

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 7, 2015.

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

-----X
Janbar, Inc.,
Plaintiff-Respondent,

-against-

M-1052X
Index No. 652289/13

Argyle Development, LLC,
Defendant-Appellant.
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 21, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" March 12, 2015, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 April 7, 2015.

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

-----X
Jane Zuckerman, et al.,
Plaintiffs-Respondents.

-against-

M-1057X
Index No. 154685/13

JMJ Hospitality, LLC, et al.,
Defendants-Appellants.
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 29, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" March 11, 2015, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 April 7, 2015.

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

-----X
Frima Studio, Inc.,
Plaintiff-Appellant,

-against-

M-1077X
Index No. 650701/14

10Vox Entertainment, LLC, et al.,
Defendants-Respondents.
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about January 8, 2015,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" March 13, 2015, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 April 7, 2015.

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-573
Case No. 39955C/05

David Davis,

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 June 16, 2008, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 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 April 7, 2015.

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

-----X
In the Matter of a Proceeding Under
Article 10 of the Family Court Act.

Michelle R.,
 Plaintiff-Appellant,

 -against-

Alexander R.,
 Respondent-Respondent.

M-897
Index No. 309377/12
(Docket No. NN-49309/12)

-----X
Plaintiff-appellant having moved for leave to prosecute, as a poor person, the appeal from an Order of Custody and Disposition of the Supreme Court, New York County, entered on or about December 15, 2014, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Carol L. Kahn, Esq., 225 Broadway, Suite 1510, New York, NY 10007, Telephone No. 212-227-0206, 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

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

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.**

ENTER:

A handwritten signature in black ink, appearing to read "Susan R. Jones", written over a horizontal line.

CLERK


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 April 7, 2015.

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-111
Ind. No. 662/12

Michael Colon,
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 (Troy Webber, J.) entered on or about July 22, 2014, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, 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) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Webber as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Robert S. Dean, Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

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 April 7, 2015.

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-218
Ind. No. 4458/93

Michael Downey,
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 (Daniel Fitzgerald, J.), entered on or about July 3, 2014, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, 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) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Fitzgerald as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Seymour W. James, Jr., Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed.

The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

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 April 7, 2015.

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-321
Ind. No. 6310/88

Francis Afrane,
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 (Lorenzo, J.), entered on or about December 17, 2014, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, 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) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Lorenzo as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Robert S. Dean, Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed.

The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

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 April 7, 2015.

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-386
Ind. No. 1754/14

Jeffrey Taylor,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Charles Solomon, J.), entered on or about December 4, 2014, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, 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) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Solomon as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Seymour W. James, Jr., Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed.

The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

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 April 7, 2015.

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-6244
Ind. No. 1269/12

Danny Fuentes,
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 (Boyle, J.), entered on or about December 16, 2014, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, 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) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Boyle as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Robert S. Dean, Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed.

The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

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 April 7, 2015.

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

-----x

Colleen Duff,
 Plaintiff,

-against-

646 Tenth Avenue, LLC,
 Defendants,

M-4454
Index No. 103044/09

-and-

J.L. Heating and Contracting, LLC,
 Defendant/Respondent.

- - - - -

J.L. Heating & Contracting, LLC,
 Third-Party Plaintiff-Respondent,

-against-

Index No. 590197/11

M.J.D. Building Maintenance LLC,
 Third-Party Defendant-Appellant.

-----x

An order of this Court having been entered on September 4, 2014 (M-3986), granting a stay of trial in the third-party action only pending determination of the appeal from the order of the Supreme Court, New York County, entered on or about July 30, 2013 (mot. seq. nos. 009-012), and otherwise denying said motion,

And a decision and order of this Court having been entered on November 6, 2014 (Appeal No. 13416), inter alia, unanimously reversing the order of Supreme Court, New York County (Joan A. Madden, J.), entered July 30, 2013,

And defendant/third-party defendant-respondent J.L Heating & Contracting, LLC having moved for, inter alia, modification of the order of this Court entered September 4, 2014 (M-3986), which granted a stay of trial pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is denied as moot.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 7, 2015.

