

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 13, 2011.

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-6084  
Ind. No. 5948/07

Joe Sanders,  
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about April 21, 2009,

Now, upon reading and filing the stipulation of the parties hereto, dated November 29, 2010, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 January 13, 2011.

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

-----X  
Carmen Mateo, et al.,  
Plaintiffs-Respondents,

-against-

M-6118X  
Index No. 303523/08

Ivette A. Cotto,  
Defendant-Appellant.  
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about February 3, 2010,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" December 14, 2010, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 January 13, 2011.

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

-----X  
Morgan Builders, Inc.,  
Plaintiff-Respondent,

-against-

M-6119X  
Index No. 103826/09

Jennifer Halfon, et al.,  
Defendants-Appellants.  
-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, entered on or about August 5, 2010,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" December 14, 2010, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 January 13, 2011.

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

-----X  
NL Industries, Inc.,  
Plaintiff-Respondent,

-against-

M-6120X  
Index No. 108881/09

Onebeacon America Insurance Company,  
Defendant-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about September 2, 2010,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" December 14, 2010, 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 January 13, 2011.

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

-----X  
Robert E. Kiernan III,  
Plaintiff-Respondent-Appellant,

-against-

M-6052  
Index No. 601650/06

Balbinder Thiara,  
Defendant-Appellant-Respondent,

Chaparral Advisors, LP et al.,  
Defendants.

-----X  
Balbinder (BO) Thiara, etc.,  
Counterclaim Plaintiff-  
Appellant-Respondent,

-against-

Robert E Kiernan III,  
Counterclaim Defendant-  
Respondent-Appellant,

Roy D. Hendriksson, et al.,  
Counterclaim Defendants.

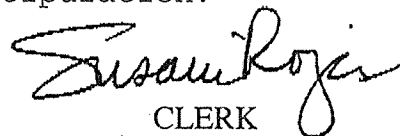
-----X

An appeal and cross appeal having been taken from the judgment of the Supreme Court, New York County, entered on or about July 15, 2010,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" December 8, 2010, and due deliberation having been had thereon,

It is ordered that the appeal and cross appeal are withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 13, 2011.

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

-----X  
Shawn Polite,  
Plaintiff-Appellant,

-against-

M-6102  
Index No. 15273/07

L&M Equity Participants Ltd.,  
Defendants,

Hudson Arlington Associates, LLC,  
et al.,  
Defendants-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about March 25, 2010,

Now, upon reading and filing the stipulation of the parties hereto, dated December 10, 2010, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the September 2010 Term, is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 13, 2011.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
David B. Saxe  
James M. Catterson  
Rolando T. Acosta  
Sallie Manzanet-Daniels, Justices.

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

-against-

M-5537  
Ind. No. 1381/09

Joel Gutierrez,  
Defendant-Appellant.

-----X

Defendant having moved for an extension of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about June 16, 2010, 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 moving papers a timely filed notice of appeal and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of 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 January 13, 2011.

Present - Hon. Luis A. Gonzalez, Presiding Justice,  
David B. Saxe  
James M. Catterson  
Rolando T. Acosta  
Sallie Manzanet-Daniels, Justices.

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

-against-

M-5538  
Ind. No. 5491/08

Elvin Munoz,  
Defendant-Appellant.

-----X

Defendant having moved for an extension 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 8, 2010, 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 moving papers a timely filed notice of appeal and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of 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 January 13, 2011.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
David B. Saxe  
James M. Catterson  
Rolando T. Acosta  
Sallie Manzanet-Daniels, Justices.

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

Respondent,

-against-

M-5466  
Ind. No. 1144/10

Edwin Vasquez Mendez, also known as  
Edwin Vasquez-Mendez, also known as  
Edwin Mendez Vasquez,

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 October 5, 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 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, 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 January 13, 2011.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Angela M. Mazzairelli  
Karla Moskowitz  
Rolando T. Acosta  
Nelson S. Román, Justices.

-----X  
Albert Cheng, M.D., et al.,

Plaintiffs-Respondents,

-against-

M-5719  
Index No. 604083/01

Oxford Health Plans, Inc. et al.,

Defendants-Appellants.  
-----X

Plaintiffs-respondents having moved for dismissal of the appeal taken from order of the Supreme Court, New York County, entered on or about November 5, 2009, and for related relief,

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

It is ordered that the motion is denied.

