

At a 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 30, 2015.

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

-----X  
Redwood Valuation Services LLC,  
Plaintiff-Appellant,

-against-

M-1547X  
Index No. 151158/14

Premium Holding, LLC,  
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about October 2, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 7, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 30, 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 the Arbitration  
Between

Cordell Lochin,  
Petitioner-Respondent,

M-1549X  
Index No. 650523/13

-against-

Corner Deli Management, LLC,  
Respondent-Appellant.  
-----X

An appeal having been taken from the order and judgment of the Supreme Court, New York County, entered on or about November 8, 2013 and from two orders of the same Court entered on or about October 18, 2013,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 6, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 30, 2015.

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

-----X  
Home Equity Mortgage Trust  
Series 2006-5,  
Plaintiff-Respondent,

-against-

M-1600X  
Index No. 653787/12

DLJ Mortgage Capital, Inc. and  
Select Portfolio,  
Defendants-Appellants.  
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about January 23, 2015,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 9, 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 30, 2015.

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

-----X  
Penncolab LLC,  
Plaintiff-Appellant,

-against-

M-1601X  
Index No. 653806/13

118 East 59th Street Realty 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 July 31, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 7, 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 30, 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-1499  
Ind. No. 4538/10

Andrée Thomas,  
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about April 15, 2011,

Now, upon reading and filing the stipulation of the parties hereto, dated April 7, 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 30, 2015.

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

-----X

Robert Latko, et al.,  
Plaintiffs-Respondents,

-against-

M-1495  
Index No. 650967/14

Mphasis Corporation, Mphasis  
Infrastructure Services, Inc.,  
Defendants-Appellants,

Rajkumar Velagapudi, et al.,  
Defendant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about October 28, 2014,

Now, upon reading and filing the stipulation of the parties hereto, dated April 2, 2015, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the March 2015 Term, is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 30, 2015.

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

-----X

Jeanette Muriel,  
Plaintiff-Respondent,

-against-

M-1363  
Index No. 21966/13

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

-----X

An appeal having been taken from a decision and order (one paper) of the Supreme Court, Bronx County, entered on or about March 10, 2014,

And defendants-appellants having moved for an enlargement of time to perfect the aforesaid appeal,

Now, upon reading and filing the stipulation of the parties hereto, dated April 6, 2015, and due deliberation having been had thereon,

It is ordered that the motion is deemed 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 30, 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-671  
Ind. No. 5208/13

Azikiwie Skerritt, also known as  
Kwesi Skerritt,  
                 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 March 20, 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 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.



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

  
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 30, 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

Melanie C.,

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

**M-1518**

Docket No. NN-42298/13

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

Melissa L.,  
Respondent-Appellant.

- - - - -  
Seymour W. James, Jr., Esq.,  
The Legal Aid Society,  
Attorney for the Child.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about February 27, 2015, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Randall Carmel, Esq., 53 Jackson Avenue, Syosset, New York 11791, Telephone No. (516) 921-8800, as counsel for purposes of prosecuting the 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 therefor;<sup>1</sup> **within 30 days (FCS 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 the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



CLERK

---

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

  
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 30, 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-984  
Ind. Nos. 1002/86  
5899/86

Todd Tilley,  
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 10, 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 30, 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-672  
Ind. Nos. 2781/11  
5646/12

Hassan Rkein,  
                 Defendant-Appellant.

-----x

An order of this Court having been entered on August 21, 2014 (M-3178), granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about May 14, 2014, and assigning Richard M. Greenberg, Esq., as counsel to prosecute the appeal under Ind. No. 2781/11,

And defendant having moved for an enlargement of time to file a notice of appeal from the judgment of said Court rendered on or about May 14, 2014 under Indictment No. 5646/12, 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 to the extent of deeming the moving papers herein as a timely filed notice of appeal from the judgment rendered on or about May 14, 2014 under Indictment Nos. 2781/11 and 5646/12, and the poor person relief and the assignment of counsel previously afforded defendant by the order of this Court entered August 21, 2014 (M-3178) is extended to cover both indictment numbers.

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 30, 2015.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Angela M. Mazzarelli  
David Friedman  
Judith J. Gische, Justices.

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

-against- M-1329  
Ind. No. 2410/03  
Angel Perez,  
Defendant-Appellant.