Present - Hon. Luis A. Gonzalez,	Presiding Justice,
Dianne T. Renwick	
Leland G. DeGrasse	
Sallie Manzanet-Daniels	
Judith J. Gische,	Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-5929
Ind. Nos. 1404/13
4873/12

Tyson Hines,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from judgments of the Supreme Court, New York County, rendered on or about December 19, 2013 and January 30, 2014, respectively, 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) 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 A. Feldman, Esq., 626 Reckson Plaza, West Tower - 6th Floor, Uniondale, NY 11556, Telephone No. 516-522-2828, 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 April 7, 2015.

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

-----X

The People of the State of New York,

Respondent,

-against-

M-5856

Ind. No. 2408/11

Jose A. Jerez,

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 September 23, 2014, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is 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, Mark Jankowitz, Esq., the amount and sources of funds for trial counsel's fee and an explanation as to why similar funds are not available to prosecute this appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 7, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
John W. Sweeny, Jr.
Karla Moskowitz
Rosalyn H. Richter
Darcel D. Clark, Justices.

-----X
Yilli Josifi,
Plaintiff-Appellant,

-against-

M-720
Index No. 105903/06

Ping Lam Ng and Sui Kwai Ng,
Defendants-Respondents.

-----X

An order of this Court entered on October 30, 2014 (M-3859/M-3974) having denied plaintiff's motion for an enlargement of time to perfect the appeal taken from a judgment of the Supreme Court, New York County, entered on or about August 24, 2012 (M-3859), and granting defendant's motion to dismiss the appeal (M-3974),

And plaintiff-appellant pro se having moved to reinstate 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 April 7, 2015.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Rolando T. Acosta
David B. Saxe
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

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

-against-

M-135
Ind. No. 3857/13

Modesto Cuesta,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to
file a notice of appeal from the judgment of the Supreme Court,
New York County, rendered on or about August 26, 2014, for leave to
prosecute the appeal as a poor person upon the original record and
upon a reproduced appellant's brief, and for assignment of counsel,

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

It is ordered that the motion is granted to the extent of deeming
the notice of appeal 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) 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.

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

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 April 7, 2015.

Present - Hon. Luis A. Gonzalez,	Presiding Justice,
Rolando T. Acosta	
David B. Saxe	
Sallie Manzanet-Daniels	
Darcel D. Clark,	Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-150

Ind. Nos. 3770/13
3858/14

George Citronnelle,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about September 23, 2014, 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) 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.

Seymour W. James, Jr., 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 April 7, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Rolando T. Acosta
Karla Moskowitz
Rosalyn H. Richter
Paul G. Feinman, Justices.

-----X
CRP/Extell Parcel I, L.P.,
Petitioner-Respondent,

-against-

M-925

Index No. 113914/10

Andrew M. Cuomo, in his capacity as
The Attorney General of the State of
New York, et al.,
Defendants,

Glennis and Phil Politziner and
Michael Salerno,
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about May 19, 2014 (mot. seq. no. 008),

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the October 2015 Term, with leave to seek further enlargements if necessary.

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 April 7, 2015.

Present - Hon. Luis A. Gonzalez,	Presiding Justice,
Rolando T. Acosta	
David B. Saxe	
Sallie Manzanet-Daniels	
Darcel D. Clark,	Justices.

-----X

The People of the State of New York,
Respondent,

-against-

Anthony Miller,
Defendant-Appellant.

M-133
Ind. Nos. 47/12
18/12

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about August 27, 2014, for leave to prosecute the appeal as a poor person, on the original record and upon a reproduced appellant's brief, and for related relief,

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

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

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

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 April 7, 2015.

Present - Hon. Luis A. Gonzalez,	Presiding Justice,
Rolando T. Acosta	
Karla Moskowitz	
Rosalyn H. Richter	
Paul G. Feinman,	Justices.

-----x
Abraham & Judy, Inc., doing business as
Divrie Yoisher,

Plaintiff-Appellant,

-against-

John Hancock Life Insurance Co. of
New York,

M-768
Index No. 114287/10

Defendants-Respondent.
-----x

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about May 7, 2014 (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 to the extent of enlarging the time to perfect the appeal to the September 2015 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 April 7, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Rolando T. Acosta
Karla Moskowitz
Rosalyn H. Richter
Paul G. Feinman, Justices.