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 January 13, 2011.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
John W. Sweeny, Jr.  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X  
James Yu and Kathleen Johnson,  
individually and on behalf of their  
child, Cadence Yu,  
Plaintiffs-Appellants,

M-5381  
Index No. 403016/09

-against-

Vantage Management Services, L.L.C.,  
et al.,  
Defendants-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about May 13, 2010,

And plaintiff-appellant James Yu having moved for an order permitting the filing of a supplemental record on 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 as unnecessary. Plaintiffs' attention is directed to CPLR 5526.

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 January 13, 2011.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
David B. Saxe  
James M. Catterson  
Rolando T. Acosta  
Sallie Manzanet-Daniels, Justices.

-----X  
Admiral Insurance Company,  
Plaintiff-Appellant-Respondent,

-against-

American Empire Surplus Lines  
Insurance Company,  
Defendant-Respondent-Appellant,

-and-

Scottsdale Insurance Company,  
Defendant-Respondent.

-----X

An appeal and cross appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 29, 2009,

And defendant-respondent-appellant, American Empire Surplus Lines Insurance Company, having moved (M-5492) for an enlargement of time in which to perfect their appeal from the aforesaid order,

And plaintiff-appellant-respondent, Admiral Insurance Company, having cross-moved (M-5714) for the same relief,

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

It is ordered that the motion and cross motion (M-5492/M-5714) are granted to the extent of enlarging the time in which to perfect the appeal and cross appeal to the May 2011 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 January 13, 2011.

Present: Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
David B. Saxe  
Helen E. Freedman  
Sallie Manzanet-Daniels, Justices.

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

-against-

M-5625  
Ind. No. 1330/10

Curtis Ferguson,  
Defendant-Appellant.

-----X

Defendant having moved for an extension 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 6, 2010, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of 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 January 13, 2011.

Present: Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
David B. Saxe  
Helen E. Freedman  
Sallie Manzanet-Daniels, Justices.

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

-against-

M-5637  
Ind. No. 3143/09

Carlos Rodriguez,  
Defendant-Appellant.

-----X

Defendant having moved for an extension of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about August 12, 2010, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of 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 January 13, 2011.

Present: Hon. Peter Tom, Justice Presiding,  
David Friedman  
James M. Catterson  
Diane T. Renwick  
Sallie Manzanet-Daniels, Justices.

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

M-4771

M-4826

-against-

Ind. Nos. 8193/98  
8616/00

Carlos Abreu,  
Defendant-Appellant.

-----X

Defendant having moved by separate motions for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Renee White, J.) entered on or about August 10, 2010 and the appeal from the order of resentence, also entered on or about August 10, 2010, for leave to have the appeals heard upon the original record(s) and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeals, and for related relief,

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

Ordered that the motions are granted to the extent of permitting the appeals to be heard on the original record(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 copies of such brief, together with the original record(s), pursuant to Rule 600.11 of the Rules of this Court.

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

The time within which appellant shall perfect the appeals 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 January 13, 2011.

Present: Hon. Peter Tom, Justice Presiding,  
David Friedman  
Leland G. DeGrasse  
Helen E. Freedman  
Sallie Manzanet-Daniels, Justices.

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

-against-

M-5367  
Ind. No. 4748/02

Shamar Holloway,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of **resentence** of the Supreme Court, New York County, rendered on or about July 15, 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 copies of such brief, together with the original record, with this Court.

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

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

Enter:

  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 13, 2011.

Present: Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
John W. Sweeny, Jr.  
Leland G. DeGrasse  
Nelson S. Román, Justices.

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

-against-

M-5436  
Ind. No. 70/06

Benito Acevedo,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of **resentence** of the Supreme Court, New York County, rendered on or about October 26, 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 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 January 13, 2011.

Present: Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
John W. Sweeny, Jr.  
Leland G. DeGrasse  
Nelson S. Román, Justices.

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

-----  
Joseph Y.,  
Petitioner,

-against-

M-5490  
Docket Nos. V15539-09/09  
V15540-09/09

Tatyana K.,  
Respondent.