-----X

Respondent having moved to dismiss the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about June 13, 2003,

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 30, 2015.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Angela M. Mazzarelli  
John W. Sweeny, Jr.  
Judith J. Gische, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

Antonio Flores,  
Defendant-Appellant.

M-1107  
Ind. No. 1597/12  
Case No. 21109C/12

-----X

An order of this Court having been entered on September 23, 2014 (M-2887) granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about May 22, 2014, and assigning Robert S. Dean, Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Robert S. Dean, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. (212)402-4100, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

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 30, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Angela M. Mazzarelli  
Dianne T. Renwick  
Judith J. Gische, Justices.

-----X  
James Polsky and Bernadette Polsky,  
Plaintiffs-Appellants,

-against-

M-1244  
Index No. 107108/11

145 Hudson Street Associates L.P.,  
et al.,  
Defendants-Respondents.  
-----X

Plaintiffs-appellants having moved for an enlargement of  
time to perfect the appeal from the order of the Supreme Court,  
New York County, entered on or about December 24, 2013,

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.

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 30, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Angela M. Mazzairelli  
Dianne T. Renwick  
Judith J. Gische, Justices.

-----X

In the Matter of Hereford Insurance as  
Subrogee of Asim Bordan,  
Petitioner-Respondent,

-against-

M-1221

M-1381

American Independent Insurance,  
Respondent-Appellant.

Index No. 654224/13

-----X

Respondent-appellant having moved for an enlargement of time in which to perfect the appeal taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about May 23, 2014 (M-1221),

And petitioner-respondent having cross-moved to dismiss the appeal (M-1381),

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 enlarging the time in which to perfect the appeal to the October 2015 Term (M-1221). The cross motion to dismiss the appeal is granted unless appellant perfects the appeal for said Term (M-1381).

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 30, 2015.

PRESENT : Hon. Luis A. Gonzalez, Presiding Justice,  
Angela M. Mazzarelli  
Dianne T. Renwick  
Judith J. Gische, Justices.

-----X  
In re: New York City Asbestos Litigation  
-----X

Phyllis Brown, as Administratrix of  
the Estate of Harry E. Brown, and  
Phyllis Brown, Individually,  
Plaintiff-Appellant,

-against-

M-1350  
Index No. 190415/12

Bell & Gossett Company, et al.,  
Defendant,

-and-

Consolidated Edison of New York, Inc.,  
Defendant-Respondent.

-----X

Plaintiff-appellant having moved for consolidation of the appeals taken from the orders of the Supreme Court, New York County, entered on or about August 29, 2014 and March 13, 2015 (mot. seq. no. 018) respectively,

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

It is ordered that the motion is granted to the extent of permitting appellant to prosecute the appeals upon 9 copies of one record and of one set of appellant's points covering the appeals and enlarging the time in which to perfect the consolidated appeal to on or before August 10, 2015 for the October 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 30, 2015.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Sallie Manzanet-Daniels, Justices.

-----X  
Long Island Lighting Company,  
Plaintiff,

KeySpan Corporation,  
Plaintiff-Appellant-Respondent,

M-9  
M-10  
Index No. 604715/97

-against-

American Re-Insurance Company, et al.,  
Defendants-Respondents-Appellants,

Northern Assurance Company of America,  
Defendant-Respondent.

-----X  
Defendant-respondent Northern Assurance Company of America, 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 2, 2014 (Appeal No. 9639) [M-9],

And defendant-respondent-appellant Century Indemnity Co. having moved for the same relief (M-10),

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.

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 30, 2015.

PRESENT - Hon. Peter Tom,  
Angela M. Mazzarelli  
David Friedman  
Richard T. Andrias,

Justice Presiding,  
  
Justices.

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

-against-

M-487  
Ind. No. 8619/93

Ricky Morris,  
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on June 25, 1996 (Appeal No. 58368), unanimously affirming a judgment of the Supreme Court, New York County (Daniel Fitzgerald, J.), rendered on June 2, 1994,

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 April 30, 2015.

PRESENT - Hon. Peter Tom, Justice Presiding,  
David Friedman  
Dianne T. Renwick  
Karla Moskowitz  
Leland G. DeGrasse, Justices.

-----X

Eric Gonzalez,  
Plaintiff-Appellant,

-against-

M-1098  
Index No. 300144/10

L Two Go Auto Corp., et al.,  
Defendants-Respondents.