-----X
In the Matter of the Application of
Steven Washington,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78 M-813
of the Civil Practice Law and Rules Index No. 402168/13

-against-

New York City Housing Authority,
Respondent-Respondent.
-----X

Respondent-respondent having moved for dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about May 6, 2014, for failure to timely perfect,

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 April 7, 2015.

PRESENT - Hon. Peter Tom,
David Friedman
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick,

Justice Presiding,

Justices.

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

-against-

Duany Disla,
Defendant-Appellant.

M-5700
M-6194
Ind. No. 868/13

-----X

Defendant having moved by separate motions for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about May 14, 2014, for leave to prosecute the appeal as a poor person upon the original record and upon a reproduced appellant's brief, and for assignment of counsel,

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

It is ordered that the motion is granted to the extent of deeming the moving papers a timely filed notice of appeal, and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 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.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, 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 April 7, 2015.

Present - Hon. Peter Tom,	Justice Presiding,
David Friedman	
Richard T. Andrias	
Leland G. DeGrasse	
Judith J. Gische,	Justices.

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

Respondent,

-against-

M-233
Ind. No. 2200/14

Arthur Jones, also known as Malik
Mustafa,

Defendant-Appellant.

-----X

The Neighborhood Defender Services of Harlem having moved on behalf of defendant, for leave to prosecute the appeal from a judgment of the Supreme Court, New York County, rendered on or about December 17, 2014 as a poor person, 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:


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 April 7, 2015.

Present - Hon. Peter Tom,	Justice Presiding,
David Friedman	
Richard T. Andrias	
Leland G. DeGrasse	
Judith J. Gische,	Justices.

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

Respondent,

-against-

M-236
Ind. No. 4848/13

Arnold McKelvey,

Defendant-Appellant.

-----X

The Neighborhood Defender Services of Harlem having moved on behalf of defendant, for leave to prosecute the appeal from a judgment of the Supreme Court, New York County, rendered on or about December 18, 2014 as a poor person, 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:


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 April 7, 2015.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
Richard T. Andrias
Paul G. Feinman
Barbara R. Kapnick, Justices.

-----X

Atul Bhatara,
Plaintiff-Respondent,

-against-

M-6113
Index No. 154849/13

Hans Futterman,
Defendant-Appellant.

-----X

Defendant-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 November 20, 2014 (Appeal Nos. 13543-13543A-13544), and for related relief, in the nature of a stay of enforcement of the order appealed 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; the interim stay granted by an order of a Justice of this Court on December 10, 2014 is vacated.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 7, 2015.

Present: Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Diane T. Renwick
Richard T. Andrias, Justices.

-----X

John Breceovich,
Plaintiff-Respondent,

-against-

M-1011

Index No. 107613/08

Horizons Investors Corporation and
Warminster Investments Corporation,
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 15, 2013, and said appeal having been perfected,

And defendants-appellants having moved to withdraw 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 and the appeal is withdrawn.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 7, 2015.

Present - Hon. Peter Tom, Justice Presiding,
David B. Saxe
Paul G. Feinman
Darcel D. Clark
Barbara R. Kapnick, Justices.

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

Respondent,

-against-

M-5925

Ind. Nos. 3616/12
2462N/13

Candido Baez, also known as Edwin Rivera,

Defendant-Appellant.

-----X

Defendant having renewed the motion for leave to prosecute, as a poor person, the appeal from judgments of the Supreme Court, New York County, rendered on or about February 20, 2014, 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:


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 April 7, 2015.

Present: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
David B. Saxe
Sallie Manzanet-Daniels
Barbara R. Kapnick, Justices.

-----X
Barbara Molnar,
Plaintiff,

Index No. 111470/11

-against-

Pasquale Fabio Granato,
Defendant.

-----X
Pasquale Fabio Granato,
Plaintiff-Appellant,

M-895

-against-

Index No. 158347/12

Barbara Molnar,
Defendant-Respondent.