-----X

A purported appeal having been taken by petitioner from an order of the Family Court, New York County, entered on or about September 29, 2010,

And petitioner having moved to prosecute, as a poor person, the aforesaid appeal, for the 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 proper notice of appeal, the order appealed and a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth facts sufficient to establish that appellant has no funds or assets with which to prosecute 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 January 13, 2011.

Present: Hon. Peter Tom, Justice Presiding,  
David Friedman  
Leland G. DeGrasse  
Helen E. Freedman  
Sallie Manzanet-Daniels, Justices.

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

-against-

M-5351  
Ind. No. 3303/05

Benjamin Anderson,  
Defendant-Appellant.

-----X

An order of this Court having been entered on July 6, 2010 (M-2891), 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 April 28, 2008, under Indictment No. 3303/05, and assigning counsel therefor,

And defendant-appellant having moved for an order amending the notice of appeal and the aforementioned order to include the judgment of said Court rendered on or about October 31, 2008,

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 the judgments rendered on or about April 28, 2008 and on or about October 31, 2008, 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 January 13, 2011.

Present: Hon. Peter Tom, Justice Presiding,  
David B. Saxe  
Karla Moskowitz  
Leland G. DeGrasse  
Sheila Abdus-Salaam, Justices.

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

-against-

M-4923  
Ind. No. 6292/06

James Brown,  
Defendant-Appellant.

-----X

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

And defendant-appellant having moved for an order enlarging the record on appeal to include the minutes of defendant's first trial which commenced on February 26, 2008 and concluded with a mistrial on February 28, 2008, and for an enlargement of time in which to perfect defendant's current 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 record on appeal to include the minutes of defendant's first trial, detailed above and in the moving papers, directing the Clerk of the Supreme Court, New York County, and its court reporters, to transcribe said minutes and to furnish same to Robert S. Dean, Esq., assigned counsel for defendant. The time in which to perfect the current appeal is enlarged to on or before March 21, 2011 for the June 2011 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 January 13, 2011.

PRESENT: Hon. Peter Tom, Justice Presiding,  
John W. Sweeny, Jr.  
Helen E. Freedman  
Rosalyn H. Richter  
Sheila Abdus-Salaam, Justices.

-----X  
Yahaira Reyes,  
Plaintiff-Respondent,

-against-

M-5755  
Index No. 302792/08

Alejandro A. Diaz and Tomas & Lepido  
Corp.,  
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 June 17, 2010,

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

CORRECTED ORDER - June 3, 2011

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 13, 2011.

Present: Hon. Peter Tom, Justice Presiding,  
Karla Moskowitz  
Helen E. Freedman  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X  
The People of the State of New York  
ex rel. Neville O. Mitchell, Esq., on  
behalf of Raven Walker,  
Petitioner-Appellant,

-against-

John B. Mattingly, Commissioner of the  
Department of Juvenile Justice: Horizon  
Juvenile Center,  
Respondent-Respondent.

M-5998  
Index No. 260658/10  
Ind. No. 2241/10

-----X  
An appeal having been taken from the order of the Supreme Court, New York County, entered on or about October 29, 2010, which denied petitioner's application for a writ of habeas corpus to challenge bail set by a Justice of the Supreme Court,

And petitioner having moved for an order reducing bail 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 January 13, 2011.

Present: Hon. Peter Tom, Justice Presiding,  
Karla Moskowitz  
Helen E. Freedman  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X  
Aikio Garnes, etc., et al.,  
Plaintiffs-Respondents,

-against-

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

M-6003  
Index No. 22790/02

-and-

Severino Marrero,  
Defendant.

-----X  
An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about April 6, 2010, and said appeal having been perfected,

And plaintiffs-respondents having moved for an enlargement of time in which to file their respondents' 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 time in which plaintiffs may file their respondents' brief to on or before February 2, 2011 for the March 2011 Term, to which Term the appeal is adjourned.

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 January 13, 2011.

Present: Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
John W. Sweeny, Jr.  
Leland G. DeGrasse  
Nelson S. Román, Justices.