-----X

Defendants-respondents having moved to dismiss the appeal from the order of the Supreme Court, Bronx County, entered on or about March 25, 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 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 30, 2015.

PRESENT - Hon. Peter Tom, Justice Presiding,  
David Friedman  
Dianne T. Renwick  
Karla Moskowitz  
Leland G. DeGrasse, Justices.

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

-against-

M-1162  
Ind. No. 12220/94

Marvin Brown,  
Defendant-Appellant.

-----X

Respondent People having moved to dismiss the appeal taken  
from the judgment of the Supreme Court, New York County, rendered  
on or about November 15, 1995,

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

It is ordered that the motion is denied. The time to  
perfect the appeal is enlarged 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 30, 2015.

PRESENT: Hon. Peter Tom, Justice Presiding,  
David Friedman  
Dianne T. Renwick  
Karla Moskowitz  
Leland G. DeGrasse, Justices.

-----X  
William Dugan, et al.,  
Plaintiffs-Respondents,

-against-

M-1159  
Index No. 603468/09

London Terrace Gardens, L.P.,  
Defendant-Appellant.  
-----X

Defendant-appellant having moved for an enlargement of time  
to perfect the appeal from the orders of the Supreme Court,  
New York County, both entered on or about September 10, 2013  
(mot. seq. nos. 003-004),

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 30, 2015.

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

-----X  
Kelly Coffey,  
Plaintiff-Respondent,

-against-

M-6259  
Index No. 114073/09

CRP/Extell Parcel I, L.P., et al.,  
Defendants-Appellants,

Stroock & Stroock & Lavan LLP,  
Defendant.

-----X

Defendants-appellants 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 20, 2014 (Appeal No. 13536),

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 30, 2015.

PRESENT - Hon. Peter Tom, Justice Presiding,  
David Friedman  
Dianne T. Renwick  
Karla Moskowitz  
Leland G. DeGrasse, Justices.

-----X  
Alice Harriot and Leroy Harriot,  
her husband,  
Plaintiffs-Appellants,

-against-

M-1170  
Index No. 12179/03

Abdoulayetanou Blade, et al.,  
Defendants-Respondents.  
-----X

Defendants-respondents having moved to dismiss the appeal from judgment of the Supreme Court, New York County, entered on or about January 13, 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 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 30, 2015.

PRESENT: Hon. Peter Tom, Justice Presiding,  
David Friedman  
Dianne T. Renwick  
Karla Moskowitz  
Leland G. DeGrasse, Justices.

-----X  
In the Matter of the Application of

Dawn Bortman,  
Petitioner-Respondent,

Pursuant to Article 75 of the CPLR  
for Confirmation of FINRA Dispute  
Resolution Arbitration Award and Entry  
of Judgment Against:

M-1108  
Index No. 652924/13

Henry Lucander,  
Respondent-Appellant.

-----X  
  
Respondent-appellant pro se having moved for an enlargement  
of time to perfect the appeal from the order and judgment (one  
paper) of the Supreme Court, New York County, entered on or  
about October 29, 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 October 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 30, 2015.

PRESENT - Hon. Peter Tom, Justice Presiding,  
John W. Sweeny, Jr.  
Sallie Manzanet-Daniels  
Darcel D. Clark  
Barbara R. Kapnick, Justices.

-----X  
Manuel Veras,  
Plaintiff-Appellant,

-against-

M-1347  
Index No. 108951/11

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

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

-----X

Defendant-respondent Restani Construction Corp. having moved to dismiss the appeal from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about November 13, 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 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 30, 2015.

Present: Hon. Peter Tom, Justice Presiding,  
John W. Sweeny, Jr.  
Sallie Manzanet-Daniels  
Darcel D. Clark  
Barbara R. Kapnick, Justices.

