

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 25, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
David B. Saxe
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----X
Carla Lewis,
Plaintiff-Appellant,

-against-

M-242
Index No. 301819/12

Earth Run Service Corporation and
Edmead Anthony,
Defendants,

-and-

Sabahuddin Rajput,
Defendant-Respondent.

-----X

Defendant-respondent having moved for dismissal of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about February 6, 2013, for failure to timely prosecute,

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 February 25, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-246
Ind. No. 1263/09

Christopher Buxo,
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 4, 2013, 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) one transcript of the stenographic minutes of any
proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the
plea or trial and sentence. The Clerk shall furnish a copy of such
transcripts to appellant's counsel, without charge, the transcripts to
be returned to this Court when appellant's brief is filed.

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 25, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-248
Ind. No. 2418/13

Antoine Carter,
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 9, 2013, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 25, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-249
Ind. No. 4927/09
Case No. 73491C/09

Phillip Carr,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about July 20, 2012, 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) one transcript 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 February 25, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-250
Ind. No. 847/13

Rhuster Etheart,
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 4, 2013, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 25, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzaelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-251
Ind. No. 3173/12

Franklin Garces
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 20, 2013, 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) one transcript 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:


CLERK251

At a Term of the Appellate Division of the Supreme
Court held in and for the First Judicial Department in
the County of New York on February 25, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against- M-252
Ind. Nos. 1572/10
3986/10
Reginald J. Goldman, 1441/11
Defendant-Appellant. 1380/13
-----X

Defendant having moved for leave to prosecute, as a poor
person, the appeal from judgments of the Supreme Court, Bronx County,
rendered on or about September 25, 2013, 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) one transcript 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 February 25, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-253
Ind. No. 2161/13

John J. Gonzalez,
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 5, 2013, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 25, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-254
Ind. No. 1364N/13

Russell King,
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, 2013, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

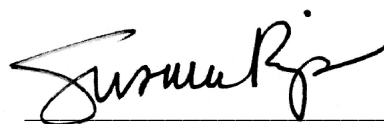
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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) one transcript 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 February 25, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-255
Ind. Nos. 1342/13
4777/10

Adrian Khapesi, also known as Darien
Douglas, also known as Derick A.
Douglas,
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 26, 2013, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 25, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-259
Ind. No. 3791/12

Keith McKinnon,
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 September 27, 2013, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 25, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-260
Ind. No. 573/13

Gregory Mays,
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 August 12, 2013, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 25, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
David B. Saxe
Helen E. Freedman
Sallie Manzanet-Daniels Justices.

-----X

Margarita Ayala,

Plaintiff-Appellant,

-against-

Associated Supermarket, et al.,

Defendants-Respondents.

-----X

M-6714
M-6580
Index No. 109846/09

Defendants-respondents having moved to dismiss the appeal taken from the order of the Supreme Court, New York County, entered on or about January 23, 2013 (M-6714),

And plaintiff-appellant having moved for an enlargement of time to perfect the aforesaid appeal (M-6580),

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

It is ordered that the motion to dismiss the appeal is granted unless the appeal is perfected for the September 2014 Term (M-6714). The time to perfect the appeal is enlarged to the September 2014 Term (M-6580).

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 25, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice.
Richard T. Andrias
David B. Saxe
Darcel D. Clark, Justices.

-----X

Philip Seldon,
Plaintiff-Appellant,

-against-

M-188
Index No. 101656/12

Cheyenne Crow and Irina Borisenko,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on December 12, 2013 (Appeal No. 11334),

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

It is ordered that the motion is denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme
Court held in and for the First Judicial Department in
the County of New York on February 25, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice.
Angela M. Mazzairelli
Richard T. Andrias
Leland DeGrasse, Justices.

-----X

Nancy Ullmann-Schneider, et al.,

Plaintiffs-Respondents,

-against-

M-5984

Index No. 653533/11

Lacher & Lovell-Taylor PC, et al.,

Defendants-Appellants.

-----X

Defendants-appellants having moved for reargument of or,
in the alternative, for leave to appeal to the Court of Appeals
from the decision and order of this Court entered on October 8,
2013 (Appeal No. 10721N),

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

It is ordered that the motion is denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 25, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzairelli
Rolando T. Acosta
Dianne T. Renwick, Justices.