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

-against-

M-5430  
Ind. No. 1654/00

Edwin Garcia,  
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on October 1, 2002 (Appeal No. 1686), unanimously affirming the judgment of the Supreme Court, Bronx County, rendered on or about February 8, 2001,

And an order of this Court having been entered on November 19, 2009 (M-3614), denying defendant's application for a writ of error coram nobis,

And defendant having moved to be provided with a copy of certain sentencing minutes,

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, without prejudice to defendant making an application for said relief in Supreme Court, Bronx County.

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 January 13, 2011.

Present: Hon. Peter Tom, Justice Presiding,  
David Friedman  
Leland G. DeGrasse  
Helen E. Freedman  
Sallie Manzanet-Daniels, Justices.

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

-against-

M-5368  
Ind. No. 293/06

John Hamlett,  
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about January 22, 2008,

And defendant-appellant having moved to be provided with minutes of the trial proceedings (excluding jury selection),

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 Clerk of the Supreme Court, New York County, is directed to have transcribed, the minutes detailed above within 30 days from the date of service of a copy of this order which appellant's counsel is directed to serve upon the Clerk and the individual Court Reporter(s), within 10 days from the date of entry hereof and the Clerk is directed to furnish copies of such transcripts to appellant's counsel without charge, the transcripts to be returned to this Court when appellant's brief is filed. The time in which defendant shall perfect the appeal is enlarged to 120 days after receipt of the aforementioned transcripts.

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 January 13, 2011.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
David Friedman  
John W. Sweeny, Jr.  
Karla Moskowitz, Justices.

-----X  
Richard Pietrowski, et al.,

Plaintiffs-Respondents

-against-

M-6181  
Index No. 109789/08

Are-East River Science Park, LLC,  
et al.,

Defendants-Appellants.

-----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 September 8, 2010 (mot. seq. no. 002),

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

It is ordered that the motion is granted.

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 January 13, 2011.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
James M. Catterson  
Dianne T. Renwick  
Leland G. DeGrasse, Justices.

-----X  
Hui-Cong Lin and Zhong-Yue Ouyang,  
Plaintiffs-Respondents,

-against-

M-5951  
Index No. 8303/07

JMED Holdings, LLC,  
Defendant-Appellant,

Pacha Corp. and RM Holdings Company,  
Inc.,  
Defendants.

-----X

Defendant-appellant JMED Holdings, LLC having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about August 12, 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 May 2011 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 January 13, 2011.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
David Friedman  
John W. Sweeny, Jr.  
Karla Moskowitz, Justices.

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

-against-

M-5980  
Ind. No. 4512/02

Steven Darbasie,  
Defendant-Appellant.

-----X

An order of this Court having been entered on July 12, 2007 (M-3007), granting defendant leave to file a pro se supplemental brief in connection with the appeal from the judgment of the Supreme Court, New York County, rendered on or about June 12, 2003, and said appeal having been perfected,

And defendant having moved for an extension of time in which to file the pro se supplemental brief, pending receipt of minutes of a certain arraignment,

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 directing defendant to serve and file 8 copies of his pro se supplemental brief on or before March 21, 2011 for the June 2011 Term, to which Term the appeal is adjourned. The appeal will not be heard unless and until all material furnished to appellant has been returned. The motion is otherwise 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 January 13, 2011.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
David Friedman  
John W. Sweeny, Jr.  
Karla Moskowitz, Justices.

-----X

Friedlander & Associates, LLC,

Plaintiff-Respondent,

-against-

M-6009

Index No. 309102/08

Digestive Disease & Nutrition Center  
of Westchester, LLP, et al.,

Defendants-Appellants.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about June 15, 2010, and said appeal having been perfected,

And plaintiff-respondent having moved for an extension of time in which to file a respondent's brief,

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

Ordered that the motion is granted to the extent of adjourning the appeal to the May 2011 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 January 13, 2011.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
David Friedman  
John W. Sweeny, Jr.  
Karla Moskowitz, Justices.

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

-against-

M-6150  
Ind. No. 57/06

Eddy Momplaisir,  
Defendant-Appellant.