-----X  
In the Matter of the Application of  
Dana Grossbard,  
Petitioner-Appellant,

**M-1322**

For a Judgment Pursuant to Article 78 Index No. 100497/14  
of the Civil Practice Law and Rules,

-against-

New York State Division of Housing  
and Community Renewal and Southbridge  
Towers Inc.,  
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 January 14, 2015,

And petitioner having moved to enjoin, pending hearing and determination of the aforesaid appeal, landlord Southbridge Tower, Inc., from taking any action or commencing and proceeding to recover possession the apartment located at 90 Beekman Street, Apartment 7J, New York City,

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 aforesaid landlord Southbridge Tower, Inc., its agents, attorneys and anyone acting on its behalf are so enjoined pending hearing and determination of the aforesaid appeal, on condition that the appeal is perfected on or before July 13, 2015 for the September 2015 Term. Upon failure to so perfect the respondent or the aforesaid landlord Southbridge Towers, Inc. may move to vacate the aforesaid stay.

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 30, 2015.

PRESENT - Hon. Peter Tom, Justice Presiding,  
John W. Sweeny, Jr.  
Sallie Manzanet-Daniels  
Darcel D. Clark  
Barbara R. Kapnick, Justices.

-----X  
In the Matter of the Application of

Police Officer Robert Tonry,  
Petitioner-Appellant,

For a Judgment Pursuant to Article 78  
of the CPLR,

-against-

M-1486  
Index No. 100081/14

William Bratton, etc., et al.,  
Respondents-Respondents.

-----X

A proceeding pursuant to Article 78 of the CPLR having been  
transferred to this Court by order of the Supreme Court, New York  
County, entered on or about July 11, 2014,

And petitioner-appellant having moved for an enlargement of  
time to perfect the aforesaid proceeding,

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

It is ordered that the motion is granted the time to perfect  
the proceeding is enlarged to the October 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 30, 2015.

PRESENT - Hon. Peter Tom, Justice Presiding,  
David Friedman  
Dianne T. Renwick  
Sallie Manzanet-Daniels  
Paul G. Feinman, Justices.

-----X  
Baxter Street Condominium, etc.,  
Plaintiff-Respondent,

-against-

LPS Baxter Holding Co., LLC,  
Defendant-Appellant.

M-1084  
Index Nos. 650962/12E  
650964/12E  
650965/12E

-----  
(And other actions)

-----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 March 3, 2015  
(Appeal Nos. 14387-14388-14389-14390-14391-14392),

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 30, 2015.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
David B. Saxe  
Leland G. DeGrasse  
Barbara R. Kapnick, Justices.

-----X  
Maria Maysonet and Miguel Maysonet,  
Plaintiffs-Appellants,

-against-

M-1184  
Index No. 150526/11

Ean Holdings, LLC, et al.,  
Defendants-Respondents.  
-----X

Plaintiffs-appellants having moved for an enlargement of  
time to perfect the appeal from the order of the Supreme Court,  
New York County, entered on or about June 23, 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 October 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 30, 2015.

PRESENT - Hon. Peter Tom, Justice Presiding,  
David B. Saxe  
Sallie Manzanet-Daniels  
Judith J. Gische  
Darcel D. Clark, Justices.

-----X  
Tashena Ampratwum, etc.,  
Plaintiff-Appellant,

-against-

M-1177  
Index No. 310817/11

Faustina Appiah,  
Defendant-Respondent.  
-----X

Plaintiff-appellant pro se having moved for reargument of  
the decision and order of this Court entered on February 19, 2015  
(Appeal No. 14273N-14273NA),

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 30, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Leland G. DeGrasse  
Paul G. Feinman  
Judith J. Gische, Justices.

-----x

Allen Bodner, etc.,  
Plaintiff-Appellant,

-against-

Harry Grunstein,  
Defendant-Respondent,

M-1029  
Index No. 653442/11

Leonard Grunstein, et al.,  
Defendants-Respondents,

John Does, #1-10, et al.,  
Defendants,

DMV Funding LLC, et al.,  
Nominal Defendants.

-----x

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about April 25, 2013, and said appeal having been decided by decision and order of this Court entered April 2, 2015 (Appeal Nos. 14700, 14700A, 14701 and (M-131),

And petitioner-appellant having moved for leave to supplement the record on appeal in include a copy of a certain pre-suite demand letter,

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 30, 2015.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
Sallie Manzanet-Daniels  
Judith J. Gische, Justices.

