.

-----X

Defendant having renewed the motion 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 29, 2008, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, 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 March 18, 2010.

Present - Hon. David Friedman, Justice Presiding,
Karla Moskowitz
Dianne T. Renwick
Helen E. Freedman
Nelson S. Román, Justices.

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

-against-

M-452
Ind. No. 238/09

Juan Bello,
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 November 19, 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 notice of appeal as timely filed and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 10 reproduced copies of such brief, together with the original record, with this Court.

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

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

ENTER:


Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 18, 2010.

Present: Hon. David Friedman, Justice Presiding,
Karla Moskowitz
Helen E. Freedman
Nelson S. Román, Justices.

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

-against-

M-454
Ind. No. 1029/07

Will Dunbar,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, Bronx County, rendered on or about December 22, 2009, for leave to prosecute the appeal as a poor person, on the original record and upon a reproduced appellant's brief, and for related relief,

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

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

The motion, to the extent that it seeks poor person relief, is denied, with leave to renew upon defendant's submission of a notarized affidavit, pursuant to CPLR 1101(a), setting forth facts sufficient to establish that defendant has no funds or assets with which to prosecute the appeal.

ENTER:


Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 18, 2010.

Present: Hon. David Friedman, Justice Presiding,
Karla Moskowitz
Dianne T. Renwick
Helen E. Freedman
Nelson S. Román, Justices.

-----X
Turner Construction Company, et al.,
Plaintiffs-Appellants-Respondents,

-against-

M-589
M-651
M-662

Lowy & Donnath Inc.,
Defendant-Respondent-Appellant,

Index No. 600393/05

Crum & Forster Insurance Company and
United States Fire Insurance Company,
Defendants-Respondents-Respondents.

-----X

An appeal and cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about April 2, 2009 (mot. seq. no. 003),

And plaintiffs-appellants-respondents having moved to enlarge the time in which to perfect the direct appeal (M-589),

And defendant-respondent-appellant having cross-moved to enlarge the time in which to perfect the cross appeal (M-651),

And non-aggrieved defendant United States Fire Insurance Company having cross-moved to enlarge the time in which to perfect a purported cross appeal (M-662),

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 plaintiffs-appellants-respondents' motion and defendant-respondent-appellant's cross motion are granted to the extent of enlarging the time in which to perfect the appeal and cross appeal to the September 2010 Term. Defendant United States Fire Insurance Company's cross motion 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 March 18, 2010.

Present - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Eugene Nardelli
Helen E. Freedman, Justices.

-----x
Ormit John,
Plaintiffs-Respondents,

-against-

SRM Construction Corporation, et al., M-1089
Defendants-Appellants, Index No. 20895/99

-and-

Clintonville Construction Corp. and
Seaboard Surety Company,
Defendants.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, Bronx County, entered on or about October 10, 2008,

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 the correspondence from Jason Philip Rogers, Esq., of Welby, Brady & Greenblatt, LLP, dated March 11, 2010, and due deliberation having been had thereon,

It is ordered that the motion is withdrawn in accordance with the aforesaid correspondence. (See Appeal No. 2186, decided simultaneously herewith.)

ENTER:


Clerk

PM ORDERS

ENTERED

MARCH 16, 2010

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 16, 2010.

Present - Hon. Angela M. Mazzairelli, Justice Presiding,
John W. Sweeny, Jr.
Eugene Nardelli
Rolando T. Acosta
Sallie Manzanet-Daniels, Justices.

-----x
Matar Diouf,

Plaintiff-Respondent,

-against-

M-1257
Index No. 108095/04

New York City Transit Authority,

Defendant-Appellant.
-----x

Defendant-appellant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, New York County, entered on or about May 6, 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 enlarging the time in which to perfect the appeal to the June 2010 Term, with special dates. The record and brief are to be served and filed on or before April 5, 2010, the respondent's brief to be served and filed on or before May 5, 2010, and the reply brief, if any, to be served and filed on or before May 14, 2010.

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 March 16, 2010.

Present - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
John W. Sweeny, Jr.
Eugene Nardelli
Dianne T. Renwick, Justices.

-----x
Dany Moyal,

Plaintiff-Respondent,

-against-

M-905
Index No. 350058/07

Marc Moyal,

Defendant-Appellant.
-----x

Defendant having taken appeals to this Court from the orders of the Supreme Court, New York County, entered on or about August 25, 2009 and October 13, 2009, respectively, and from the order and judgment of divorce (one paper) of said Court entered on or about January 6, 2010,

And defendant-appellant having moved for a stay of distribution of marital assets, and for release of escrow funds to pay certain taxes and other expenses, pending hearing and determination of the aforesaid appeals,

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

It is ordered that the motion is denied.

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 March 16, 2010.

Present - Hon. Peter Tom, Justice Presiding,
Karla Moskowitz
Dianne T. Renwick
Leland G. DeGrasse
Sallie Manzanet-Daniels, Justices.

-----X
Ralph Dickerson, Jr.,
Plaintiff-Respondent,

-against-

M-369A
Index No. 350111/05

Gloria Deanna Dickerson,
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, New York County, entered on or about March 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 to the extent of enlarging the time in which to perfect the appeal to on or before April 5, 2010 for the June 2010 Term, with no further enlargements to be granted. Respondent's brief is to be served and filed on or before May 5, 2010, and appellant's reply brief, if any, is to be served and filed on or before May 15, 2010. Upon failure to so perfect, an order dismissing the appeal may be entered ex parte provided that plaintiff-respondent serves a copy of this order upon appellant within 10 days after the date of entry hereof. The order of this Court entered on March 11, 2010 (M-369) is herewith recalled and 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 March 16, 2010.

Present - Hon. David B. Saxe, Justice Presiding,
James M. Catterson
Karla Moskowitz
Helen E. Freedman
Nelson S. Román, Justices.

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Frank Basile, et al.,
Plaintiffs-Respondents,

-against-

M-900
Index No. 103030/09

Shannon Mulholland, et al.,
Defendants-Appellants.

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Appeals having been taken to this Court from the orders of the Supreme Court, New York County, entered on or about October 8, 2009 and on or about November 5, 2009, respectively,

And plaintiffs-respondents having moved for an order striking the appellant's brief and record on appeal or, in the alternative, granting plaintiffs leave to file a supplemental record on appeal to include a memorandum of law in opposition to defendants' motion to vacate the default judgment,

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

It is ordered that the motion is granted only to the extent of permitting plaintiffs to file a supplemental record on appeal at the time of filing their respondent's brief on or before March 31, 2010, with a reply brief, if any, to be filed on or before April 9, 2010.

ENTER:



Clerk