-----X

An order of this Court having been entered on March 12, 2009 (M-705), inter alia, granting defendant 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 October 4, 2007,

And said pro se supplemental brief having been filed on October 14, 2010 and a supplemental respondent's brief having been filed on December 1, 2010,

And defendant having moved for an extension of time in which to file the pro se supplemental reply brief,

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

It is ordered that the motion is granted to the extent of directing defendant to serve and file 8 copies of his pro se supplemental reply brief on or before March 11, 2011 for the April 2011 Term, to which Term the appeal is adjourned. The appeal will not be heard unless and until all material furnished to appellant has been returned.

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 January 13, 2011.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,  
David Friedman  
James M. Catterson  
Dianne T. Renwick  
Leland G. DeGrasse, Justices.

-----X  
Steven Sarao, et al.,  
Plaintiffs-Appellants,

-against-

M-5801  
Index No. 302587/07

Jeffrey S. Aronoff, M.D., et al.,  
Defendants-Respondents.  
-----X

Plaintiffs-appellants having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about July 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 granted to the extent of enlarging the time in which to perfect the appeal to the May 2011 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 January 13, 2011.

Present: Hon. Richard T. Andrias, Justice Presiding,  
David Friedman  
James M. Catterson  
Diane T. Renwick  
Leland G. DeGrasse, Justices.

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

-against-

M-5916  
Ind. No. 653/06

Richard Padilla,  
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about February 1, 2007, and said appeal having been perfected,

And an order of this Court having been entered on September 23, 2010 (M-3885) granting defendant leave to file a pro se supplemental brief for the February 2011 Term,

And defendant having moved for an order compelling the People to produce and make available to defendant certain reports and records for use in preparing his pro se supplemental brief,

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

Ordered that the motion is 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 January 13, 2011.

Present: Hon. Richard T. Andrias, Justice Presiding,  
David Friedman  
James M. Catterson  
Diane T. Renwick  
Leland G. DeGrasse, Justices.

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

Respondent,

-against-

M-5881

Ind. No. 5935/07

Steve McMillan,

Defendant-Appellant.  
-----X

An order of this Court having been entered on July 20, 2010 (M-3108), inter alia, granting defendant 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 October 14, 2008,

And defendant having moved for an extension of time in which to file the pro se supplemental brief,

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

It is ordered that the motion is granted to the extent of directing defendant to serve and file 8 copies of his pro se supplemental brief on or before February 22, 2011 for the May 2011 Term, to which Term the appeal is adjourned. The appeal will not be heard unless and until all material furnished to appellant has been returned.

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 January 13, 2011.

Present: Hon. David B. Saxe, Justice Presiding,  
David Friedman  
Sheila Abdus-Salaam  
Nelson S. Román, Justices.

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

Respondent,

-against-

M-5764  
Ind. No. 3534/09

Angel Cividanes,

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 May 11, 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 denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth the amount and sources of funds to post the \$30,000 bail in the Supreme Court, the disposition thereof, and an explanation as to why similar funds are not available to prosecute the 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 January 13, 2011.

Present: Hon. David B. Saxe, Justice Presiding,  
David Friedman  
Karla Moskowitz  
Rosalyn H. Richter, Justices.

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

-against-

M-5643  
Ind. No. 3651/08

Vernon Sharp, also known as Vernon Sharp, III,  
Defendant-Appellant.

-----X

Defendant having renewed his motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about May 11, 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, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of 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 January 13, 2011.

Present: Hon. David B. Saxe, Justice Presiding,  
Rolando T. Acosta  
Helen E. Freedman  
Rosalyn H. Richter  
Sheila Abdus-Salaam, Justices.

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

-against-

M-4817  
Ind. No. 1779/82

Victor Calderon, also known as Victor  
Caldoron,  
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 August 3, 2010, denying resentence, 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 copies of such brief, together with the original record, with this Court pursuant to Rule 600.11 of the Rules of this Court.

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 January 13, 2011.

Present: Hon. David B. Saxe, Justice Presiding,  
David Friedman  
Sheila Abdus-Salaam  
Nelson S. Román, Justices.

-----X  
Theodore Chapman,

Plaintiff-Appellant,

-against-

M-5573  
Index No. 17822/04

Schindler Elevator Corporation,  
et al.,

Defendants-Respondents.  
-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about March 2, 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 February 22, 2011 for the May 2011 Term, with no further enlargements to be granted. Upon failure to so perfect, an order dismissing the appeal may be entered ex parte provided that respondent(s) serve a copy of this order upon appellant(s) 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 January 13, 2011.