-----X
Extell Belnord, LLC,
Plaintiff-Respondent,

-against-

Jean Seward Uppman, et al.,
Defendants,

M-6487
M-6519
Index No. 110098/11

Jonathan Vincent,
Defendant-Appellant..
-----X

Plaintiff-respondent having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on November 19, 2013 (Appeal No. 10604), and for other relief [M-6487],

And The Belnord Landmark Conservancy having moved for leave to intervene and for related relief [M-6519],

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 denied (M-6487/M-6519).

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 25, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
David B. Saxe
Helen E. Freedman
Darcel D. Clark, Justices.

-----X

Lorraine Wright,
Plaintiff-Respondent,

-against-

M-28

Index No. 305109/08

Emigrant Savings Bank, formerly known
as Dollar Savings Banks of New York,
Defendant,

2051 GMA Restaurant Corp., doing
business as Seven Seas Restaurant,
Defendant-Respondent,

Riverbay Corporation
Defendant-Appellant.

-----X

Defendant-appellant having moved for reargument of, or in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on December 3, 2013 (Appeal No. 10731),

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

It is ordered that the motion is denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 25, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
David B. Saxe
Leland DeGrasse
Rosalyn H. Richter
Darcel D. Clark, Justices.

-----X
Town Sports International, LLC,

Plaintiff-Appellant-Respondent,

-against- M-8
Index No. 602911/09
Ajilon Solutions, a Division of
Ajilon Professional Staffing LLC,

Defendant-Respondent-Appellant.

-----X

Defendant-respondent having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on December 3, 2013 (Appeal Nos. 11207-09),

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

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 25, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
Richard T. Andrias
Helen E. Freedman
Darcel D. Clark, Justices.

-----X

Eric Hadar, et al.,
Plaintiffs-Respondents,

-against-

M-6414
Index No. 652811/11

Clay Pierce, et al.,
Defendants-Appellants,

Michael Rosenbaum, et al.,
Defendants.

-----X

Plaintiffs-respondents having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on November 12, 2013 (Appeal No. 10994),

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

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 25, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
Helen E. Freedman
Rosalyn H. Richter
Paul G. Feinman, Justices.

-----X
Holly Schepisi, et al.,

Plaintiffs-Appellants,

-against-

M-6464
Index No. 650344/08

Todd Roberts, et al.,

Defendants-Respondents.

-----X

Plaintiffs-appellants having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on November 14, 2013 (Appeal No. 11084),

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

It is ordered that the motion is denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 25, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Karla Moskowitz
Leland DeGrasse, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-5794
Ind. No. 3884/08

Kahree Frye,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on April 19, 2012 (Appeal No. 6906), unanimously affirming a judgment of the Supreme Court, New York County (Carol Berkman, J.), rendered on April 7, 2009,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate counsel, and for related relief,

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

It is ordered that said application is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 25, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David B. Saxe
Leland DeGrasse, Justices.

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

Respondent,

-against-

M-5795
Ind. No. 4729/94

Karsem Williams,

Defendant-Appellant.
-----X

A decision and order of this Court having been entered on June 30, 1998 (Appeal No. 1804), unanimously modifying and otherwise affirming a judgment of the Supreme Court, New York County (James Leff, J.), rendered on September 7, 1995,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate counsel, and for related relief,

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

It is ordered that said application is denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 25, 2014.

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

-----X

Site Five Housing Development Fund
Corporation,

Plaintiff-Respondent,

-against-

M-6621

Index No. 112515/07

Estate of Eldon Bullock,
Defendant,

Nasser Abdo Alomari,
Defendant-Appellant.

-----X

An appeal having been taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about April 18, 2013,

And a decision and order of this Court having been entered on December 12, 2013 (Appeal No. 11347), affirming the order and judgment (one paper) of said Supreme Court,

And defendant-appellant having moved for a relief in the nature of a permanent stay of eviction 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, and the interim relief granted by a Justice of this Court, dated December 23, 2013, is vacated.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in in the County of New York on February 25, 2014.