-----X

An appeal having been taken to this Court by defendant/plaintiff-appellant, Pasquale Fabio Granato, from an order of the Supreme Court, New York County, entered on or about January 10, 2014 [Index No. 158347/12],

And plaintiff-appellant having moved for an enlargement of time to perfect the aforesaid appeal [Index No. 158347/12],

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

Ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the September 2015 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 April 7, 2015.

Present: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
David B. Saxe
Sallie Manzanet-Daniels
Barbara R. Kapnick, Justices,

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

-against- M-764
Ind. No. 4204/11

Angellove Vasquez,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about May 23, 2012,

And defendant-appellant having moved for an enlargement of time to perfect the aforesaid appeal,

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

Ordered that the motion is granted to the extent of enlarging the time to perfect the aforesaid appeal to the September 2015 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 April 7, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Leland G. DeGrasse
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----x

Orly Genger,
Plaintiff-Respondent,

-against-

M-614
Index No. 100697/08

Sagi Genger,
Defendant-Appellant.

-----x

A purported appeal having been taken from the declination of an Order to Show Cause by a Justice of the Supreme Court, New York County, on December 5, 2014, and said appeal having been perfected,

And plaintiff-respondent having moved to dismiss the aforesaid appeal and for certain sanctions and costs,

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 dismissing the aforesaid appeal 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 April 7, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
Yoni Mizrahi,
Plaintiff-Appellant,

-against-

M-469
Index No. 306387/11

Leon Baer Borstein,
Defendant-Respondent.

-----X

Defendant-respondent having moved for dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about December 3, 2013, for failure to timely perfect,

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 April 7, 2015.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Leland G. DeGrasse
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of a Proceeding for
Support Under Article 4 of the
Family Court Act.

Ragat B.,
Petitioner-Respondent,

-against-

M-6360
Docket No. F-4274/07

Petros B.,
Respondent-Appellant.

-----X

Respondent-appellant pro se having moved for leave to
prosecute, as a poor person, the appeal from the order of the
Family Court, New York County, entered on or about September 29,
2014, for assignment of counsel, a free copy of the transcript,
and related relief,

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

Ordered that the motion is denied, with leave to renew upon
submission of a detailed notarized affidavit, pursuant to CPLR
1101(a), indicating any retirement accounts, and a copy of
appellant's 2012 and 2013 Federal income tax returns.

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 April 7, 2015.

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

-----X

The People of the State of New York,
Respondent,

M-5926

Ind. Nos. 778/12
1404/13

-against-

Tremaine Cosby,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about November 19, 2013, and for leave to prosecute the appeal as a poor person on the original record and upon a reproduced appellant's brief, and for assignment of counsel,

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

It is ordered that the motion is 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 ten reproduced copies of such brief, together with the original record, with this Court.

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

April 7, 2015

Steven A. Feldman, Esq., 626 Reckson Plaza, West Tower - 6th Fl., Uniondale, New York 11556, Telephone No. (516) 522-2828, 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

(Corrected Order April 7, 2015)

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 7, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
David B. Saxe
Karla Moskowitz, Justices.

-----X
Raidy J. Gomez, an infant by his
Mother and Natural Guardian,
Maria Rodriguez, and Maria Rodriguez,
Individually,
Plaintiffs-Respondents,

-against-

M-6007
Index No. 115866/06

The City of New York, The New York
City Department of Education, and
Jane ("Ana") Doe, etc.,
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about February 5, 2014,

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 to perfect the appeal to the **September** 2015 Term.

ENTER:


CLERK

(Corrected Order April 7, 2015)

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 7, 2015.

PRESENT - Hon: Angela M. Mazzarelli,	Justice Presiding,
John W. Sweeny, Jr.	
Richard T. Andrias	
Karla Moskowitz	
Rosalyn H. Richter,	Justices.

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

-against-

M-5908
Ind. No. 4629/09

Joel Herrera,
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about June 26, 2012,

And an order of this Court entered on January 17, 2013 (M-5065) granting defendant leave to prosecute the appeal as a poor person, leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and other relief,

And retained counsel Paul S. Brenner, Esq. having moved for an order to be relieved as appellate counsel, for assignment of new appellate counsel, and to continue the previously granted poor person 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 continuing the previously granted poor person relief, assigning Seymour W. James, Jr., Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. (212) 577-3688 for purposes of the appeal. Sua sponte, the time to perfect the appeal is enlarged to the **September** 2015 Term. That part of the motion seeking to be relieved as appellate counsel is denied as unnecessary.