PRESENT: Hon. David B. Saxe, Justice Presiding,  
David Friedman  
Sheila Abdus-Salaam  
Nelson S. Román, Justices.

-----X  
Steven M. Alevy, doing business as  
Bankers Capital Realty Advisors,  
Plaintiff-Appellant,

-against-

M-5908  
Index No. 601934/06

Isaac Uminer, et al.,  
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from a judgment of the Supreme Court, New York County, entered on or about February 19, 2010,

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 May 2011 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 January 13, 2011.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,  
James M. Catterson  
Karla Moskowitz  
Diane T. Renwick  
Rosalyn H. Richter, Justices.

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

-against-

M-5370  
Ind. No. 8131/97

David Bobbitt,  
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 June 3, 2010, denying resentence, 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 copies of such brief, together with the original record, with this Court pursuant to Rule 600.11 of the Rules of 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.

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 January 13, 2011.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Karla Moskowitz  
Dianne T. Renwick  
Leland G. DeGrasse  
Nelson S. Román, Justices.

-----X  
Lisa J. Weksler, individually and  
as a shareholder of Bruce Supply Corp.  
and a member of 6015 16<sup>th</sup> Avenue Realty  
LLC and in the right and on behalf of  
Bruce Supply Corp. and 6015 16<sup>th</sup> Avenue  
Realty LLC,  
Plaintiff-Appellant,

-against-

M-5655  
Index No. 603288/07

Joseph Weksler, et al.,  
Defendants-Respondents,

-and-

Kane Kessler, P.C., et al.,  
Defendants.

-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about January 22, 2010 (mot. seq. no. 009),

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 2011 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 January 13, 2011.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,  
Karla Moskowitz  
Diane T. Renwick  
Leland G. DeGrasse  
Nelson S. Román, Justices.

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

Respondent,

-against-

Anthony Shimukonas,

Defendant-Appellant.  
-----X

M-5595

Ind. Nos. 1272N/09

4218/08

704/09

An order of this Court having been entered on October 12, 2010 (M-4056), 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 May 5, 2010, under Indictment No. 1272N/09, and assigning counsel therefor,

And defendant-appellant having moved for an order amending the notice of appeal and the aforementioned order to include judgments of the same court, also rendered May 5, 2010 under Indictment Nos. 4218/08 and 704/08,

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. 1272N/09, 4219/08 and 704/08, 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 January 13, 2011.

Present: Hon. Leland G. DeGrasse, Justice Presiding,  
David Friedman  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Nelson S. Román, Justices.

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

-against-

M-5836  
Ind. No. 2584/00

Oscar Miller,  
Defendant-Appellant.

-----X

Defendant having renewed his 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 August 6, 2001, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of 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 January 13, 2011.

Present: Hon. Leland G. DeGrasse, Justice Presiding,  
Helen E. Freedman  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Nelson S. Román, Justices.

-----X

Despina Violos,  
Plaintiff,

M-5890

-against-

Index No. 15602/85  
(New York County)

Edward K.C. Sieh (Shea), et al.,  
Defendants.

- - - - -

Despina N. Violos,  
Plaintiff,

-against-

Index No. 22985/92  
(Bronx County)

Richard M. Duignan, Esq., et al.,  
Defendants.

- - - - -

Petro Sarantakos,  
Plaintiff,

-against-

Index No. 114559/02  
(New York County)

Despina Violos, etc.,  
Defendant.

-----X

An order of this Court having been entered on November 4, 2010 (M-5890), denying plaintiff/defendant Despina Violos' motion for, inter alia, vacatur of the judgment of the Supreme Court, New York County, entered July 23, 2002, in the action entitled *Sarantakos v Violos* (Index No. 114559/02),

And plaintiff/defendant having moved for reconsideration of the aforesaid order of this Court, entered on November 4, 2010 (M-5890),

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

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

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

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

M- 5709  
Ind. No. 14237/89

-against-

CERTIFICATE  
DENYING LEAVE

Robert Jones,  
Defendant.

-----X

I, Dianne T. Renwick, 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 August 4, 2010, is hereby denied.