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

-----X
In the Matter of the Application of
Cherry Elizabeth,
Petitioner-Appellant,

For the Appointment of a Guardian of the Person and Property Management of **M-401**
Index No. 2750/13

Cherry Elizabeth,
An Incapacitated Person,

3572 GL LLC,
Respondent-Respondent.

-----X
Petitioner-appellant having moved for a stay of the order and judgment (one paper) of the Supreme Court, Bronx County, entered on or about November 12, 2013, including a stay of eviction pending hearing and determination of the appeal taken therefrom,

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

It is ordered that the motion is granted on condition that petitioner acquire, if not already in receipt thereof, and tender to the respondent landlord 3572 GL LLC, the proceeds remaining from a certain grant provided petitioner by Young People for Young People within 45 days of the date hereof toward payment of outstanding arrears and upon further condition that the aforesaid appeal be perfected for the September 2014 Term.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 25, 2014.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
Diane T. Renwick
Leland G. DeGrasse
Judith J. Gische, Justices.

-----X

In the Matter of the Application of
the State of New York,

Petitioner-Respondent,

-against-

SEALED

M-36

M-174

Index No. 300114/08

Rasheem Salley,
Respondent-Appellant.

- - - - -
For Civil Management Pursuant to
Article 10 of the Mental Hygiene Law.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 11, 2012,

And an order of this Court having been entered on August 13, 2013 (M-3256), granting respondent-appellant poor person relief and assigning Andrea Risoli, Esq., as counsel for purposes of prosecuting the aforesaid appeal,

And respondent-appellant having moved for an order assigning new appellate counsel, continuing the poor person relief granted by the order of this Court entered on August 13, 2013 (M-3256), and for related relief [M-36],

And assigned counsel, Andrea Risoli, Esq., having moved for an order enlarging the time to perfect the aforesaid appeal [M-174],

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

Ordered that respondent-appellant's motion is granted to the extent of enlarging the time to perfect the appeal to the September 2014 Term and is otherwise denied [M-36]. Sua sponte, assigned counsel, Andrea Risoli, Esq., is directed to communicate with respondent-appellant regarding the progress of the aforesaid appeal, forthwith. Assigned counsel's motion is granted to the extent of enlarging the time to perfect the aforesaid appeal to said September 2014 Term [M-174].

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 25, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
Karla Moskowitz
Leland DeGrasse
Judith J. Gische, Justices.

-----X
Khalif Muhammad, an infant by his mother
and natural guardian, Deborah Muhammad,

Plaintiff-Appellant,

-against-

M-6561
Index No. 108710/09

New York City Housing Authority,

Defendant-Respondent.

-----X

Defendant-respondent having moved for reargument of the decision and order of this Court entered on November 19, 2013 (Appeal No. 11088),

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

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 25, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Leland DeGrasse
Darcel D. Clark, Justices.

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

-against-

M-185
Ind. No. 2249/11

Eugene Kindell,
Defendant-Appellant.

-----X

Defendant-appellant, pro se, having moved for leave to file a pro se supplemental brief in connection with an appeal from a judgment of the Supreme Court, New York County, rendered on or about December 19, 2011, for a copy of the trial transcripts and for an enlargement of time in which to file said pro se supplemental brief, and said appeal having been perfected,

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 July 7, 2014 for the September 2014 Term, to which Term the appeal is adjourned. The Clerk of the Court is directed to forward to the Warden at the State correctional facility wherein defendant is incarcerated a transcript of the minutes relating to defendant's appeal, said transcript to be made available to appellant and returned by appellant to this Court when submitting the pro se supplemental brief hereto. 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 in the County of New York on February 25, 2014.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Diane T. Renwick
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----X
Risa Fox,
Plaintiff-Respondent,

-against-

M-310

Index No. 652673/13

Promed Personnel Services, NY, Inc.,
Advanced Medical Staffing, Inc., and
Mendel Hirsch,
Defendants-Appellants,

Cary M. Weiss,
Defendant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about January 10, 2014,

And defendants-appellants having moved to stay their obligation to answer plaintiff's amended complaint, pending hearing and determination of the appeal,

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

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 25, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
Paul G. Feinman
Judith J. Gische
Darcel D. Clark, Justices.

-----X
In the Matter of the Application of
Robert Grant,
Petitioner-Appellant,

For a Judgment Pursuant to Article 75 M-6636
of the Civil Practice Law and Rules, Index No. 116402/10

-against-

New York City Board/Department of
Education,
Respondent-Respondent.

-----X

An appeal having been taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about July 1, 2011,

And an order of this Court having been entered on September 3, 2013, granting respondent-respondent's motion to dismiss the aforesaid appeal (M-3620),

And petitioner-appellant having moved for leave to appeal to the Court of Appeals the aforesaid order of this Court entered on September 3, 2013 (M-3620),

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

Ordered that the motion is denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 25, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,
Richard T. Andrias
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

-----X
Ninotchka J. Manus,

Plaintiff-Appellant,

-against-

M-6718
Index No. 110026/07

Leonard N. Flamm,

Defendant-Respondent.