ENTER:

A handwritten signature in cursive script, appearing to read "Seymour James Jr.", written in dark ink.

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 April 7, 2015.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
David B. Saxe
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-6193
Ind. Nos. 3993/12
4073/12

Erik Wallace also known as Erick Wallace,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person,
the appeal from the judgments of the Supreme Court, New York County,
rendered on or about March 26, 2014, for leave to have the appeal
heard on the original record and upon a reproduced appellant's brief,
and for related relief,

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

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

The court reporter shall promptly make and file with the criminal
court (CPL §460.70) 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 April 7, 2015.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Diane T. Renwick
Leland G. DeGrasse
Rosalyn H. Richter
Darcel D. Clark, Justices.

-----X

The Columbia Condominium, etc.,
Plaintiff-Respondent,

-against-

M-865

M-1006

Farin Ullah, etc.,
Defendant-Appellant,

Index No. 153517/13

Nazlie Ullah, et al.,
Defendants.

-----X

An order of this Court having been entered on February 5, 2015 (M-6256), denying defendant leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, New York County, entered on or about October 8, 2014, with leave to renew under certain conditions,

And defendant-appellant having renewed his motion for leave to prosecute the aforesaid appeal as a poor person and for related relief (M-865),

And plaintiff-respondent having cross-moved for an order, inter alia, barring defendant from filing and further motions without leave of this Court (M-1006),

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 are 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 April 7, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Leland G. DeGrasse
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----x

Orly Genger,
Plaintiff-Respondent,

-against-

M-614
Index No. 100697/08

Sagi Genger,
Defendant-Appellant.

-----x

A purported appeal having been taken from the declination of an Order to Show Cause by a Justice of the Supreme Court, New York County, on December 5, 2014, and said appeal having been perfected,

And plaintiff-respondent having moved to dismiss the aforesaid appeal and for certain sanctions and costs,

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 dismissing the aforesaid appeal 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 April 7, 2015.

Present - Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
Karla Moskowitz
Rosalyn H. Richter
Barbara R. Kapnick, Justices.

-----x
Unitrin Advantage Insurance Company/
Kemper A. Unitrin Business,
Plaintiffs-Appellants-Respondents,

-against-

M-943
Index No. 652998/13

Professional Health Radiology, as
assignee of Anggi Comacho,
Defendants-Respondents-Appellants.
-----x

An appeal and cross appeal having been taken to this Court from the judgment of the Supreme Court, New York County, entered on or about March 14, 2014,

And plaintiffs-appellants-respondents having moved for a "stay" of the appeal pending hearing and determination of the direct appeal or, in the alternative, for an enlargement of time to perfect the appeal,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the direct appeal to the October 2015 Term. Sua sponte, the time to perfect the cross appeal is enlarged to the October 2015 Term. (See M-944, 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 April 7, 2015.

Present - Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
Karla Moskowitz
Rosalyn H. Richter
Barbara R. Kapnick, Justices.

-----x
Unitrin Advantage Insurance Company/
Kemper A. Unitrin Business,
Plaintiffs-Appellants,

-against-

M-944
Index No. 652997/13

Professional Health Radiology, as
assignee of Nestor Camacho,
Defendants-Respondents.
-----x

An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, entered on or about January 29, 2014,

And plaintiffs-appellants having moved for a "stay" of the appeal pending hearing and determination of the appeal or, in the alternative, for an enlargement of time to perfect the appeal,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the October 2015 Term. (See M-943, 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 April 7, 2015.

Present - Hon. David Friedman,	Justice Presiding,
Dianne T. Renwick	
Karla Moskowitz	
Rosalyn H. Richter	
Darcel D. Clark,	Justices.

-----x
Robert Solomon,

Plaintiff-Appellant,

-against-

M-989
Index No. 110152/11

Pepsi-Cola Bottling Company of New York, Inc.,

Defendant-Respondent.

-----x

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about April 25, 2014 (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 to the extent of enlarging the time to perfect the appeal to the September 2015 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 April 7, 2015.