-----X  
Akira Nakasato,  
Plaintiff-Respondent,

-against-

331 W. 51<sup>st</sup> Street Corp., et al.,  
Defendants-Appellants.

M-809  
M-1004  
Index No. 103045/09

-----X

Defendant-appellant Eleban Yau-Mei Wong 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  
January 26, 2015 (Appeal No. 13792) [M-809],

And defendant-appellant 331 W. 51<sup>st</sup> Street Corp. having  
moved for reargument of or, in the alternative, leave to appeal  
to the Court of Appeals from the aforesaid decision and order of  
this Court (M-1004),

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.

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 30, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Leland G. DeGrasse  
Sallie Manzanet-Daniels  
Paul G. Feinman  
Judith J. Gische, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-5704  
Ind. No. 2526/13

Melody Macken,  
Defendant-Appellant.

-----X

An order of this Court having been entered on December 19, 2013 (M-5832), granting defendant leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about October 17, 2013, and assigning Seymour W. James, Jr., Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Seymour W. James, Jr., Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28<sup>th</sup> Floor, New York, New York 10005, Telephone No. 212-577-2523, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

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 30, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Leland G. DeGrasse  
Sallie Manzanet-Daniels  
Paul G. Feinman  
Judith J. Gische, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-5705  
Ind. No. 3902/12

Asinyefigh Papanye,  
Defendant-Appellant.

-----X

An order of this Court having been entered on February 19, 2013 (M-71), granting defendant leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about November 28, 2013, and assigning Seymour W. James, Jr., Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Seymour W. James, Jr., Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28<sup>th</sup> Floor, New York, New York 10005, Telephone No. 212-577-2523, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

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 30, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Leland G. DeGrasse  
Sallie Manzanet-Daniels  
Paul G. Feinman  
Judith J. Gische, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

Jai Ortiz, also known as Jia Ortiz,  
Defendant-Appellant.

M-5805  
Ind. Nos. 3906/11  
5118/11

-----X

An order of this Court having been entered on August 14, 2012 (M-2926), granting defendant leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about May 8, 2012, and assigning Seymour W. James, Jr., Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Seymour W. James, Jr., Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York, 10007, Telephone No. 212-402-4100, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

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 30, 2015.

PRESENT - Hon. David Friedman,  
John W. Sweeny, Jr.  
Karla Moskowitz  
Paul G. Feinman,

Justice Presiding,

Justices.

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

-against-

M-744  
Ind. No. 4750/08

Ronald Messam, also known as  
Ronald Messan,  
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on December 4, 2012 (Appeal No. 8570), unanimously affirming a judgment of the Supreme Court, New York County (Bonnie Wittner, J.), rendered on July 28, 2010,

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 April 30, 2015.

Present - Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Rosalyn H. Richter  
Judith J. Gische, Justices.

-----x  
Jozef Serowik, et al.,  
Plaintiffs-Respondents,

M-1316

-against-

Index No. 309306/10

Leardon Boiler Works, Inc., et al.,  
Defendants-Appellants.

- - - - -  
Leardon Boiler Works, Inc., et al.,  
Third-Party Plaintiff-Appellant,

-against-

Index No. 83704/11

GDT Associates, Inc.,  
Third-Party Defendant-Respondent.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, Bronx County, entered on or about August 23, 2013, and said appeal having been perfected,

And defendants/third-party plaintiff-appellant having moved, pursuant to CPLR 5519, for a stay of trial pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is granted.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme  
Court held in and for the First Judicial Department in  
the County of New York on April 30, 2015.

PRESENT - Hon. David Friedman, Justice Presiding,  
Dianne T. Renwick  
Sallie Manzanet-Daniels  
Paul G. Feinman  
Barbara R. Kapnick, Justices.

-----X  
Leonard Gartner,  
Plaintiff-Appellant,

-against-

M-5906  
Index No. 150609/11

Cardio Ventures, LLC, et al.,  
Defendants,

Adrienne Edelstein,  
Defendant-Respondent.  
-----X

Plaintiff-appellant having moved for reargument of the  
decision and order of this Court entered on October 30, 2014  
(Appeal No. 13336-13336A-13336B),

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 30, 2015.

Present - Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Rosalyn H. Richter  
Judith J. Gische, Justices.

-----x  
Connor Bush,  
Plaintiff-Respondent,

-against-

M-1140  
Index No. 100750/12

CNY Builders LLC, et al.,  
Defendants-Appellants.

- - - - -  
[And a third-party action.]