-----X

Plaintiff-appellant having moved for reargument of the decision and order of this Court entered on November 19, 2013 (Appeal No. 11114),

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

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 25, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
Dianne T. Renwick
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----X
Benjamin J. Ashmore, Sr., etc.,

Plaintiff-Appellant,

-against-

M-352
Index No. 108248/11

Dr. William Cohen Lewis,

Defendant-Respondent.

-----X

Plaintiffs-appellant having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on December 17, 2013 (Appeal No. 11362),

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

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 25, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Leland G. DeGrasse
Rosalyn H. Richter
Paul G. Feinman, Justices.

-----X
Suzanne Caruso,

Petitioner-Respondent,

-against-

M-301
Index No. 652686/12

Viridian Network, LLC, et al.,

Respondents-Appellants.

-----X

Respondents-appellants having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on December 19, 2013 (Appeal No. 10524N),

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

It is ordered that the motion is denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 25, 2014.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Leland DeGrasse
Judith J. Gische, Justices.

-----X
Boies, Schiller & Flexner LLP,

Plaintiff-Appellant,

-against-

Leslie Modell,

Defendant-Respondent.

M-205
Index No. 651454/13

-----X

Defendant-respondent having moved for dismissal of the appeal from the order of the Supreme Court, New York County, entered on or about November 1, 2013, as untimely taken (CLPR 5513[a]),

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 February 25, 2014.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Rolando T. Acosta
Karla Moskowitz
Leland G. DeGrasse
Judith J. Gische, Justices.

-----X

The People of the State of New York
ex rel. Wayne James,
Petitioner-Appellant/Respondent,

-against-

M-337

Index No. 341089/11

Warden, Rikers Island,
Respondent-Respondent/Appellant.

-----X

An appeal having been taken by petitioner-appellant/respondent from a judgment of the Supreme Court, Bronx County, entered on or about June 8, 2012, which dismissed a habeas corpus proceeding,

And the respondent-respondent/appellant Warden having taken an appeal from the order of the same Court and Justice entered on or about August 24, 2012,

And petitioner-appellant/respondent Wayne James having moved to preclude the State from making further applications on this matter,

Now, upon reading and filing the papers with respect to the motion, including the correspondence from the respondent Warden submitted January 31, 2013, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of deeming the appeal taken by respondent warden from the order entered on August 24, 2012 withdrawn in accordance with the aforesaid correspondence dated January 31, 2013 and 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 February 25, 2014.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Karla Moskowitz
Leland DeGrasse
Judith J. Gische, Justices.

-----X
In re Kelly Brennan,
Petitioner-Appellant,

-against-

M-359
Index No. 113427/11

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

Petitioner-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on November 7, 2013 (Appeal No. 10949),

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

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 25, 2014.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Karla Moskowitz
Leland DeGrasse
Judith J. Gische, Justices.

-----X
Alexandre Van Damme,
Plaintiff,

-against-

Nahum Gelber,
Defendant-Appellant,

M-6364

Arij Gasiunasen Fine Art
of Palm Beach, Inc., etc.,
Defendant-Respondent.

Index Nos. 601995/07
590203/08

Nahum Gelber,
Third-Party Plaintiff-Appellant,

-against-

Arij Gasiunasen,
Third-Party Defendant-Respondent.

-----X

Defendant-appellant/third-party plaintiff-appellant having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on November 7, 2013 (Appeal No. 10951),

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

It is ordered that the motion is denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 25, 2014.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Karla Moskowitz
Dianne T. Renwick
Rosalyn H. Richter
Judith J. Gische, Justices.

-----X
Stephen Serra and Susan Serra,
Plaintiffs-Respondents,

-against-

M-387
Index No. 109032/10

The Goldman Sachs Group, Inc.,
Goldman Sachs Headquarters LLC and
Tishman Construction Company,
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, New York County, entered on or about June 4, 2013, and said appeal having been perfected,

Now, upon reading and filing the papers with respect to the motion, including the stipulation between the parties dated January 24, 2014, and due deliberation having been had thereon,

It is ordered that the motion is granted on consent.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 25, 2014.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Karla Moskowitz
Rosalyn H. Richter
Judith J. Gische, Justices.