Hon. Dianne T. Renwick  
Associate Justice

Dated:  
New York, New York

ENTERED: January 13, 2011

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

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

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

M-5698  
Ind. No. 793/08

-against-

CERTIFICATE  
DENYING LEAVE

Torkieh Sadagheh, Defendant.  
-----X

I, Hon. Leland G. DeGrasse, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about August 27, 2010, is hereby denied.

Dated: New York, New York  
December 14, 2010

**ENTERED**

JAN 13 2011



\_\_\_\_\_  
Hon. Leland G. DeGrasse  
Justice of the Appellate Division

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

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

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

M 5076  
Ind. No. 1045/98

-against-

CERTIFICATE  
DENYING LEAVE

JOHANN GARCIA.,

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 August 13, 2010 is hereby denied.



\_\_\_\_\_  
Hon. Helen E. Freedman  
Associate Justice

Dated: December 16, 2010  
New York, New York

ENTERED: JAN 13 2011

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 - 5694  
Ind. No. 3369/2006

-against-

CERTIFICATE  
DENYING LEAVE

Pablo Rodriguez  
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 July 21, 2010 is hereby denied.

*SA-S*

\_\_\_\_\_  
Associate Justice

Dated: December 15, 2010  
New York, New York

ENTERED: JAN 13 2011



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 - 5640  
Ind. No. 4869/2000

-against-

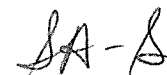
CERTIFICATE  
DENYING LEAVE

James King

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, Bronx County, entered on or about July 7, 2010 is hereby denied.



\_\_\_\_\_  
Associate Justice

Dated: December 15, 2010  
New York, New York

ENTERED: JAN 13 2011

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

BEFORE: Hon. Nelson S. Román  
Justice of the Appellate Division

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

M-5674  
Ind. No. 4732/05

-against-

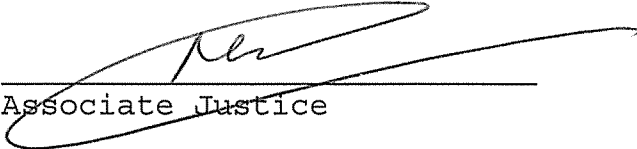
CERTIFICATE  
DENYING LEAVE

Sidney E. Purdie,

Defendant.

-----X

I, Nelson S. Román, 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, rendered on or about June 23, 2010 is hereby denied.

  
\_\_\_\_\_  
Associate Justice

Dated:  
New York, New York

ENTERED: JAN 13 2011

PM ORDERS  
ENTERED ON  
JANUARY 13, 2011

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 13, 2011.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
David Friedman  
John W. Sweeny, Jr.  
Karla Moskowitz, Justices.

-----x  
Joshua Reyes, et al.,  
Plaintiffs-Respondents,

-against-

M-6227  
Index No. 109808/06

Magnetic Construction, Inc., et al.,  
Defendants-Appellants.

- - - - -  
(And other actions)  
-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about August 5, 2010, 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:



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 January 13, 2011.

Present: Hon. Richard T. Andrias, Justice Presiding,  
David Friedman  
James M. Catterson  
Diane T. Renwick  
Leland G. DeGrasse, Justices.

-----X

In the Matter of

Shae Tylasia I. M.,

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

**M-5657**  
Docket No. B26239/04

-----  
The New York Foundling Hospital,  
Petitioner-Respondent,

Lisa Anne G., also known as  
Lisa Annamarie G.,  
Respondent-Appellant.

-----  
Paul Sweeney, Esq.,  
Attorney for the Child.

-----X

An appeal having been taken from the order of the Family Court, Bronx County, entered on or about April 9, 2008,

And Paul Sweeney, Esq., Family Court attorney for the subject child, having moved to be relieved as the attorney of record and to have appellate counsel assigned to respond on the child's behalf, as a poor person, to the appeal taken by respondent-appellant mother, for 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 denied, with leave to renew upon respondent-appellant mother's perfection of the aforesaid appeal. Paul Sweeney, Esq., current attorney for subject child, is directed to serve a copy of this order upon Douglass Reiniger, Esq., assigned counsel for respondent mother, within 10 days of the date of entry of this order.

ENTER: 

Clerk.