-----x  
An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about September 11, 2014 (mot. seq. nos. 003-005), and said appeal having been perfected,

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

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties dated March 13, 2015, and due deliberation having been had thereon,

It is ordered that the motion is granted.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 30, 2015.

PRESENT - Hon. John W. Sweeny, Jr., Justice Presiding,  
Rolando T. Acosta  
Richard T. Andrias  
David B. Saxe, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-559  
Ind. No. 46317/00

Michael Rico also known as  
Michael Ricco,  
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on October 19, 2004 (Appeal No. 4349), unanimously affirming a judgment of the Supreme Court, Bronx County (Megan Tallmer, J.), rendered on November 8, 2002,

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 April 30, 2015.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,  
Richard T. Andrias  
Sallie Manzanet-Daniels  
Darcel D. Clark, Justices.

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

Respondent,

-against-

M-1417  
Ind. No. 5530/10

Ekeythia Dunston,

Defendant-Appellant.

-----x

Defendant-appellant, through assigned counsel, having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, New York County, rendered on or about July 11, 2012,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties dated April 1, 2015, 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 30, 2015.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,  
Richard T. Andrias  
Sallie Manzanet-Daniels  
Darcel D. Clark, Justices.

-----X

Eric Hood,  
Plaintiff-Respondent,

-against-

**M-888**

**M-1377**

Index No. 160459/13

Peter Koziej and Robert Koziej,  
Defendants-Appellants.

-----X

Appeals having been taken from two orders of the Supreme Court, New York County, entered on or about July 15, 2014 and February 20, 2015, and from a judgment of said Court entered on or about February 26, 2015, and said appeals having been perfected,

And plaintiff-respondent having moved for dismissal of the aforesaid appeals (M-888),

And defendant-appellants having cross-moved for leave to file a supplemental record on appeal with new notices of appeal, preargument statements, and to re-file a new appellants' brief and for related relief (M-1377),

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 cross motion is granted and defendants are permitted to serve and file 9 copies of a supplemental record on appeal containing the notices of appeal from the order entered on or about February 20, 2015 and from the judgment entered on or about February 26, 2015, along with the respective pre-argument statements, and certain motion papers submitted to the trial court.

Defendants-appellants are granted leave to withdraw the currently filed appellant's brief and re-file said appellant's brief on or before August 10, 2015 for the October 2015 Term without further fee, to which the remaining appeal is adjourned (M-1377). Plaintiff's motion to dismiss the appeals is denied (M-888).

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 30, 2015.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,  
Richard T. Andrias  
Sallie Manzanet-Daniels  
Darcel D. Clark, Justices.

-----x  
In the Matter of

Tabitha W.,

A Child Under 18 Years of Age  
Alleged to be Neglected.

M-991

Docket No. NN-5261/15

- - - - -  
Commissioner of the Administration for  
Children's Services of the City of  
New York,  
Petitioner-Appellant,

Latasha W.,  
Respondent-Respondent,

Seymour James, Jr., Esq., Legal Aid  
Society,  
Attorney for the Child.  
-----x

An appeal having been taken to this Court by petitioner from the order of the Family Court, Bronx County, entered on or about March 6, 2015,

And petitioner-appellant having moved for an order in the nature of a preliminary appellate injunction compelling that the child be remanded to the Administration for Children's Services,

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 30, 2015.

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

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

-against-

M-444  
Ind. No. 9247/92

Felix Villaman, also known as Angelo Sue,  
Defendant-Appellant.  
-----X

The People having moved for dismissal of the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about July 9, 1993,

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 30, 2015.

Present - Hon. Rolando T. Acosta, Justice Presiding,  
David B. Saxe  
Leland G. DeGrasse  
Rosalyn H. Richter, Justices.

-----X  
In the Matter of the Application of  
Tomas Carmona,  
Petitioner,

For a Judgment Pursuant to Article  
78 of the CPLR,

M-1411  
Index No. 400082/14

-against-

New York City Housing Authority,  
Respondent.

-----X

An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about June 30, 2015, to review a determination of respondent,

And petitioner having moved for leave to prosecute the proceeding as a poor person, upon the original record and reproduced petitioner's brief,

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

It is ordered that the motion is granted to the extent of permitting the proceeding to be heard on the original record and upon a reproduced petitioner's brief, on condition that petitioner serves one copy of such brief upon the attorney for the respondent and file 8 copies of such brief, together with the original record, with this Court. Petitioner is permitted to dispense with payment of the required fee for the subpoena and filing of the record. Sua sponte, the time to perfect the proceeding is enlarged 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 30, 2015.