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

-against-

M-137
Ind. No. 1751/10

Randolph Maxwell,
Defendant-Appellant.

-----X

Defendant-appellant, pro se, having moved for leave to file a pro se supplemental brief in connection with an appeal from a judgment of the Supreme Court, New York County, rendered on or about December 19, 2011, for a copy of the trial transcripts and for an enlargement of time in which to file said pro se supplemental brief, and said appeal having been perfected,

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 July 7, 2014 for the September 2014 Term, to which Term the appeal is adjourned. The Clerk of the Court is directed to forward to the Warden at the State correctional facility wherein defendant is incarcerated a transcript of the minutes relating to defendant's appeal, said transcript to be made available to appellant and returned by appellant to this Court when submitting the pro se supplemental brief hereto. 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 February 25, 2014.

Present - Hon. Rolando T. Acosta, Justice Presiding,
Richard T. Andrias
David B. Saxe
Helen E. Freedman
Paul G. Feinman, Justices.

-----X

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

- - - - -

Nekadam Y.,
Petitioner-Appellant,

M-6654

M-34

Docket Nos. V-17501-3/13

-against-

Jennifer B. and David B.,
Respondents-Respondents.

- - - - -

Anne Reiniger, Esq.,
Attorney for the Child.

-----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 September 30, 2013, and for assignment of counsel, a free copy of the transcript, and for related relief (M-6654),

And respondents-respondents having cross-moved for dismissal of the aforesaid appeal with respect to Docket Nos. V-17502-3/13 (M-34),

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

Ordered that the motion is granted to the extent of
(1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Steven N. Feinman, Esq., One North Broadway, Suite 412, White Plains, NY 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, in compliance with Rule 600.11 of the Rules of this Court, **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.** The cross motion to dismiss the appeal (M-34) is denied without prejudice to raising the argument on appeal. (See M-21 and M-35, decided simultaneously herewith.)

ENTER:



CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 25, 2014.

Present: Hon. Rolando T. Acosta, Justice Presiding,
Richard T. Andrias
David B. Saxe
Helen E. Freedman
Paul G. Feinman, Justices.

-----X

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

Nekadam Y.,
Petitioner-Appellant,

M-21
Docket Nos. V-17501-3/13

-against-

Jennifer B. and David B.,
Respondents-Respondents.

Anne Reiniger, Esq.,
Attorney for the Child.

-----X

Colleen Samuels, Esq., court attorney for the subject child, having moved on the child's behalf for leave to respond, as a poor person, to the appeal from the order of the Family Court, New York County, entered on or about September 30, 2013, 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, Ann Reiniger, Esq., 801 Second Avenue, 10th Floor, New York, NY 10017, Telephone No. 212-972-5430, as counsel for purposes of responding to the appeal on behalf of the subject child; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this Court. (See M-6654/M-34 and M-35, decided simultaneously herewith.)

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 25, 2014.

Present: Hon. Rolando T. Acosta, Justice Presiding,
Richard T. Andrias
David B. Saxe
Helen E. Freedman
Paul G. Feinman, Justices.

-----X

In re Eliyahu, an infant.

Nekadam Y.,
Plaintiff-Appellant,

Surrogate's Court

M-35

File No. 2010-0178

-against-

David B. and Jennifer B.,
Respondents-Respondents.

Anne Reiniger, Esq.,
Attorney for the Child.

-----X

Respondents-respondents having moved, on the child's behalf for leave to respond, as poor persons, to the appeal from the order of the Surrogate's Court, New York County, entered on or about December 31, 2012, 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 § 262(a)(vii) of the Family Court Act, Anne Reiniger, Esq., 801 Second Avenue, 10th Floor, New York, NY 10017, Telephone No. 212-972-5430, as counsel for purposes of responding to the appeal on behalf of the subject child; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this Court. (See M-6654/M-34 and M-21, decided simultaneously herewith.)

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 25, 2014.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Helen E. Freedman
Paul G. Feinman, Justices.

-----X

Moshe Friedman,
Petitioner-Appellant,

M-24
-against- Index No. 101012/12

New York State Department of
Human Rights, et al.,
Respondents-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about July 13, 2012,

And respondents-respondents having moved to dismiss the aforesaid appeal,

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

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

ENTER:


CLERK