Present - Hon. David Friedman, Justice Presiding,
Sallie Manzanet-Daniels
Paul G. Feinman
Barbara R. Kapnick, Justices.

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

Respondent,

-against-

Juan V.,

Defendant-Appellant.

SEALED
M-4722
Ind. No. 2596/12

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, Bronx County, rendered on or about June 19, 2014,

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 timely filed.

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 April 7, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
Darcel D. Clark, Justices.

-----X

In re Branic International,
Realty Corp.,
Petitioner-Respondent,

-against-

M-429
Index No. 570284/10

Phillip Pitt, etc.,
Respondent-Appellant,

"John Doe," et al.,
Respondents.

-----X

Petitioner-respondent having moved for reargument of, or leave to appeal to the Court of Appeals from the decision and order of this Court entered on January 6, 2015 (Appeal No. 9453),

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, insofar as it seeks reargument, is denied.

It is further ordered that the motion, to the extent they seek leave to appeal to the Court of Appeals, is granted and this Court, pursuant to CPLR 5713, certifies that the following question of law decisive of the correctness of its determination, has arisen, which in its opinion ought to be reviewed by the Court of Appeals:

"Was the order of this Court, entered upon remittitur from the Court of Appeals, properly made?"

This Court further certifies that its determination was made as a matter of law and not in the exercise of discretion.

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 April 7, 2015.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Karla Moskowitz
Paul G. Feinman
Barbara R. Kapnick, Justices.

-----X

Roy L. N., Jr., etc., et al.,
Plaintiffs-Respondents,

-against-

M-725
Index No. 350325/08

New York City Housing Authority,
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on February 10, 2015 (Appeal No. 14191-14192),

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 April 7, 2015.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Karla Moskowitz
Paul G. Feinman
Barbara R. Kapnick, Justices.

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

Respondent,

-against-

M-72
Ind. No. 6208/06

Jerome Arps,

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 21, 2007, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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.

Seymour W. James, Jr., 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 April 7, 2015.

PRESENT: Hon. Leland G. DeGrasse, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

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

-against-

M-6211
Ind. No. 4299/11

Allen Proctor,
Defendant-Appellant.

-----X

An order of this Court having been entered on October 7, 2014 (M-3365), assigning Robert S. Dean, Esq., as counsel to prosecute defendant's appeal from the judgment of the Supreme Court, New York County, rendered on or about April 27, 2012; and a motion having been made to relieve such counsel, and for other relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Robert S. Dean, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Seymour W. James, Jr., Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, as such counsel. The poor person relief previously granted is continued. Sua sponte, the time to perfect the appeal is enlarged to the September 2015 Term, without prejudice to defendant's right to move for leave to file a pro se supplemental brief after his appellate counsel perfects the appeal.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 7, 2015.

Present - Hon. Leland G. DeGrasse, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

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

-against-

M-6261
Ind. No. 1427/05

Nelson Genao,
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 (Bonnie Wittner, J.), entered on or about May 5, 2014, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, 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) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Wittner as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Seymour W. James, Jr., Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed.

The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

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 April 7, 2015.

Present - Hon. Leland G. DeGrasse, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

-----x
New York Master Cabbie Corporation,
Petitioner-Appellant/
Appellant-Respondent,

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

M-6301
Index No. 100507/13

-against-

The New York City Taxi and Limousine
Commission ("TLC"), et al.,
Respondents-Respondents/
Respondent-Appellant.

-----x

Appeals having been taken to this Court by petitioner from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about October 9, 2013, and from the judgment of said Court entered on or about October 8, 2014, respectively, and a cross appeal having been taken from the aforesaid judgment entered on or about October 8, 2014,

And petitioner-appellant having moved for consolidation of the aforesaid appeals, and for an extension of time to perfect same,

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

It is ordered that the motion is granted to the extent of permitting petitioner-appellant to prosecute the consolidated appeals upon 9 copies of one record and one set of appellant's points covering the consolidated appeals. The attention of the parties is directed to 22 NYCRR § 600.11. The time to perfect the consolidated appeals is enlarged to the October 2015 Term.

ENTER:


CLERK