PRESENT : Hon. Rolando T. Acosta, Justice Presiding,  
David B. Saxe  
Leland G. DeGrasse  
Rosalyn H. Richter, Justices.

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

-against- M-1168  
Ind. No. 6306/10  
Camacho Olivero,  
Defendant-Appellant.  
-----X

Defendant-appellant having moved for a preference in the  
hearing of the appeal from the order of the Supreme Court,  
New York County, entered on or about September 17, 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  
adjourning the hearing of the appeal to the September 2015 Term,  
and directing the Clerk to maintain the appeal on 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 30, 2015.

Present - Hon. Rolando T. Acosta, Justice Presiding,  
David B. Saxe  
Leland G. DeGrasse  
Roselyn H. Richter, Justices.

-----X

D.A. Collins Construction Co., Inc.,  
Plaintiff-Respondent,

-against-

M-1220  
Index No. 100735/10

Geomatrix Services, Inc.,  
Defendant,

The City of New York,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about February 10, 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 October 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 30, 2015.

PRESENT : Hon. Rolando T. Acosta, Justice Presiding,  
David B. Saxe  
Rosalyn H. Richter  
Judith J. Gische  
Barbara R. Kapnick, Justices.

-----X  
Jacqueline J. Flores,  
Plaintiff-Appellant,

-against-

M-1040  
Index No. 108238/11

Oumar Moussa Nzeyimana, et al.,  
Defendants-Respondents.  
-----X

Plaintiff-appellant having moved for consolidation of the appeals taken from the orders of the Supreme Court, New York County, entered on or about February 5, 2014 (mot. seq. no. 002) and January 9, 2015 (mot. seq. no. 004),

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 appellant to prosecute the appeals upon 9 copies of one record and of one set of appellant's points covering the appeals and enlarging the time in which to perfect the consolidated appeal to the December 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 30, 2015.

Present - Hon. Rolando T. Acosta, Justice Presiding,  
David B. Saxe  
Leland G. DeGrasse  
Rosalyn H. Richter, Justices.

-----X  
1971 86<sup>th</sup> Street Realty LLC, et al.,

Plaintiffs-Respondents,

-against-

M-1261  
Index No. 306839/10

New York Design Architects LLP,

Defendant-Appellant.  
-----X

Defendant-appellant having moved for an enlargement of time  
to perfect the appeal from the judgment of the Supreme Court,  
Bronx County, entered on or about October 25, 2013,

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.

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 30, 2015.

PRESENT - Hon. Karla Moskowitz, Justice Presiding,  
Leland G. DeGrasse  
Darcel D. Clark  
Barbara R. Kapnick, Justices.

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

-against-

M-3224B  
Ind. No. 1733/12

Derrick Hughes,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of **resentence** of the Supreme Court, New York County, rendered on or about February 14, 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 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 **resentence**. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Seymour W. James, Jr., Legal Aid Society, 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. The order of this Court entered April 23, 2015 (M-3224A) is hereby recalled and vacated.

ENTER:

  
CLERK



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

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

-----X  
IN THE MATTER OF THE APPLICATION OF  
RICHARD PERKINS AND OTHER TENANTS AT  
PREMISES 140 WEST 55<sup>TH</sup> STREET, NEW YORK,  
N.Y. 10019,

Petitioner-Respondent,

For a Judgment under Article 78 of the  
Civil Practice Law and Rules to set aside  
a Determination of the New York State  
Department of Housing and Community  
Renewal,

-against-

M-909  
Index No. 100715/2014

NEW YORK STATE DEPARTMENT OF HOUSING AND  
COMMUNITY RENEWAL and NEW YORK STATE  
DEPARTMENT OF LAW,

Respondent,

-and-

140 WEST 55<sup>TH</sup> STREET LLC,

Respondent-Appellant.  
-----X

Respondent-Appellant having moved for leave to appeal to  
this Court from the order of the Supreme Court (Hunter, J.), New  
York County, entered on or about January 7, 2015,

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.



Rolando T. Acosta  
Associate Justice

Dated: April 15, 2015  
New York, New York

Entered: **APR 30 2015**